COUNTRY NARRATIVES

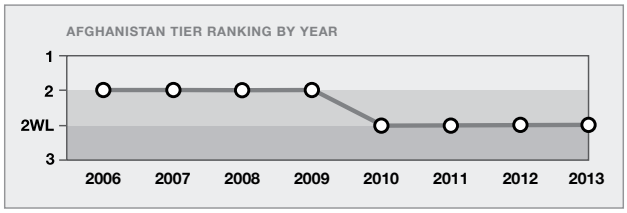
Children who work in stone quarries are subjected to long days of harsh, unhealthy, and hazardous working conditions that are harmful to their growth and development. In exchange they are paid little and exposed to physical, emotional, and sometimes even sexual abuse.

AFGHANISTAN (Tier 2 Watch List)

Afghanistan is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Internal trafficking is more prevalent than transnational trafficking. The majority of Afghan victims are children subjected to human trafficking in carpet-making and brick kiln factories and domestic servitude, and in commercial sexual exploitation, begging, and transnational drug smuggling within Afghanistan and in Pakistan, Iran, and Saudi Arabia. Some Afghan families knowingly sell their children for forced prostitution, including for *bacha baazi*—where wealthy or influential men, including government officials and security forces, use young boys for social and sexual entertainment. Other families send their children through labor brokers for employment, but the children end up in forced labor. Opium-farming families sometimes sell their children to settle debts with opium traffickers. According to the government and the UN, insurgent groups force older children to serve as suicide bombers. Some Afghan families are trapped in debt bondage in the brick-making industry in eastern Afghanistan.

Increasing numbers of men, women, and children in Afghanistan pay intermediaries to assist them in finding employment in Iran, Pakistan, India, Europe, or North America; some of these intermediaries force Afghan citizens into labor or prostitution after their arrival. Afghan women and girls are subjected to forced prostitution and domestic servitude in Pakistan, Iran, and India. Afghan boys and men are subjected to forced labor and debt bondage in the agriculture and construction sectors in Iran, Pakistan, Greece, Turkey, and the Gulf states. There were reports of women and girls from the Philippines, Pakistan, Iran, Tajikistan, and China subjected to sex trafficking in Afghanistan. Under the pretense of high-paying employment opportunities, labor recruiting agencies lure foreign workers to Afghanistan, including from Sri Lanka, Nepal, India, Iran, Pakistan, and Tajikistan. Traffickers also recruit Afghan villagers to Afghan cities and then sometimes subject them to forced labor or forced prostitution after their arrival.

The Government of Afghanistan does not fully comply with the minimum standards for the elimination of trafficking. The government has not shown evidence of increasing efforts to address human trafficking compared to the previous year; therefore, Afghanistan is placed on Tier 2 Watch List for a fourth consecutive year. Afghanistan was granted a waiver from an otherwise required downgrade to Tier 3 because its government has a written plan that, if implemented, would constitute making significant efforts to bring itself into compliance with the minimum standards for the elimination of trafficking and would devote sufficient resources to implement that plan. During the reporting period, the Afghan government recorded the first known convictions of trafficking offenders under its 2008 law. The government continued, however, to penalize and re-victimize trafficking victims for offenses committed in the course of being trafficked. Government officials' complicity in trafficking remained a serious problem. The level of understanding of human trafficking among Afghan government officials remained very low.



Recommendations for Afghanistan: Eliminate police and court penalization of trafficking victims for offenses committed as a direct result of being trafficked, such as prostitution or adultery; increase use by law enforcement of the 2008 anti-trafficking law, including prosecuting suspected traffickers and convicting trafficking offenders; consider amending the 2008 anti-trafficking law to prohibit and penalize all forms of trafficking in persons; investigate and prosecute government officials suspected of being complicit in human trafficking; strengthen the High Commission for Combating Crimes of Abduction and Human Trafficking/Smuggling, and implement the anti-trafficking national action plan; educate government officials, including law enforcement and judicial officials, on the definition of human trafficking as well as protection and law enforcement strategies; segregate older and younger boys in trafficking shelters to prevent the abuse of younger boys; strengthen the capacity of the ministry of interior's anti-trafficking/smuggling unit, including by ensuring the unit is fully staffed and differentiating between smuggling and trafficking; undertake initiatives to prevent trafficking, such as running a public awareness campaign to warn at-risk populations of the dangers of trafficking, and encourage religious leaders to incorporate anti-trafficking messaging in religious teachings; improve efforts to collect, analyze, and accurately report counter-trafficking data; and accede to the 2000 UN TIP Protocol.

Prosecution

The Government of Afghanistan improved anti-trafficking law enforcement efforts over the reporting period, though official complicity in human trafficking remained a problem. Afghanistan's 2008 Law Countering Abduction and Human Trafficking/Smuggling, along with Article 516 of the penal code, prohibits many, but not all, forms of human trafficking. Government officials, including law enforcement and judicial officials, continued to have a limited understanding of human trafficking. In Dari—the language spoken most widely in Afghanistan—the same word denotes both human trafficking and human smuggling, compounding the confusion. The law prescribes between eight and 15 years' imprisonment for persons convicted of some forms of labor trafficking and prescribes penalties of up to life imprisonment for those convicted of some forms of sex trafficking. The 2009 Elimination of Violence Against Women (EVAW) law and other provisions of the penal code contain penalties for most forms of trafficking. These penalties are sufficiently stringent and commensurate to those prescribed for other serious crimes, such as rape. The attorney general's office reported the convictions of four Afghan and Pakistani men who forced four Pakistani women into prostitution. The first-level court's verdict, which sentenced the four trafficking offenders to 20 years' imprisonment, was upheld by the appellate court. These are the first known convictions under the government's anti-trafficking law. A husband was convicted under the EVAW law for killing his wife because she refused to engage

in prostitution. He was sentenced to 18 years' imprisonment, and his accomplice, a male child, was sentenced to 10 years' imprisonment. International organizations and NGOs continued to provide training to police, prosecutors, and other government officials on identifying and investigating trafficking cases. The Ministry of Interior (MOI) and Ministry of Justice provided venues and provincial government trainers for some of the programs.

Government employees' complicity in human trafficking remained a serious problem. Reports indicated that government officials, including commanders of the Afghan National Security Forces and provincial governors, were complicit in the practice of *bacha baazi*. There have been reports that national and border police facilitated trafficking and raped sex trafficking victims. Police at the western border with Iran routinely collaborated with child traffickers and let traffickers pass through the border controls with their victims. An Afghan National Army (ANA) sergeant was convicted and sentenced to 11 years' imprisonment under the EVAW law for forcing his wife into prostitution; clients were local power brokers and ANA colleagues. There were no other reports of investigations or prosecutions of government employees for alleged complicity in trafficking-related offenses during the reporting period.

Protection

The Government of Afghanistan did not make discernible progress in protecting victims of trafficking. Afghanistan did not develop or employ systematic procedures to identify victims of trafficking or refer them to protective services. However, some provincial and federal government agencies worked with international organizations at border crossing points with Iran to identify potential victims and refer them to protective services. The Ministry of Labor and Social Affairs, Martyrs, and the Disabled (MOLSAMD) owns three short-term trafficking shelters, which were operated by IOM and partner NGOs and paid for by a foreign government. MOLSAMD was responsible for the registration of victims and the security of the facilities, while the vast majority of victim assistance was provided by the NGOs. Multiple NGOs noted good cooperation with the MOLSAMD. The Ministry of Women's Affairs (MOWA) oversaw a number of NGO-operated and foreign government-funded shelters that provided services to women, including trafficking victims. NGOs reported that MOWA placed restrictions on the freedom of movement of some female trafficking victims in these shelters. Child trafficking victims were sometimes placed in shelters or orphanages; there have been reports that older boys sexually abused younger boys in shelters. Funding gaps impeded more effective protection efforts. IOM reported it assisted 284 victims during the reporting period, the majority of whom were boys and 150 of whom were referred by the Afghan government. There was no evidence that the government encouraged victims to assist in investigations of their traffickers during the reporting period.

Government officials punished victims of trafficking for acts they may have committed as a direct result of being trafficked. Afghan officials continued to arrest, imprison, or otherwise punish female trafficking victims for prostitution or adultery or for escaping from husbands who had forced them into prostitution, even if the destination was a shelter. In the reporting period, government officials from several ministries issued statements emphasizing that running away is not considered a crime in the Afghan legal system; however, these practices continued. NGOs reported instances of child trafficking victims placed in juvenile detention centers, sometimes for several years. Officials often placed trafficked women who could not be accommodated in shelters in prison. Some trafficked boys were placed in a facility for juvenile criminals, and trafficked adult men were incarcerated, in part because they could not stay in shelters. The government does not have a policy that provides relief from deportation for foreign victims of trafficking who may face retribution or hardship in the countries to which they would be deported; however, Afghan law allows foreign victims of trafficking to remain legally in Afghanistan for at least six months. There was no information that the government forcibly deported any foreign victims of trafficking during the reporting period.

Prevention

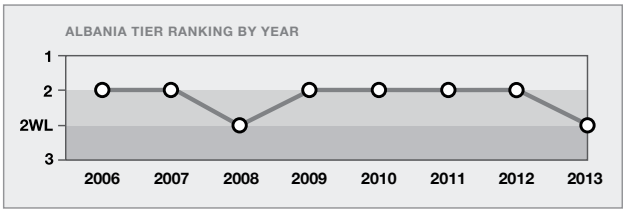
During the reporting period, the Government of Afghanistan made no discernible progress in preventing human trafficking, though it did adopt an anti-trafficking action plan. The High Commission for Combating Crimes of Abduction and Human Trafficking/Smuggling continued to meet on a quarterly basis, though it was ineffective due in part to its lack of a designated budget. While the terms of reference of the group require that ministries send deputy minister-level members to participate in meetings, many ministries sent lower-level officials or failed to attend meetings entirely. Nevertheless, in January 2013, the High Commission approved a national action plan which obligated specific anti-trafficking actions to its members. While the MOI increased the number of officers to staff the anti-trafficking/smuggling unit and designated two officers to work on trafficking issues in each of Afghanistan's 34 provinces, in practice, the majority of the personnel were temporarily reassigned to other duties. The government adopted the Abu Dhabi Dialogue Framework of Regional Collaboration, which includes provisions to familiarize workers with their rights and reduce recruitment fees. The government did not undertake initiatives to prevent trafficking, such as public awareness campaigns to warn at-risk populations of the danger of trafficking. There was no progress reported toward fulfilling the goals of the action plan signed in January 2011 to combat the practice of *bacha baazi* by the Afghan National Security Forces. The government did not take steps to reduce the demand for commercial sex acts. Afghanistan is not a party to the 2000 UN TIP Protocol.

ALBANIA (Tier 2 Watch List)

Albania is a source country for men, women, and children subjected to sex trafficking and forced labor. Albanian victims are subjected to sex trafficking within Albania and in Greece, Italy, Macedonia, Kosovo, Belgium, Netherlands, Germany, Switzerland, Ireland, and the United Kingdom. Many women are subjected to trafficking after accepting offers of employment in waitressing, bartending, dancing, or singing in neighboring countries, specifically in Kosovo, Greece, and Macedonia. Victims of labor trafficking from the Philippines were identified in Albania during the year. Albanian children are subjected to begging and other forms of compelled labor. Some Albanian girls are subjected to sex trafficking or forced labor following arranged marriages.

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

these efforts, the government failed to demonstrate evidence of increasing efforts to address human trafficking over the previous reporting period; therefore, Albania is placed on Tier 2 Watch List. The government modestly funded NGO shelters that provided services to victims of trafficking and judges were reported to take a more victim-centered approach during trials. The government, however, decreased the number of offenders it investigated, prosecuted, and convicted for trafficking. Albanian authorities continued to prosecute and punish victims for unlawful acts that were a direct result of the victims being subjected to sex trafficking. The government removed the national anti-trafficking coordinator, who was highly effective in collaborating with NGOs to develop the national referral mechanism (NRM) and standard operating procedures, and left the position vacant for five months. This left the national coordinator's office without the authority to convene interagency meetings. Some ministries failed to designate representatives to participate in the NRM and lack of coordination stalled implementation of the anti-trafficking legislation. Assistance to child victims of trafficking was inconsistent.



Recommendations for Albania: Reduce the high rates of turnover among government officials, specifically within local police forces, to maintain capacity gained from officials who are specially trained in addressing human trafficking; allocate a budget for the national anti-trafficking coordinator's office to reduce its dependence on international donors and to increase prevention efforts; systematically train police and officials at the local level on standard operating procedures to increase the number of victims identified and assisted in Albania; ensure victims of sex trafficking are not punished for prostitution offenses; ensure the full implementation of the NRM by designating responsible representatives from each ministry; train officials in child protection units to increase the identification of trafficking indicators and refer victims to appropriate services; fund protective services for child victims of trafficking; vigorously investigate and prosecute trafficking offenders; implement victim-sensitive procedures for accessing healthcare; expand community-based services for victims' reintegration and empowerment to help reduce the stigma associated with trafficking; and continue to expand efforts to increase awareness of labor trafficking.

Prosecution

The Government of Albania decreased its anti-trafficking law enforcement efforts over the last year. The criminal code for Albania prohibits sex and labor trafficking under articles 110(a), 128(b), and 114(b), which prescribe penalties of five to 15 years' imprisonment. These penalties are sufficiently stringent and exceed those prescribed for other serious crimes, such as rape. The Serious Crimes Prosecution office reported investigating 11 human trafficking suspects in 2012, compared with 27 suspects in 2011. The government did not disaggregate data to demonstrate that it made efforts against both sex trafficking and forced labor. Courts dismissed prosecutions against two defendants due to lack of evidence. The government convicted two sex trafficking offenders in 2012, compared with five trafficking offenders convicted in 2011. The two offenders convicted were sentenced to 15 years' imprisonment and a fine equivalent of approximately $57,100 and 10 years' imprisonment and a fine equivalent of approximately $38,100 respectively. Two prosecutions remained ongoing. Albanian law enforcement officials coordinated with police in Italy and Germany to investigate and prosecute sex trafficking cases. During 2012, the government trained 114 judges, prosecutors, and judicial police officers on trafficking awareness. NGOs reported that judges adopted a more victim-centered approach during trials after a series of government-sponsored trainings. While media reports alleged that a Republican Guard officer subjected a child to sex trafficking and received a reduced sentence of one year in prison for admitting to the crime of exploitation of prostitution, the government did not report any investigations or prosecutions of government employees allegedly complicit in human trafficking offenses during the year.

Protection

The government maintained efforts to refer victims of trafficking to appropriate services during the reporting period, but lack of coordination among ministries and sporadic implementation of standard operating procedures resulted in punishment for victims of trafficking. In the last year, the government reported identifying 42 new victims. NGOs identified an additional 50 new victims in 2012. This was an increase over a total of 84 victims identified in 2011. A total of 138 victims were cared for in state-run and NGO shelters. Eleven victims identified were men and 26 were children. Two identified victims were subjected to labor trafficking. Law enforcement officials continued to miss opportunities to identify and refer victims to services using standard operating procedures. The government trained approximately 500 police, government officials, and civil society members on implementing standard operating procedures, though high rates of turnover in government positions—specifically within the police—prevented progress at the local level in identifying and protecting victims of trafficking. Most police and regional authorities remain untrained on trafficking issues, and use of standard operating procedures is inconsistent. As a result, many victims were treated as suspects in prostitution – related offenses and not provided access to services through the NRM.

The government provided the equivalent of approximately $7,280 to NGO shelters; however, this money was strictly allocated for food expenses only and was minimal in light of the number of victims served. The government provided no financial support for services to trafficking victims' dependent children. The government reported that it allocated the equivalent of approximately $280,952 for social services for adult victims of trafficking; however, it did not release information on how much of this was spent on these services. Three shelters were operated by NGOs and provided comprehensive services. A fourth state-run shelter provided limited services, but worked in collaboration with NGOs to meet the needs of victims. Two adults and one child housed in the state shelter disappeared during the reporting period. Victims' freedom of movement in the state-run shelter was limited. In 2012, the government approved access to free healthcare for victims of trafficking, but service providers reported that bureaucratic hurdles prevented victims from accessing free healthcare during the reporting

period. In practice, potential beneficiaries attempting to access healthcare were required to self-identify as victims of trafficking to numerous professionals in violation of privacy laws. One hundred new child protection units were established at the local level; the units have a direct role in increasing identification of child victims of trafficking and ensuring protection, but most employees lacked the training and resources to effectively identify and assist child victims of trafficking. The government encouraged victims to participate in investigations and prosecutions of trafficking offenders by providing victim witnesses access to social workers and psychologists during trials. The Serious Crimes Prosecution office in Tirana includes a victim witness coordinator; however, victims outside Tirana did not have access to this service and local prosecutors lacked training on how to effectively work with victim witnesses. This problem was exacerbated for trafficking victims in cases in which the trafficker was prosecuted for prostitution-related offenses and not under the trafficking law. As an alternative to removal for foreign trafficking victims, Albania's anti-trafficking law provides a two-year reflection period with temporary residency status and the opportunity to apply for permanent residency after five years in the country, as well as authorization to work. However, in practice, the government has yet to grant this status to a victim.

NGOs reported that victims were punished as a direct result of being in human trafficking situations. In 2012, at least three victims of sex trafficking were convicted of prostitution. In one case, the court issued both a conviction against the defendant for trafficking in persons, and simultaneously convicted the victim for prostitution. Lack of training and the high rate of turnover among prosecutors was a challenge to progress on this problem.

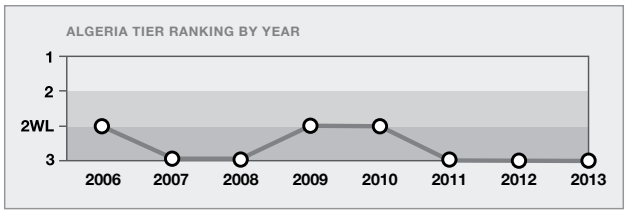
Prevention

Albania sustained efforts to prevent trafficking in persons during the year. The government trained 245 school personnel in mostly rural areas. The government, with support from the OSCE, trained 20 labor inspectors on anti-trafficking awareness and launched a project on labor exploitation and the promotion of corporate social responsibility. While the government updated the NRM through collaboration with civil society, the removal of the national coordinator hindered efforts to implement the national action plan against trafficking adopted in 2011. The government made no discernible efforts to reduce the demand for commercial sex acts, and made limited public awareness efforts aimed at reducing the demand for forced labor.

ALGERIA (Tier 3)

Algeria is a transit and, to a lesser extent, a destination and source country for women and, to a lesser extent, men, subjected to forced labor and sex trafficking. Most commonly, sub-Saharan African men and women enter Algeria voluntarily but illegally, often with the assistance of smugglers, for the purpose of traveling to Europe. Some of these women may be forced into prostitution. Criminal networks, which sometimes extend to sub-Saharan Africa and to Europe, are involved in smuggling and human trafficking. The "chairmen," or leaders, of the "African villages"—small non-Algerian ethnic enclaves located in and around the southern city of Tamanrasset—may be among those responsible for forcing some women into prostitution. Some sub-Saharan African men, mostly from Mali, are forced domestic workers. Homeowners sometimes confiscate their identification documents, which is indicative of forced labor. Some Algerian women are also forced into prostitution. Civil society groups believe that Algeria is increasingly becoming a destination for both undocumented migration and trafficking.

The Government of Algeria does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. For another year the government did not hold any perpetrators of sex trafficking or forced labor accountable with jail time. The government continued to conflate human trafficking and smuggling, and trafficking victims were therefore commonly treated as illegal immigrants and subject to arrest, detention, and deportation. The government lacked adequate measures to protect victims. The government's anti-trafficking committee met monthly since June 2012, but it did not publicly report its activities or accomplishments.



Recommendations for Algeria: Investigate, prosecute, and convict sex and labor trafficking offenders, including public officials complicit in human trafficking, and punish them with imprisonment; establish capacity to identify victims of trafficking among illegal migrants; ensure that trafficking victims are offered necessary assistance, such as shelter, medical, psychological, and legal aid; establish a policy to ensure identified victims are not punished for unlawful acts committed as a direct result of being subjected to human trafficking; establish partnerships with relevant international organizations and NGOs in source countries to ensure the safe and voluntary repatriation of trafficking victims; establish formal procedures to guide officials in how to identify trafficking, handle trafficking cases and protect victims; and expand existing efforts to increase public awareness of trafficking, including on the differences between human smuggling and trafficking.

Prosecution

The Algerian government made minimal efforts to address human trafficking through law enforcement means during the reporting period. Algeria prohibits all forms of trafficking under Section 5 of its criminal code, enacted in March 2009. Prescribed penalties under this statute range from three to 10 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed under Algerian law for other serious crimes, such as rape. By law, Algerian courts must hear testimony from the victim in order to convict the trafficking offender; therefore courts are unable to secure a conviction if a trafficking victim has already left the country. The government does not have an effective system to collect and report anti-trafficking law enforcement data, and government officials admitted difficulty distinguishing between human trafficking and smuggling data. This inability

to differentiate between alien smuggling and human trafficking led to continued conflation, with the November 2012 arrests of seven smugglers for moving Nigerien migrants *en route* to Libya under the anti-trafficking statute. During the reporting period, the government prosecuted these seven individuals under its anti-trafficking law but did not differentiate whether the prosecutions were for sex trafficking or forced labor. For another year, the government did not report any convictions of trafficking offenders. The government did not report efforts to investigate or punish government employees complicit in trafficking-related offenses despite some allegations of complicity. Previous reporting has indicated that some police in Tamanrasset have released sex trafficking victims back to their pimps, who are often also village "chairmen." The government funded and implemented a trafficking victim identification training program in November 2012 for 74 police brigades, including 24 newly established police brigades that focus on illegal immigration and human trafficking. The anti-trafficking committee also collaborated with an international organization in the development of a judicial anti-trafficking training program for government officials.

Protection

The government made no discernible progress in protecting victims of trafficking over the last year. It did not develop or employ systematic procedures for the identification of trafficking victims among vulnerable populations, such as foreign women arrested for prostitution or undocumented migrants, nor did the government have a victim referral procedure in place to provide victims with appropriate protection and assistance. NGOs reported that some trafficking victims were jailed for unlawful acts committed as a result of their being subjected to human trafficking—such as engaging in prostitution or lacking adequate immigration documentation. Similarly, NGOs indicated that if a prostitution operation became too public, police arrested women in prostitution and deported them through Algeria's southern border, making no attempt to identify potential sex trafficking victims among the women. The government did not provide foreign victims with legal alternatives to their removal to countries where they faced retribution or hardship. In previous years, NGOs reported that deported migrants, some of whom may have been trafficking victims, received a liter of milk and some bread and were transported to desert borders with Mali and Niger; NGOs also reported that in some cases, migrants died in the Saharan desert. The government reported that undocumented migrants detained in Tamanrasset spent a week in a detention center before being deported to neighboring countries to the south.

There were no government-operated shelters, and civil society groups were prohibited from operating any such shelters because they would be penalized for harboring undocumented migrants. However, NGOs operated care facilities for some vulnerable populations, such as abandoned women, and these were—in theory—accessible to some female trafficking victims. The government reported that it identified 100 potential victims of trafficking and referred them to short-term NGO-operated care facilities before deporting them; many of them may have been falsely identified as trafficking victims and instead were smuggled migrants. Government-operated health clinics continued to be available for trafficking victims, and some victims used these services; however, a number of victims were either unaware of these clinics or declined to use them due to fear of deportation. There is no formal program to encourage trafficking victims to participate in investigations or prosecutions of trafficking offenders. The government did not provide counseling or legal services to victims.

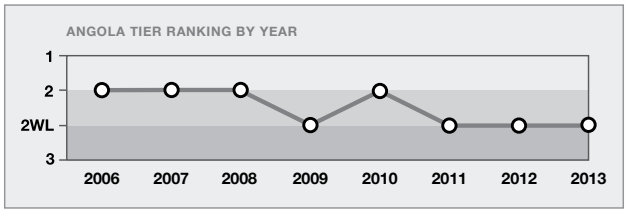
Prevention

The Algerian government made no significant progress in its prevention efforts during the reporting period. The government did not conduct a public awareness campaign on trafficking in persons, despite its effort in the previous reporting period. The government did not have a formal anti-trafficking policy or a national plan of action to complement its anti-trafficking law. It did not attempt to forge effective anti-trafficking partnerships with civil society organizations. The government did not take measures to establish the identity of the populations most at risk of being trafficked. The government did not report taking any measures to reduce the demand for commercial sex acts in Algeria or child sex tourism among Algerians traveling abroad. The government reported that its inter-ministerial anti-trafficking committee met every month since June 2012 but the group did not produce a public report on its activities or accomplishments.

ANGOLA (Tier 2 Watch List)

Angola is a source and destination country for men, women, and children subjected to sex trafficking and forced labor. Angolans are reportedly forced to labor in agriculture, construction, domestic service, and artisanal diamond mines within the country. Chinese nationals in Angola exploit Angolan children in brick-making factories and rice farming. There are reports of girls as young as 13 years old in prostitution in the provinces of Luanda, Benguela, and Huila. Some Angolan boys are taken to Namibia for forced labor in cattle herding, while others are forced to serve as couriers as part of a scheme to skirt import fees in cross-border trade with Namibia. Angolan adults may use children under the age of 12 for forced criminal activity, as children cannot be tried in court. Angolan women and children are subjected to domestic servitude in South Africa, the Democratic Republic of the Congo (DRC), Namibia, and European countries, primarily Portugal. Angolan men are victims of labor trafficking in the Netherlands. Vietnamese and Brazilian women in prostitution in Angola may be victims of sex trafficking. Chinese women are recruited by Chinese gangs and construction companies with promises of work but later are deprived of their passports, kept in walled compounds with armed guards, and forced to pay back the costs of their travel by engaging in prostitution. Chinese, Southeast Asian, Namibian, and possibly Congolese migrants are subjected to forced labor in Angola's construction industry; conditions include the withholding of passports, threats, denial of food, and confinement. The Chinese workers are brought to Angola by Chinese companies who have obtained large construction or mining contracts; the companies do not disclose the terms and conditions of the workers at the time of their recruitment before they arrive in Angola. Undocumented Congolese migrants enter Angola for work in its diamond-mining districts, where some experience conditions of forced labor or forced prostitution in mining camps. Trafficking networks recruit and transport Congolese girls as young as 12 years old from DRC's Kasai Occidental province to Angola for various forms of exploitation.

The Government of Angola does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these measures, the government did not demonstrate evidence of overall increasing anti-trafficking efforts since the previous reporting period; therefore, Angola is placed on Tier 2 Watch List for a third consecutive year. Angola was granted a waiver from an otherwise required downgrade to Tier 3 because its government has a written plan that, if implemented, would constitute making significant efforts to meet the minimum standards for the elimination of trafficking and is devoting sufficient resources to implement that plan. Overall, the government continued to demonstrate minimal political will to address trafficking offenses in Angola involving both Angolans and foreign nationals. The government has never convicted a trafficking offender. It also made negligible efforts to increase understanding of trafficking on the part of government officials and the Angolan population generally, a major factor inhibiting progress. Despite undertaking law enforcement action in partnership with Chinese authorities to repatriate 37 alleged trafficking offenders and 14 trafficking victims to China and its investigation of one potential internal trafficking case, the government has failed to prosecute trafficking offenses vigorously. The government neither adopted amendments to its penal code to prohibit trafficking in persons nor finalized draft anti-trafficking legislation, both pending from previous reporting periods. Although it identified and assisted 54 potential child trafficking victims, the government did not complete development of a manual to assist law enforcement officials in identifying victims of trafficking among vulnerable populations; the lack of victim identification may have contributed to the arrests and deportation of foreign victims during the year.



Recommendations for Angola: Amend the penal code to prohibit and punish all forms of human trafficking and provide sufficient protections for victims; train law enforcement officials to use relevant portions of the existing penal code to prosecute trafficking offenses involving Angolan or foreign victims and convict offenders; investigate and prosecute forced labor abuses in the construction sector; develop and implement procedures for the identification of trafficking victims among vulnerable populations; train law enforcement, social services, and immigration officials in identification and referral procedures; collect and analyze anti-trafficking law enforcement data; expand nationwide anti-trafficking public awareness campaigns; and accede to the 2000 UN TIP Protocol.

Prosecution

The Government of Angola continued to make minimal law enforcement efforts during the year. Although the government cooperated with Chinese authorities to allow Chinese trafficking offenders to be taken to China and opened one investigation into potential internal labor trafficking, it failed to initiate the prosecution of trafficking offenders in 2012 and has never convicted a trafficking offender. Angola does not have a criminal law that specifically prohibits all forms of trafficking, though the constitution promulgated in February 2010 prohibits human trafficking. The penal code, in force since 1886, is undergoing a comprehensive review and update, which remained pending; thus, the penal code has not yet been amended to incorporate this constitutional provision. Draft comprehensive anti-trafficking legislation also remained pending with the assembly. Some articles of the current penal code may cover trafficking crimes. Article 406 of the current penal code prohibits corruption of those under 21 and imposes an insufficiently stringent penalty of between three months' and one years' imprisonment and a fine. These penalties are not commensurate with those prescribed for other serious crimes, such as rape. Article 4 of the General Labor Law prohibits forced, coerced, or bonded labor, but also prescribes insufficient penalties of a fine of between five and 10 times the average workers' salary. In August 2012, the government adopted the Law on the Protection and Integral Development of Children, which, in Article 7, prohibits the exploitation of children and, in Article 33, the kidnapping, sale, trafficking, or prostitution of children; however, the law fails to define and prescribe penalties for these crimes, limiting its utility.

In January 2013, the national police intercepted a truck carrying 54 children from Huila to Namibe province, allegedly for work on tomato farms; this investigation—the first involving potential Angolan trafficking victims in more than four years—remained pending, with the suspects in detention. The national director of the National Institute of Children (INAC) led a delegation to these provinces to investigate this case, and met with the potential victims, their families, police, the Ministry of Social Assistance and Reintegration (MINARS), the Ministry of Public Administration, Employment, and Social Security (MAPESS), traditional authorities, and farmers. In August 2012, Angolan authorities allowed Chinese authorities to repatriate 37 alleged trafficking offenders and 14 sex trafficking victims whom Chinese law enforcement authorities had identified during their operations within Angola. In 2012, the Angolan government did not initiate criminal prosecutions in this or any other trafficking case. One suspected trafficking offender, arrested and charged with organized crime after a raid on a Chinese construction site in Luanda in April 2011, remained in jail pending trial. Although the government began implementation of a labor agreement with China that requires Chinese companies to follow Angolan labor laws, Angolan authorities have not sought to criminally prosecute Chinese construction companies for alleged forced labor abuses. The government took no action to address allegations of official complicity in trafficking from this or previous reporting periods. For example, in 2012, there were allegations that officials condoned forced child labor at Chinese-owned brick companies and rice farms. Overall, due to a culture of corruption, law enforcement efforts are stymied in many areas, including counter-trafficking. IOM instructed 107 officials on identifying and protecting trafficking victims during two training sessions held in government facilities in Zaire and Uige provinces.

Protection

The government made minimal efforts to protect victims during the year. Though the government identified one case of suspected trafficking and provided short-term assistance to 54 potential victims, both a systematic process for the identification of trafficking victims and legal remedies for

victims remained lacking. INAC oversaw child protection networks (CPN) in all 18 provinces that offered health care, legal and social assistance, and family reunification for crime victims under the age of 18. Following their rescue, INAC and MINARS assisted the 54 potential child trafficking victims, providing shelter, food, clothing, and counseling through INAC and MINARS social workers and psychologists. MINARS, the Ministry of Family and Women's Promotion (MINFAMU), and the Organization of Angolan Women operate 27 victim counseling centers, seven multi-purpose shelters, and 51 children's shelters that trafficking victims could access. The 54 children remained one night in a MINARS shelter in Namibe and one night in a MINARS shelter in Huila before being reunited with their families.

Law enforcement, immigration, and social services personnel continued to lack a formal system for proactively identifying victims of trafficking among vulnerable groups, including women in prostitution and undocumented immigrants. During the reporting period, the Ministry of Interior continued its partnership with IOM to develop manuals and standard operating procedures on victim identification based on manuals created for the southern African region. Without standardized procedures for identifying trafficking victims among vulnerable populations, some trafficking victims were likely penalized for unlawful acts committed as a direct result of being trafficked. The government did not offer victims long-term assistance and did not provide foreign victims with temporary residency or other legal alternatives to their removal to countries where they may face retribution or hardship. In addition, documented and undocumented foreign workers are not screened for trafficking victimization and may be arrested and deported for unlawful acts committed as a result of having been trafficked, including immigration and employment violations. For example, if during inspections, workers are found to be without work permits, authorities fine employers and arrest and deport the workers. Even when authorities identified Chinese trafficking victims, the Angolan government routinely repatriated them to China without providing care or ensuring proper treatment upon their arrival in China. The Ministry of Exterior Relations (MIREX) and MINFAMU are responsible for coordinating the repatriation of and providing assistance to Angolans victimized abroad; MIREX investigated cases involving Angolans, mostly women, used to smuggle drugs internationally but determined that they were not trafficked.

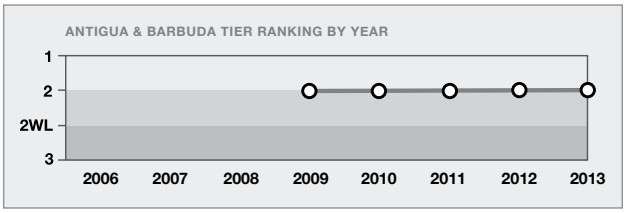
Prevention

The government made limited efforts to prevent human trafficking during the reporting period. The government failed to launch any new anti-trafficking awareness campaigns for a second consecutive year. INAC and the Ministry of Social Communication continued to publish anti-trafficking advertisements in the press. In addition, following discovery of 54 children being moved for farm labor in Namibe province in January 2013, INAC officials made unannounced visits to farms in the province to investigate the extent of child labor and meet with MAPESS and local farming associations to request collaboration in preventing child labor in the agricultural sector. The national director of labor led an inter-ministerial commission, formed in May 2012, to examine Chinese labor in Angola and implement a labor accord with the Chinese government, which was signed into effect by the president in March 2012 and called for proper treatment of Chinese workers and compliance with Angolan labor law by Chinese employers and recruitment firms. The government did not make efforts to reduce the demand for commercial sex acts during the year. Angola is not a party to the 2000 UN TIP Protocol.

ANTIGUA AND BARBUDA (Tier 2)

Antigua and Barbuda is a destination and transit country for men, women, and children subjected to sex trafficking and forced labor. Legal and undocumented immigrants from the Caribbean region, notably from Jamaica and the Dominican Republic, as well as from southeast Asia, reportedly comprise the population most vulnerable to trafficking. According to several sources, forced prostitution occurs in bars, taverns, and brothels. Incidences of forced labor have occurred in domestic service and in the retail sector.

The Government of Antigua and Barbuda does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite severe budget limitations, the Government of Antigua and Barbuda demonstrated a proactive approach to identifying trafficking victims and providing them with quality services. Both the minister of national security and the director of gender affairs continued to be leaders in the prevention of human trafficking. For another year, the government did not report any convictions or punishments of trafficking offenders.



Recommendations for Antigua and Barbuda: Vigorously prosecute, convict, and punish trafficking offenders, including officials complicit in human trafficking; consider ways to ensure human trafficking cases are handled in the high court and treated as a serious crime; continue identifying and protecting trafficking victims by formalizing procedures to guide law enforcement, child welfare officials, and other front-line responders in identifying victims and referring them to available services; and continue efforts to raise awareness among child protection specialists about child sex trafficking, underscoring that all prostituted children—regardless of movement—are considered trafficking victims by UN definitions.

Prosecution

The government made little discernible progress in the prosecution of trafficking offenders during the reporting period. Antigua and Barbuda's Trafficking in Persons (Prevention) Act 2010 prohibits forced prostitution and forced labor, including bonded labor, and prescribes punishments of 20 to 30 years' imprisonment with fines. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The law is comprehensive, and includes extensive victim protection measures, though several officials have expressed concern that the law requires

trafficking crimes be heard in lower court, which appears to treat trafficking as a less serious crime. The government initiated one new sex trafficking investigation during the reporting period. A sex trafficking prosecution from the previous year remained pending, and authorities dismissed a labor trafficking prosecution from the previous year. The government did not report any new prosecutions, convictions, or punishments of trafficking offenders during the reporting period. Some sources raised concerns of possible trafficking-related complicity within the immigration department and also about an apparent conflict of interest in the practice of off-duty police officers sometimes providing security for sex trade establishments, an arrangement that could inhibit law enforcement's willingness to investigate allegations of human trafficking in the sex trade. Nevertheless, the government did not report any investigations or prosecutions of such government employees for alleged complicity in trafficking-related offenses. The government provided in-kind support to IOM-led capacity building and technical skills training workshops for government officials.

Protection

The government made some progress in the protection of trafficking victims during the reporting period. The Gender Affairs Department continued to take a proactive approach to identifying new victims and following through with high quality, long-term assistance. The Gender Affairs Department forged relationships with NGOs to raise awareness about human trafficking indicators and available government services. Government victim protection specialists identified proactively two potential sex trafficking victims during the reporting period. The government provided start-up funds in 2012 for the establishment of a shelter that will offer mental health and other care for crime victims, including specialized services for trafficking victims. With assistance from IOM and using creative private-public partnerships, such as an emergency safe haven network, the government referred trafficking victims to care providers after conducting needs assessments. The Gender Affairs Department went beyond basic service provision for trafficking victims and offered job placement and other ongoing support for victims identified in previous reporting periods. Child protection officials did not report having a specialized protocol to identify and refer local and foreign children in prostitution for assistance. The government encouraged trafficking victims to assist in the prosecution of trafficking offenders. The Trafficking in Persons (Prevention) Act 2010 protects identified victims from punishment for unlawful acts committed as a direct result of their having been trafficked, and authorities collaborated with IOM to repatriate foreign victims safely and voluntarily. However, there was one report that authorities deported a suspected trafficking victim during the reporting period. The government offered the one identified foreign victim long-term residency as a legal alternative to removal to a country where he or she might have faced retribution or hardship.

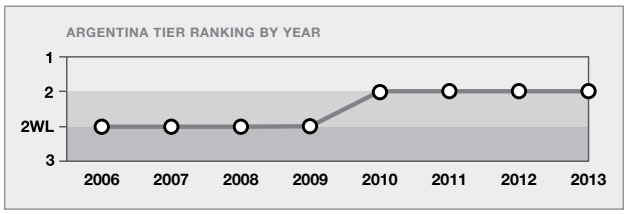
Prevention

The government demonstrated significant trafficking prevention efforts during the reporting period. Senior officials, such as the minister of national security, spoke publicly about the importance of a victim-centered approach to addressing human trafficking, and chaired a committee to address trafficking prevention. The gender affairs department led a national anti-trafficking coalition which met regularly and was comprised of representatives from the ministries of social welfare, social transformation, health, labor, immigration and customs, and foreign affairs, as well as officials from the Royal Antigua and Barbuda Police Force, members of various civil society groups, and community activists. The coalition completed a national action plan to address human trafficking that includes establishment of a centralized system for data collection and a review of legal tools to combat human trafficking. Authorities continued to distribute and share with other officials in the Caribbean region human trafficking public awareness materials; they also aired radio spots in English and Spanish that targeted victims as well as the general public. The Gender Affairs Department hosted community talks and distributed posters throughout Antigua and Barbuda to raise anti-trafficking awareness. The government continued to operate a hotline with operators trained to identify and assist human trafficking victims. The government did not report any initiatives aimed at reducing the demand for forced labor or commercial sex. The government and local NGOs reported no evidence that child sex tourism occurs in Antigua and Barbuda and reported no child sex tourism investigations.

ARGENTINA (Tier 2)

Argentina is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Argentine women and children, including many from rural areas or northern provinces, are forced into prostitution within the country, particularly in urban centers or provinces in central and southern Argentina. A significant number of foreign women and children, primarily from Paraguay and the Dominican Republic, are subjected to sex trafficking in Argentina. A large number of Bolivians, Paraguayans, and Peruvians, as well as Argentine citizens often from poorer northern provinces, are subjected to forced labor in sweatshops, agriculture, supermarkets, and domestic work. Children in street vending or begging are reportedly vulnerable to forced labor. To a more limited extent, Argentine women and girls have been found in sex trafficking in other countries.

The Government of Argentina does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the year, authorities convicted approximately 17 trafficking offenders and identified a significant number of potential victims. The government continued to support four shelters that provided specialized services to female trafficking victims and passed a new comprehensive trafficking law in December 2012. Funding for victim services, however, remained inadequate in light of the number of victims identified during the year, particularly in forced labor. Trafficking-related corruption remained a serious concern, while the government failed to hold criminally accountable any officials complicit in human trafficking through convictions or sentences during the year.



Recommendations for Argentina: Follow through on numerous investigations of trafficking-related complicity by prosecuting, and when appropriate, convict officials complicit in human trafficking; increase funding for shelters and specialized services, particularly for forced labor victims, in partnership with NGOs, at the federal, provincial, and local level; ensure that foreign victims are consistently offered services, including shelter and job consultations, and the opportunity to remain in the country after being identified; increase efforts to investigate, prosecute, convict, and punish trafficking offenders, especially labor trafficking offenders; continue to develop and implement protocols for local-level officials to identify and assist trafficking victims; and strengthen anti-trafficking coordination among the federal and provincial governments, civil society, and different actors on the federal level.

Prosecution

The Government of Argentina maintained law enforcement efforts during the year, though there were few convictions for forced labor and no reported convictions of public officials complicit in trafficking. The government enacted a new, more comprehensive trafficking law in December 2012, prohibiting all forms of human trafficking and prescribing penalties of four to 15 years' imprisonment. Such penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The previous federal anti-trafficking law prohibited all forms of human trafficking, prescribing penalties of three to 10 years' imprisonment but included a legal loophole involving victim consent that was closed in the new law. NGOs and officials noted that some prosecutors used prostitution-related statutes to address sex trafficking crimes. NGOs and officials commented these statutes can yield inadequate criminal penalties.

Authorities carried out 368 preliminary trafficking investigations in 2012. The anti-trafficking prosecutor's office (UFASE) did not report how many prosecutions were initiated during the year but noted an overall decrease in prosecutions. In 2012, the government convicted 15 sex trafficking offenders and two labor trafficking offenders with sentences ranging from two to 15 years' imprisonment. Sentences were suspended in cases where penalties were two years' imprisonment or less. The government also secured convictions of two sex trafficking offenders under other penal code statutes; the two were sentenced to 21 and 23 years' imprisonment. In comparison, in 2011 authorities reported convicting 28 sex trafficking and three labor trafficking offenders. In December 2012, judges acquitted all of the defendants in Argentina's most high-profile sex trafficking case after 10 years of investigation due to a reported lack of evidence; many NGOs and political organizations alleged complicity between judicial officials and trafficking offenders in this case, while other observers suggested the case was poorly investigated and executed.

The Ministry of Security coordinated the efforts of different federal law enforcement entities. Some NGOs reported that coordination between law enforcement officials and judicial officials was sometimes weak at the critical local level. Although trafficking is a federal crime, some trafficking cases were investigated or prosecuted at the local level under other statutes, such as those penalizing servitude or the promotion of prostitution, and were not immediately transferred to the appropriate federal authorities. This was sometimes due to misclassification or a desire to pursue cases at the local level. Some officials and NGOs noted significant delays caused by confusion over which authorities had jurisdiction, and in some cases testimonies were discarded during this process. The government continued to provide anti-trafficking training to law enforcement, judicial, and immigration officials, sometimes in partnership with international organizations, and reported training 800 senior police officials in 2012. Argentine prosecutors coordinated with the Government of Paraguay and other foreign governments on transnational trafficking investigations.

According to NGOs, international organizations, and officials, the trafficking-related complicity of some government officials was a serious concern. Some police officers reportedly condoned human trafficking activity or tipped off brothel owners about impending raids, and some judges reportedly did not adequately investigate signs of official complicity in trafficking cases. Authorities reported filing 71 cases of trafficking-related complicity in 2012, including one of a deputy police commissioner accused of holding four trafficking victims captive. It was unclear what progress had been made in the investigations initiated in 2010 of 75 Buenos Aires police officers accused of trafficking-related complicity and of the former head of the anti-trafficking police unit accused of running brothels. The government did not report convicting any government employees for alleged complicity in trafficking-related offenses during the reporting period.

Protection

The Argentine government reported identifying a significant number of potential trafficking victims and continued to fund several shelters providing services to female sex trafficking victims, but resources dedicated to specialized services, particularly for forced labor victims, did not fully meet the needs of the large number of trafficking victims identified during the year. The Ministry of Security reported identifying approximately 1,000 potential human trafficking victims: 525 potential labor trafficking victims and 430 potential sex trafficking victims; 169 children and 807 adults. The majority of sex trafficking victims identified were Argentine citizens, while the majority of labor trafficking victims were Bolivians. NGOs asserted that some officials erroneously categorized cases of labor exploitation that did not rise to the level of forced labor as human trafficking. The Ministry of Security reported developing written procedures on victim assistance during and immediately following raids, and immigration officers received training on victim identification procedures, but implementation of systematic procedures to identify victims among vulnerable populations varied by province.

Authorities did not report how many victims received comprehensive services, such as shelter, in 2012. According to NGOs and some officials, the quality and level of victim care varied widely by province, and most provinces lacked dedicated resources to care for trafficking victims, particularly forced labor victims. The Office for Rescue, with an inter-disciplinary team located in Buenos Aires, took initial victim statements, generally within a week of identification, and reportedly provided emergency post-rescue care to some victims, including access to legal, medical, and psychological services. NGOs gave mixed assessments of the office's effectiveness. Two provincial-level offices were reportedly opened in Chaco and Santa Fe during the year, but the government did not publicly report on the budget or staffing for these offices. After victims provided their initial testimony, the Secretariat for Childhood,

Adolescence, and Family (SENAF) was responsible for providing follow-up assistance to them. However, specialized services and reintegration efforts were limited.

The Office for Rescue maintained a shelter in the capital to care temporarily for trafficking victims, though it was unclear how many of the victims identified during the year stayed at this shelter, or where they were housed immediately following law enforcement raids. Federal, provincial, and municipal authorities provided various amounts of funding to four shelters for women and child victims of sex trafficking and abuse across the country, one of which was operated by an NGO, but authorities did not report how many of the victims they identified were assisted at these shelters in 2012. There were no specialized shelters for forced labor victims, and it is unclear how many of the 525 potential labor trafficking victims identified during the year received services after giving their initial statements to authorities.

Argentine authorities encouraged victims to assist with the investigation and prosecution of their traffickers, and some victims did so during the year. NGOs reported that some victims and families had difficulty obtaining security protection. Despite legal provisions for financial restitution to trafficking victims, there were no known cases of victims receiving restitution during the year. There were no specific reports of identified victims being jailed or penalized for unlawful acts committed as a direct result of their being subjected to human trafficking. Authorities did not report how many foreign victims received temporary residency during the reporting period. Long-term residency was available through Argentine immigration policy, though it was not trafficking-specific, and it was unclear how many foreign victims received this status during the year. It was also unclear to what extent foreign victims were fully informed of their residency and assistance options before their repatriation. NGOs stated that the federal government's *de facto* protocol of quickly returning foreign victims to their country or province of origin was not always in the victims' best interest, and asserted that federal entities do not consistently refer victims to specialized services in their place of origin. The government did not report identifying or assisting any repatriated Argentine victims of trafficking.

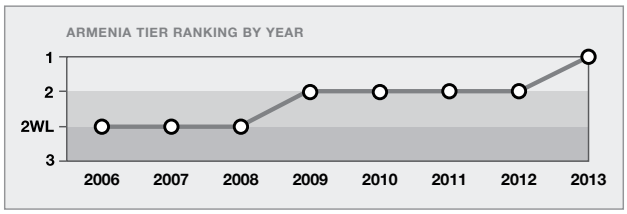
Prevention

The Government of Argentina maintained prevention efforts during the year. The trafficking law mandated new interagency coordination mechanisms, including a federal council and an executive committee, both under the presidency. Federal authorities reported funding public awareness efforts, including public service announcements about trafficking shown on long distance buses and aired on television, and maintaining two anti-trafficking hotlines administered by the ministry of security and the Office of Rescue. Some provincial governments partnered with NGOs in prevention efforts and developed anti-trafficking action plans. UFASE published a review of its anti-trafficking efforts in 2012. The government started requiring Dominican citizens traveling to Argentina to have tourist visas, citing the high number of Dominicans exploited in sex trafficking in the country. NGOs continued to report some isolated cases of child sex tourism, though there were no reported investigations or prosecutions for this crime. The government did not report providing anti-trafficking training to Argentine troops prior to their deployment abroad on international peacekeeping operations.

ARMENIA (Tier 1)

Armenia is a source country for men, women, and children subjected to forced labor and sex trafficking; sex and labor trafficking within the country is also a problem. Women and girls from Armenia are subjected to sex trafficking within the country and in the United Arab Emirates and Turkey. Armenian men and women are subjected to forced labor in Russia and Turkey. Armenian men incur debt to pay for travel expenses; this may contribute to their subsequent victimization in destination countries. Their labor recruitment is organized by family members, close acquaintances, and legal but unlicensed private employment agencies. Isolated cases were reported of Armenian boys subjected to forced labor within the country. Some children work in agriculture, construction, and service provision within the country and some children serve as domestic workers in Armenia and Turkey. Russian and Ukrainian dancers in Armenian nightclubs may be vulnerable to trafficking. Child abuse victims and minors departing from child care institutions are particularly vulnerable to human trafficking.

The Government of Armenia fully complies with the minimum standards for the elimination of trafficking. In 2012, the government's law enforcement and protection activities expanded to address a wide range of trafficking offenses—sex and labor trafficking, domestic and transnational. The government investigated and prosecuted more suspected traffickers than during the previous year and prosecuted a case of domestic forced child begging. The government also continued convicting criminals for subjecting Armenians to forced prostitution within the country. Officials maintained strong partnerships with civil society groups, continued to train hundreds of government personnel, provided in-kind contributions to a counter-trafficking shelter, and maintained strong anti-trafficking prevention efforts. However, the number of victims identified by the government during the year continued to decrease, in part due to a defect in proactive victim identification procedures as well as a deficiency in linking formal victim identification with participation in law enforcement efforts. The lack of formal victim-witness protection, although provided on an *ad hoc* basis, continued to be a concern.



Recommendations for Armenia: Increase efforts to identify victims of forced labor, including by strengthening victim identification training of front line staff, empowering labor inspectors to identify victims through unannounced visits, and having stronger cooperation with law enforcement; increase efforts to investigate and prosecute labor trafficking offenses; improve efforts to investigate trafficking cases even without victim testimony and when the exploitation occurs in a foreign country; educate law enforcement and labor inspectors on how to distinguish between labor trafficking and civil law labor violations; ensure that victims who are unwilling or unable to assist in investigations or prosecutions

have access to short- and long-term services and protection; improve efforts to protect victims who consent to serve as witnesses in prosecutions; establish a compensation mechanism for trafficking victims; provide sensitivity training to judges to foster a culture of empathy for trafficking victims; provide legal aid services to trafficking victims, including to improve their ability to obtain civil restitution; establish protection services for male victims; de-link the intermediate and final stages of formal victim identification with participation in law enforcement efforts; continue to provide and expand funding for NGOs that provide victim assistance; license, regulate, and educate local employment agencies and agents so they can help prevent the forced labor of Armenians abroad; continue to raise awareness on employment assistance available for trafficking victims, and devise measures to ensure victims' confidentiality in accessing this assistance; continue robust partnerships with civil society groups; and expand awareness-raising campaigns to rural and border communities as well as to children leaving child-care institutions.

Prosecution

The Armenian government increased its investigations and prosecutions against alleged human traffickers during the reporting period, and though convictions declined, all convicted defendants received significant sentences. Armenia prohibits both sex trafficking and labor trafficking through Articles 132 and 132-2 of its criminal code, which prescribe penalties of five to 15 years' imprisonment—penalties that are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government investigated 22 trafficking cases in 2012, compared with 17 in 2011, and prosecuted 18 defendants for trafficking offenses—including one case of child forced begging—compared with prosecutions against 15 alleged traffickers in 2011. Eight traffickers were convicted, including one for transnational labor, compared to 13 convictions in 2011. All eight offenders convicted in 2012 received sentences ranging from four to 11 years' imprisonment; the majority received sentences of eight years. The government provided information about a potential labor trafficking case to Russian authorities; Russian law enforcement bodies, however, were not cooperative or responsive. While observers noted the Armenian police's victim-centered approach, they criticized some judges as aggressive and prejudiced against victims. Human trafficking continued to be included in the curricula of all education facilities of law enforcement bodies including the police academy, the prosecutors' school, and the judicial school. The Government of Armenia did not report any investigations or prosecutions of public officials for alleged complicity in trafficking-related offenses during the reporting period.

Protection

The Government of Armenia maintained efforts to protect identified victims of trafficking, though victim identification remained a concern. The Armenian government sustained strong partnerships with anti-trafficking NGOs, international organizations, and foreign governments to provide anti-trafficking training, including training on victim identification, to hundreds of government officials including prosecutors, police, border guards, members of the judicial system, and labor inspectors. The government certified one male and seven female trafficking victims in 2012—one of whom was subjected to forced begging within the country—and offered assistance, including referrals to NGO shelters, to all of them; seven of these eight certified victims were identified by police. In 2011, the authorities certified 13 victims. NGOs identified at least six additional trafficking victims who were not certified subsequent to criminal investigations; the investigations were stymied because the victims chose not to cooperate with Armenian law enforcement and their exploitation occurred in Russia. The Council of Europe's Group of Experts on Action against Trafficking in Human Beings (GRETA) report concluded that the government's system to certify victims was not effective since it excluded victims who were unable or unwilling to cooperate with law enforcement and take part in judicial proceedings against the alleged traffickers. In practice, NGOs and government officials provided short-term assistance to these victims, although the provision of long-term assistance remained a concern. Despite receiving training, the Labor Inspectorate did not identify any victims of forced labor in the reporting period, in part due to legal restrictions on their cooperating with law enforcement and conducting surprise inspections. The government continued to provide the equivalent of approximately $16,000 to an NGO-run, long-term shelter, which assisted 26 female victims of trafficking in 2012. Adult victims could leave the shelter at will. The country did not have specialized care centers for male victims; however, existing shelters are able to assist male trafficking victims when necessary. During the reporting period, one trafficking victim received assistance in obtaining employment. In the previous reporting period, by comparison, no victims received this assistance. Law enforcement officers provided victims with security at court proceedings on an ad hoc basis when requested by victims' attorneys or NGOs. In 2012, all certified victims officially recognized by the government assisted police with trafficking investigations. NGOs continued to report the absence of appropriate protections for victims who provide testimony was a concern. The government did not penalize victims for unlawful acts committed as a direct result of their being trafficked. The government permits foreign victims to stay in the country through temporary residency permits and to obtain temporary employment; however, no foreign victims were identified by the government in the reporting period.

Prevention

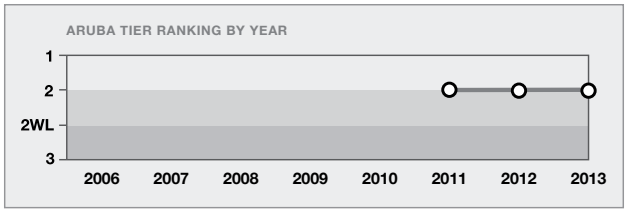
The Armenian government demonstrated strong trafficking prevention efforts during the reporting period. The government spent the equivalent of approximately $21,000 of dedicated funds in the budgets of the Ministry of Labor and Social Affairs and the Ministry of Youth and Sport Affairs to further increase public awareness of human trafficking. Government agencies undertook a variety of prevention activities, including an anti-trafficking media contest with a cash prize designed to improve professional journalism and the broadcasting of anti-trafficking public service announcements and other programs on national and regional stations during peak viewing periods. The Ministerial Council to Combat Trafficking in Persons, chaired by the deputy prime minister, and the Inter-Agency Working Group (IAWG) against Trafficking in Persons continued to meet regularly and to coordinate the implementation of the government's anti-trafficking action plan in strong partnership with NGOs and international organizations. One result of the sub-groups established by the IAWG in the reporting period was the inclusion of anti-trafficking recommendations from the 2012 TIP Report and GRETA Report in the 2013-2015 TIP National Action Plan, which improves on the previous plan by emphasizing victim identification efforts, including for child laborers. The government approved the 2013-2015 plan in February 2013.

An international organization independently monitored the government's implementation of its 2010-2012 action plan and determined that 80 percent of the plan's performance goals had been attained. In 2013, the police added an anti-trafficking component to their hotline for migration-related calls; this number was advertised on their daily television program. The government regularly published reports of its anti-trafficking activities during the reporting period. The government did not take steps to reduce the demand for commercial sex acts during the reporting period. The government provided anti-trafficking training to Armenian troops before their deployment overseas on international peacekeeping missions.

ARUBA (Tier 2)*

Aruba is a destination and source country for women and men subjected to sex trafficking and forced labor. Those at greatest risk continue to be foreign women in Aruba's commercial sex trade and foreign men and women in the service and construction industries. Specific at-risk communities include Chinese men and women working in supermarkets, Indian men in the jewelry sector, and Caribbean and South American women in domestic service. A 2013 international organization report identified Aruba's regulated and unregulated prostitution sectors, domestic workers, and small retail shops as the groups and sectors most susceptible to trafficking. Media reports published in 2011 indicated several Aruban women were allegedly subjected to debt bondage in the Netherlands. Regional experts report that Aruban women and girls studying in the Netherlands may be vulnerable to sex trafficking by residents of the Netherlands.

The Government of Aruba does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government's anti-trafficking taskforce, via its national coordinator, continued to demonstrate regional leadership in the coordination of anti-trafficking efforts and prevention activities; this task-force continued to distribute a list of trafficking indicators for officials to use in the proactive identification of trafficking victims. However, the work of the taskforce and national coordinator was undercut by the government's overall decline in anti-trafficking law enforcement efforts in 2012; it did not initiate any new anti-trafficking investigations and has yet to successfully prosecute any sex or labor trafficking offenders.



Recommendations for Aruba: Aggressively investigate and prosecute trafficking offenses, and convict and punish trafficking offenders; enhance capacity to protect victims of sex trafficking and forced labor by formalizing cooperation with anti-trafficking NGOs; formalize standard operating procedures for all front-line responders to replace the current ad hoc approach to identifying and referring trafficking victims; facilitate training to improve the ability of immigration officials, NGOs, health workers, labor inspectors, and other front-line responders to identify potential trafficking victims, including domestic workers, migrants in construction and retail shops, and women in the sex trade and on adult entertainment visas; ensure that weekly medical check-ups for foreign women in the regulated prostitution sector include screening for trafficking indicators; continue to consult with the Dutch government on how it proactively uncovers victims of trafficking; systematically provide information to all immigrant populations upon their arrival in Aruba to ensure they are familiar with their rights and where to go for help; provide the anti-trafficking committee with an independent budget, and establish the national coordinator as a full-time position to improve overall anti-trafficking response; and develop ways to educate clients of the sex trade about trafficking.

Prosecution

The Government of Aruba's anti-trafficking law enforcement efforts declined during the reporting period. Aruba prohibits all forms of trafficking in persons through Articles 203a and 286a of its criminal code which prescribe penalties ranging from four to 15 years' imprisonment. These penalties are sufficiently stringent and are commensurate with those prescribed for other serious crimes, such as rape. The government did not initiate any new trafficking investigations in 2012, compared with six labor trafficking investigations during the previous reporting period and seven in 2010. The government prosecution of a forced labor offender stemming from a 2010 case continued. Two other cases also remained pending. The government did not report any investigations or prosecutions of public officials allegedly complicit in human trafficking-related offenses. In an apparent conflict of interest, security for sex trade establishments was reportedly sometimes provided by off-duty police officers, which experts note could inhibit law enforcement's willingness to investigate allegations of human trafficking in the sex trade. The government reported that adequate funding and staffing for police remained a problem. The government provided a venue for a human trafficking seminar titled "Why the fight against human trafficking matters" for police, justice, health, immigration, children's services, victim assistance, and women's affairs personnel in 2012. The seminar was funded by a foreign donor, as were most other anti-trafficking efforts. Aruba continued to incorporate human trafficking awareness into the police academy curriculum during the reporting period.

Protection

The Government of Aruba demonstrated limited progress in its victim identification and protection efforts in 2012. The government identified one potential trafficking victim during the reporting period; this is a decline from three identified trafficking victims in 2011 and 46 in 2010. Aruba's anti-trafficking taskforce continued to provide law enforcement and social services officials with a checklist of the 10 most common signs of human trafficking and requested that any potential

** Aruba is a semi-autonomous entity within the Kingdom of the Netherlands. The Kingdom Charter divides responsibility among the co-equal parts of the Kingdom based on jurisdiction. For the purpose of this report, Aruba is not a "country" to which the minimum standards for the elimination of trafficking in the Trafficking Victims Protection Act apply. This narrative reflects how Aruba would be assessed if it were a separate, independent country.*

trafficking cases be reported to the national coordinator. The government had agreements with local NGOs and private sector accommodations for sheltering adult victims. Although police and health department officials inspected bars in Aruba with regulated prostitution, these inspections did not include an assessment of trafficking indicators, nor were these checks conducted during prime hours of operation. Further, although labor inspectors reportedly inspected work sites where vulnerable migrants were present, they did not undertake screenings for trafficking indicators. According to a recent expert report, the government did not have a written formalized policy for the identification of trafficking victims or their referral for care. The government reported it encouraged trafficking victims to participate in investigations and prosecutions of trafficking offenders and did not charge victims for crimes committed as a direct result of being trafficked. According to Aruban officials, the government has the authority to provide identified trafficking victims relief from immediate deportation and work permits for a maximum of six months; however, it granted no such relief to any trafficking victims in 2012. This is a decline from three labor trafficking victims provided with relief from deportation in the previous reporting period.

Prevention

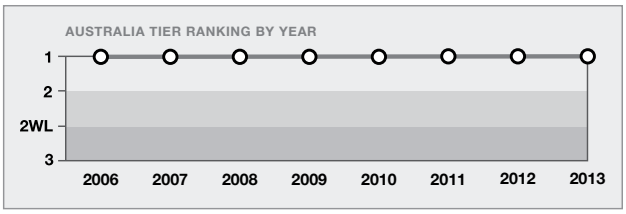
The government continued to proactively develop and implement anti-trafficking awareness campaigns in partnership with IOM in 2012. An expert report released during the year praised Aruba's integrated task-force approach to address trafficking. During the year, this taskforce, led by the national coordinator, developed and drafted provisions for a temporary residency permit for trafficking victims in Aruba. The government continued to promote its human trafficking awareness campaign in four languages targeted to both victims and the general public and linked to a hotline with operators trained to assist trafficking victims. An October anti-trafficking campaign helped raise awareness about trafficking. The national coordinator gave several interviews on local radio and television to raise awareness about human trafficking and the hotline during the reporting period. The government did not have any awareness campaigns targeting potential clients of the sex trade in Aruba in an effort to reduce the demand for commercial sex acts. There were no known reports of child sex tourism occurring in Aruba or of Arubans participating in international sex tourism.

AUSTRALIA (Tier 1)

Australia is primarily a destination country for women subjected to forced prostitution and, to an increasing extent, for women and men subjected to forced labor. Child sex trafficking occurs with a small number of Australian citizens, primarily teenage girls, exploited within the country, as well as foreign victims. Some women from Thailand, Malaysia, the Philippines, the Republic of Korea, China, and to a lesser extent India, Vietnam, Eastern Europe, and Africa migrate to Australia voluntarily intending to work legally or illegally in a number of sectors, including the sex trade. Subsequent to their arrival, some of these women are coerced into prostitution in both legal and illegal brothels. These foreign women and girls are sometimes held in captivity, subjected to physical and sexual violence and intimidation, manipulated through illegal drugs, and obliged to pay off unexpected or inflated debts to their traffickers. There were reports of some victims of sex trafficking and some women who migrated to Australia for arranged marriages being subsequently subjected to domestic servitude.

Men and women from several Pacific Islands, India, China, the Republic of Korea, and the Philippines are recruited to work temporarily in Australia. After their arrival, some are subjected by unscrupulous employers and labor agencies to forced labor in agriculture, horticulture, construction, cleaning, nursing, hospitality, manufacturing, meat processing, seafaring, and domestic service. They face confiscation of their travel documents, confinement on the employment site, threats of physical harm, and debt bondage through inflated debts imposed by employers or labor agencies. Most often, traffickers are part of small but highly sophisticated organized crime networks that frequently involve family and business connections between Australians and overseas contacts. Some traffickers attempted to hide foreign victims from official notice or prevented victims from receiving assistance by abusing the legal system to create difficulties for victims who contact authorities for help. Individuals on student visas, particularly those from Asia, were vulnerable to sex and labor trafficking. There are over 450,000 foreign students in Australia, many of whom spend up to the equivalent of tens of thousands of dollars in placement and academic fees, as completion of courses often leads to permanent residency in the country. Some of these foreign students work in housekeeping, restaurant, and other service industries and are subject to a restriction of working a maximum of 20 hours per week under their visas. When employers coerced them to work for more than 20 hours, exceeding the terms of their visas, they faced the risk of being deported, making them vulnerable to exploitation by unscrupulous employers; there have previously been reports of such exploitation near Melbourne.

The Government of Australia fully complies with the minimum standards for the elimination of trafficking. During the year, the government continued to prosecute a modest number of trafficking cases and improved its legal framework for combating trafficking—particularly labor trafficking—through the enactment of amendments to the criminal code. The government funded its victim support program and made efforts to proactively identify victims among many vulnerable groups; however, it did not increase the overall number of victims identified, nor did it enhance efforts to identify potential victims among immigrants arriving to the country without documentation. The government continued efforts to combat child sex tourism and announced plans to develop a procurement policy to ensure the government's supply chains are free from trafficking.



Recommendations for Australia: Vigorously prosecute, convict, and stringently sentence trafficking offenders, with increased focus on labor trafficking; continue to increase efforts to train police, local councils, health inspectors,

diplomats, and other front-line officers to recognize indicators of trafficking, and respond to suspected cases of both sex and labor trafficking; develop and implement a formal mechanism for government agencies to refer cases with elements of trafficking to law enforcement officials to consider criminal prosecutions; continue to strengthen efforts to proactively identify trafficking victims among vulnerable groups, such as migrants arriving in the country without documentation, through methods other than immigration compliance actions; utilize standardized procedures to employ multidisciplinary groups of law enforcement officers and social service providers when planning to interview potential victims; further improve the access of trafficking victims to opportunities to seek financial compensation and civil remedies; consider additional ways to streamline and expedite visa processes for trafficking victims; increase availability of shelter services for victims, perhaps through additional funding to NGOs; continue funding NGOs to conduct campaigns to raise public awareness of all forms of trafficking, particularly among rural communities and migrant populations that are not easily accessed through mainstream media; consider appointing an ambassador dedicated to addressing human trafficking issues worldwide; and continue to play an active role educating countries in the Asia-Pacific region on the important distinction between trafficking and smuggling, highlighting the need for a victim-centered approach to combating trafficking.

Prosecution

The Government of Australia continued efforts to investigate and prosecute trafficking offenses during the year and strengthened its legal framework for combating trafficking. Australia prohibits sex and labor trafficking and trafficking-related offenses through divisions 270 and 271 of the Commonwealth criminal code, which prescribe maximum penalties of 12 to 25 years' imprisonment and fines of up to the equivalent of $152,000. These penalties are sufficiently stringent and commensurate with those prescribed for other serious offenses, such as rape. The Migration (Employer Sanctions Amendment) Act of 2007 prohibits exploiting migrant employees through forced labor, sexual servitude, or slavery and prescribes penalties of up to five years' imprisonment and various fines; these also are sufficiently stringent and commensurate with penalties prescribed for other serious crimes. In March 2013, the government enacted the Crimes Legislation Amendment (Slavery, Slavery-like Conditions and People Trafficking) Act, which amended the criminal code and addressed gaps in previous legislation, most notably by including specific prohibitions of forced labor and prescribing sufficiently stringent penalties of nine years' imprisonment for this offense. The legislation also expanded the definition of coercion to include non-physical forms such as psychological oppression, abuse of power, and taking advantage of a person's vulnerability. This is an improvement over previous legislation, which had focused primarily on the use of physical force or threats of physical force. Australia's laws continued, however, to require the movement of an individual as an element of human trafficking, which is inconsistent with the 2000 UN TIP Protocol.

The Australian Federal Police (AFP) received 44 case referrals and, among these, initiated 29 investigations during 2012. The government reported that approximately 38 percent of the new investigations were related to suspected transnational sex trafficking, with the remainder relating to labor trafficking. The majority of labor trafficking cases were addressed through civil mechanisms. The government has never identified or prosecuted a domestic sex trafficking offense committed against an Australian citizen or resident, whether adult or child. During the year, a Thai woman who transported a victim from Thailand and subjected her to debt bondage and sex trafficking was convicted of possessing a slave and sentenced to eight years and 10 months' imprisonment. The convicted offender is currently appealing the length of her sentence and remains in custody. The government initiated one prosecution for sex trafficking during the reporting year; two cases pending from the previous reporting period did not reach trial, and the government dismissed charges against a Chinese woman accused of fraudulently recruiting two women from China and subjecting them to debt bondage and sex trafficking. AFP investigators in Human Trafficking Teams (HTT) specialized in investigating trafficking offenses and the online sexual exploitation of children; their efforts have typically focused on transnational sex trafficking, although labor trafficking investigations are becoming more common. The government continued to provide specialized training on human trafficking investigation procedures to some AFP and state and territory police investigators; 37 immigration officials received anti-trafficking training. No Australian government officials were investigated, prosecuted, or convicted for trafficking or trafficking-related criminal activities during the reporting period.

Protection

The Government of Australia sustained efforts to provide protection to identified victims of trafficking, though the number of identified victims remained low. In 2012, the government and NGOs identified 16 trafficking victims—including 11 subjected to sex trafficking and five subjected to labor trafficking—and referred them to the government's victim support program, which provided access to accommodation, living expenses, legal advice, health services, and counseling. The government provided the equivalent of approximately $1.2 million to fund its victim support program. All victims who received services during the year were foreigners. Most victims were placed in hotels, as there were no government-run shelter facilities and few NGO shelters specifically for trafficking victims. The government encouraged victims to participate in trafficking investigations; 68 percent of identified victims participated in an investigation or prosecution during the reporting period. In 2012, the government granted 11 Permanent Witness Protection (Trafficking) visas to victims and their immediate family members, which required contribution to an investigation or prosecution of a trafficking offense. Victims identified by authorities were not incarcerated, fined, or penalized for unlawful acts committed as a direct result of being trafficked. Officials follow formal procedures for proactively identifying victims involved in the legal sex trade and referred them for services; however, efforts to identify victims of forced labor could be improved. International observers expressed concern that Australia's vigorous efforts to identify and criminally prosecute cases of human smuggling could potentially lead to unidentified trafficking victims, including children, being treated as criminals and detained or jailed. Additionally, the majority of trafficking victims were identified through immigration compliance actions, an environment in which the fear of detainment and deportation could potentially make victims reluctant to communicate with law enforcement officers. The government did not ensure social service professionals were present during initial screening interviews, which may have hampered the success of victim

identification efforts and caused further distress to victims. Trafficking victims whose cases resulted in convictions were eligible to receive compensation, but few victims have had access to this form of redress. There were some allegations that victims were not always informed about visa options available to individuals who wish to remain in Australia to pursue compensation or civil remedies.

In March 2012, the AFP conducted forums in five cities to train state police and other community stakeholders on identifying indicators of trafficking and referring suspected victims to government and NGO support networks, and in October 2012, an international organization conducted 59 government-funded training workshops on victim identification and protection reaching 1,055 community service providers throughout the country. However, many front-line officers, particularly at the sub-national level, would benefit from additional training to identify indicators of trafficking, particularly labor trafficking.

Prevention

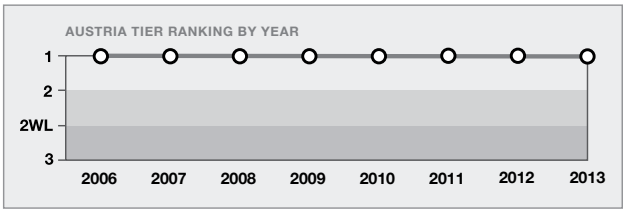
The Government of Australia continued to demonstrate notable efforts to prevent trafficking in persons during the year. Government anti-trafficking efforts were coordinated by the interdepartmental committee, chaired by the Attorney General's Department, which produced an annual report on its efforts for parliament. The government funded four NGOs' awareness-raising projects and five organizations' awareness projects that focused specifically on labor trafficking. The Fair Work Ombudsman conducted awareness campaigns and pursued civil efforts through the courts for workplace violations such as underpayment of wages; however, none of the cases it investigated were referred to the AFP or the Department of Immigration and Citizenship for criminal investigation potential forced labor.

The Australian Agency for International Development continued to fund anti-trafficking activities in the Asia-Pacific region, and the prime minister announced the equivalent of approximately $52.5 million in new funding for the third phase of a criminal justice assistance project in the ASEAN region. Projects to combat child sex tourism continued to operate at the same level as the previous year. In April 2012, the AFP hosted a symposium in Bangkok aimed at enhancing relationships between law enforcement and NGOs involved in combating child sex tourism, and during the year the government provided information to the Government of Burma that led to the denial of entry to two Australian nationals suspected of being child sex tourists. The Australian government refused passports to two convicted child sex offenders, and the government obtained one conviction in a case of child sex tourism initiated in the previous year. In March 2013, the prime minister announced plans to revise the government procurement strategy to ensure the government does not purchase goods whose supply chains use slavery. The government did not take significant steps to reduce the demand for commercial sex acts within its legal sex trade. The Australian government educated troops and police officers on human trafficking prior to their deployments on international peacekeeping missions.

AUSTRIA (Tier 1)

Austria is a destination and transit country for men, women, and children subjected to sex trafficking and forced labor. Victims originate from Eastern Europe, Africa, and Asia. Some forced domestic work occurs at the hands of foreign diplomats from Asia, the Middle East, and Africa working in Austria. Forced labor also occurs in the agricultural, construction, and catering sectors. During the year, Chinese men were allegedly subjected to forced labor in the restaurant sector. Authorities cited an increase in Chinese women in massage parlors suspected to be victims of trafficking. Roma children and other children from Eastern Europe remain vulnerable to forced begging. Austrian police reported over 800 people in organized begging rings in 2012; officials observed the majority are subjected to trafficking. Police report trafficking offenders' increasing use of social media to organize their operations, recruit victims, and solicit customers. There were reports that during 2012, there were approximately 200 registered Nigerian women asylum seekers who were possible trafficking victims. In previous years, an NGO that assists Nigerian trafficking victims reported traffickers abuse the legal prostitution and asylum processes in Austria to control their victims.

The Government of Austria fully complies with the minimum standards for the elimination of trafficking. The government continued to identify and refer trafficking victims for victim-centered assistance in partnership with NGOs. It implemented a new law that allows trafficking victims unlimited access to the Austrian labor market, issuing a significant number of these permits to facilitate victims' recovery and rehabilitation in 2012. The government demonstrated proactive efforts to identify and prevent domestic servitude in diplomatic households. It reported two cases of domestic servitude perpetrated by diplomats in 2012. However, anti-trafficking experts within the country increasingly criticized the judiciary's lenient sentences for trafficking offenders. The government's conviction rate for trafficking offenders charged under its trafficking law declined during the reporting period.



Recommendations for Austria: Aggressively prosecute and convict trafficking offenders to ensure that more of them receive sentences that are proportionate to the gravity of the crime; monitor human trafficking trial procedures and encourage prosecutors to give more serious attention to trafficking cases by appealing non-custodial and excessively lenient sentences for trafficking offenders; follow through on plans to increase statutory penalties for trafficking offenses; step up training efforts for prosecutors and others in the judicial sector to encourage aggressive prosecution of trafficking cases; step up training and local outreach efforts to proactively identify trafficking victims among children in prostitution and men working in agriculture, construction, and other sectors where foreign migrants are vulnerable to exploitation; continue to ensure victim protection organizations

have access to potential trafficking victims in brothels in the legal sector; establish and formalize a nationwide trafficking identification and referral system, including in reception centers for asylum seekers; continue to proactively refer child trafficking victims, including minors in prostitution, to care and ensure they are not treated as offenders; ensure adequate services are available for men who are victims of trafficking; continue a targeted campaign for clients in the prostitution sector to alert them to the links between prostitution and trafficking.

Prosecution

The Austrian government sustained a vigorous level of investigation of trafficking cases and referred these cases for prosecution in 2012. However, during the year, experts increasingly criticized the judiciary's lenient sentencing of trafficking offenders in Austria. Overall convictions for trafficking offenders declined. The government prohibits both sex trafficking and labor trafficking under Article 104(a) of the Austrian criminal code, but continued to use primarily Article 217, which prohibits the transnational movement of persons for prostitution, to prosecute suspected traffickers. Paragraph 1 of Article 217 prohibits the movement of people into Austria for prostitution and Paragraph 2 prohibits the use of deception, threats, or force in the transnational movement of persons for prostitution. Article 104 criminalizes "trafficking for the purpose of slavery" and prescribes penalties ranging from 10 to 20 years in prison. Penalties prescribed in Article 104(a) range up to 10 years' imprisonment, while penalties prescribed in Article 217 range from six months' to 10 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government reportedly prosecuted 45 offenders in 2012; 38 under Article 217; six under Article 104(a); and one offender under Article 104. Austrian courts convicted eight sex trafficking offenders and one forced labor offender in 2011, the most recent year for which sentencing data was available. This represents a continued decline from 14 convicted trafficking offenders in 2010 and 32 convicted trafficking offenders in 2009 under the trafficking statutes, although trafficking is often prosecuted under other statutes. The majority of trafficking offenders convicted in 2011 were prosecuted under Article 217. One offender was sentenced to over five years' imprisonment, four were sentenced to one to five years' imprisonment; two received partial suspended sentences, one received a fully suspended sentence; and six received partially suspended sentences resulting in jail time of one month to one year. One offender convicted under Article 104(a) received a sentence of one to three months imprisonment. In January 2013, courts sentenced four labor trafficking offenders to partially suspended sentences ranging from 27 to 36 months' imprisonment. Press accounts reported the victims were forced to work in Chinese restaurants in Carinthia until they repaid their smuggling debts. The offenders were charged with violations of customs, social security, and other laws.

Although Paragraph 1 of Article 217 does not require illegal means such as deceit or force, approximately half of those convicted under this statute are trafficking offenders; in the other half, trafficking elements were present but evidence was insufficient to prove in court. On October 19, 2011, the Supreme Court upheld a trafficking conviction under Article 217(1) for recruiting women in Bulgaria in order to exploit them in a brothel; the trafficker took the majority of their earnings. In October 2012, the Supreme Court upheld a trafficking conviction under 217(1) for hiring an intermediary to recruit Romanian women to work in a brothel; the court found the victims' travel documents were taken away until they had repaid travel costs to Austria. In October 2012, the Innsbruck provincial court convicted two Hungarian women for child sex trafficking under Article 217; one was given a 21-month prison sentence (14 months non-suspended), and her accomplice received a five-month suspended prison sentence and a fine. The women were accused of having lured a 17-year old Hungarian girl to Austria and exploited her in prostitution. On January 17, 2012, the Graz Provincial Criminal Court convicted a Bulgarian to a 10 month partially suspended prison sentence (one month not suspended) under Article 217. The accused brought four Bulgarian women to Austria, confiscated part of their earnings, and subjected them to beatings and threats. In February 2013, a court in Styria convicted four persons under Article 217. One offender received an 18-month prison sentence, of which 13 months were suspended. The court found he recruited women from Romania, made them dependent, and then forced them into prostitution. During the year, country experts expressed increasing concerns that lenient penalties for serious trafficking offenders are not sufficient deterrents to trafficking in Austria and may dissuade future victims' from testifying against their traffickers.

The government took steps to address trafficking perpetrated by diplomats posted in Austria, despite challenges that diplomatic immunity posed to the prosecution of these offenders. The government reported domestic workers increasingly applied for tourist visas, in an attempt to evade government scrutiny. The government reported that a small number of foreign diplomats suspected of subjecting domestic workers to forced labor left the country in 2012 due to pressure from the Austrian government, which included requiring diplomats suspected of trafficking to renew their diplomatic identification cards every three months. The government did not prosecute any acts of trafficking-related complicity in 2012.

Protection

The Government of Austria continued to deliver comprehensive, victim-centered assistance to female victims of sex trafficking and domestic servitude in partnership with NGOs in 2012. It proactively identified trafficking victims and implemented its new policy of granting trafficking victims access to the Austrian labor market. The government, in coordination with NGOs, identified 242 trafficking victims in 2012, compared to 251 identified in 2011. The government funded a specialized anti-trafficking NGO that provided housing, psycho-social, and legal services in Vienna to female trafficking victims; victims provided such shelter were not detained involuntarily. The government did not provide specialized services for male trafficking victims in 2012. The government provided the equivalent of approximately $815,000 to this NGO in 2012, compared with the equivalent to approximately $744,000 in 2011. During the year, the NGO provided counseling, outreach, and other assistance services, including responsible repatriation, to all 242 trafficking victims. The government reported it provided foreign victims of trafficking with legal alternatives to their removal through its 2009 Residence and Settlement Act, and reported it issued 12 new residency permits to trafficking victims under Article 69a in 2012 and 23 extensions in 2012. Residence permits are generally granted for a period of one year. Under the July 2011 amendment to the Law on Foreigners, the government granted trafficking

victims who hold residence permits unconditional access to the Austrian labor market. The government reported granting 111 residence permits to trafficking victims under the "red-white-red card" immigrant program between July 2011 and October 2012. During the reporting period, an NGO estimated approximately four victims of domestic servitude were identified in the residences of Asian, Middle Eastern, and African diplomats working in Austria. The government did not report the extent of care to male victims of labor trafficking in 2012.

During the year, human rights experts, including the Austrian chapter of Amnesty International, cited inadequate protections for foreign trafficking victims in the country, indicating victims are under constant threat of deportation, and victims who agree to testify in court against their traffickers are rarely granted the right to stay in Austria. An NGO that specializes in providing assistance to Nigerian trafficking victims reported that some criminal investigations against trafficking offenders for Nigerian victims are dismissed or closed prematurely, despite the availability of victim testimony. Further, the 2011 Council of Europe's Group of Experts on Action against Trafficking of Human Beings (GRETA) report for Austria noted previously that potential victims of child trafficking are sometimes treated as offenders and arrested for theft, drug trafficking, or prostitution-related offenses. The Federal Criminal Police reported it made efforts to assess the existence of any trafficking links to children who committed property crimes, but did not find that any children arrested for prostitution or other offenses were subsequently identified as trafficking victims and referred for care.

The government's regulation of Austria's sizable, legal, commercial sex sector included weekly health checks for sexually transmitted infections and periodic police checks of registration cards. In 2012, the police continued screening women in prostitution for trafficking indicators using various manuals on trafficking and victim identification — including a pocket card developed in coordination with NGOs — that listed the main indicators for identifying victims of trafficking. During the year, the police rescued an underage Romanian girl subjected to trafficking in regulated legal brothels in Graz and Klagenfurt. She was referred to an NGO for care and assistance. The government encouraged victims to assist with investigations and prosecutions. The government reported that 50 trafficking victims assisted in the prosecution of their traffickers in 2012. Most trafficking victims declined to cooperate with authorities due to fears of retaliation. The government funded the city of Vienna's specialist center for unaccompanied minors; however, the center did not identify any child victims of trafficking in 2012. Although the government reported that it had a policy that identified victims should not be punished for unlawful acts committed as a direct result of being trafficked, an NGO reported some Nigerian trafficking victims continued to be deported.

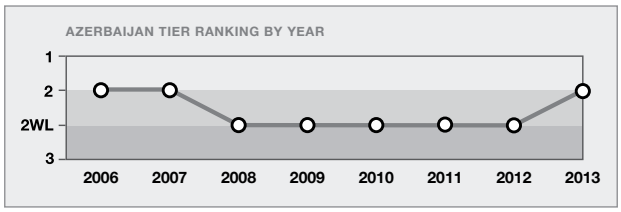
Prevention

The Government of Austria sustained strong efforts to prevent domestic servitude within diplomatic households, requiring all foreign domestic workers to appear in person at the Ministry of Foreign Affairs to receive information on how to get help if they become victims of forced labor. In addition, the government required diplomatic employers of domestic workers to provide evidence of direct salary transfers to accounts held in the domestic worker's name and required domestic workers to obtain their own ATM cards. During the year, authorities pointed to an increased incidence of diplomatic household workers requesting tourist visas rather than registering as diplomatic staff in order to circumvent the government's increased scrutiny of diplomatic personnel employing domestic workers. On March 20, 2012, the government adopted its third national action plan on combatting trafficking, covering the period of 2012-2014. The government published an assessment on the implementation of its 2009-2011 national action plan during the previous reporting period. However, it did not publish or disseminate a review of its anti-trafficking efforts in 2012. The government continued its series of school exhibitions to sensitize Austrian youth to sex trafficking and ran an anti-trafficking hotline. Austria continued a campaign to encourage tourists and travel agencies to report cases of child sex tourism. The government did not undertake any awareness campaigns to reduce the demand for commercial sex acts in 2012, but did conduct awareness campaigns to sensitize clients of prostitution about sex trafficking. The government funded courses conducted by an anti-trafficking NGO to sensitize troops prior to their deployment on peacekeeping missions.

AZERBAIJAN (Tier 2)

Azerbaijan is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Azerbaijani men and boys are subjected to conditions of forced labor in Russia and in Azerbaijan. Women and children from Azerbaijan are subjected to sex trafficking within the country and in the United Arab Emirates, Turkey, Russia, and Iran. Some migrant workers from Turkey, as well as Turkmenistan, Uzbekistan, Afghanistan, the Philippines, Romania, India, and Ukraine are subjected to conditions of forced labor in Azerbaijan's construction industry. Within the country, forced begging of children, particularly ethnic Roma children, is a problem. Domestic servitude of Filipina victims in Azerbaijan is an emerging problem. In the past, Chinese men and women have been subjected to forced labor in the construction, street vending, and agriculture sectors in Azerbaijan.

The Government of Azerbaijan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government increased law enforcement efforts against labor trafficking of Azerbaijanis, continued to provide protection and reintegration services to identified trafficking victims, and continued to raise awareness of trafficking crimes. However, the government did not identify any foreign victims of human trafficking nor demonstrate a willingness to thoroughly investigate companies that allegedly engage in forced labor of migrant workers. Systemic government corruption hindered effective law enforcement and victim identification efforts. Civil society groups criticized the government's anti-trafficking efforts for producing limited results but noted improved partnerships with some government agencies.



Recommendations for Azerbaijan: Strengthen efforts to identify foreign victims of labor trafficking within the country; increase law enforcement efforts against trafficking offenders, including individuals or companies that subject migrant workers to forced labor, and increase the number of convicted offenders who are sentenced to time in prison; vigorously investigate and prosecute alleged government officials complicit in human trafficking; investigate potential trafficking crimes at the detection of a single trafficking indicator; improve the definition of forced labor in the labor code to empower labor inspectors to identify trafficking crimes; consider permitting civil society representatives to accompany potential victims during initial police interviews; enhance victim protection during court proceedings; send court verdicts to addresses chosen by the victims; increase funding to victim service providers and expand the network of providers outside Baku; provide sensitivity training to law enforcement officers, prosecutors, and the judiciary, including on how to work with trafficking victims who experienced psychological trauma; educate judges on the legal definition of human trafficking; improve communication between government agencies, including victim referrals and details on potential cases; target public awareness campaigns to foreign migrant workers, describing indicators of human trafficking and avenues to seek help; and continue efforts to raise public awareness about both sex and labor trafficking in cities and rural areas.

Prosecution

The Government of Azerbaijan demonstrated anti-trafficking law enforcement efforts during the reporting period. Azerbaijan's 2005 Law on the Fight Against Trafficking in Persons and Article 144 in the penal code prohibit sex trafficking and forced labor and prescribe penalties of five to 15 years' imprisonment, punishments which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government reported two labor trafficking investigations and 10 sex trafficking investigations in 2012, compared with two labor trafficking investigations and 17 sex trafficking investigations in 2011. The government reported prosecuting two individuals for labor trafficking and 12 for sex trafficking crimes in 2012, compared with no prosecutions for labor trafficking crimes and 20 individuals prosecuted for sex trafficking in 2011. The government convicted 12 sex trafficking offenders in 2012, compared with 10 sex trafficking offenders convicted in 2011. Six of these 12 convicted trafficking offenders were sentenced to time in prison; three of these six offenders were sentenced to between four and ten years' imprisonment, while sentencing information for the remaining three offenders was not reported. Article 70 of the criminal code—often used in the case where a criminal is a female with young children—was applied to suspend the sentences of five of these 12 offenders. The government did not convict any labor trafficking offenders in 2012 or 2011; however, in February 2013 the government, for the first time convicted a labor trafficking offender with a sentence of eight and a half years' imprisonment. Although the government recently adopted amendments enhancing measures that can be imposed against legal entities for the use of forced labor, as noted in the 2012 TIP Report, there were no criminal prosecutions against such entities in the reporting period.

Systemic corruption in Azerbaijan hindered anti-trafficking efforts. Civil society groups reported that law enforcement bodies did not adequately investigate accusations of forced labor in the construction sector for fear of recrimination by influential figures who control the sector, including government officials. Local police were also accused of accepting bribes from prostitution establishments, some of which have sex trafficking victims, to ignore those businesses' illegal activities. The Government of Azerbaijan did not report any investigations or prosecutions of government employees for alleged complicity in trafficking-related offenses during the reporting period. An NGO reported a case in which local authorities solicited bribes from trafficking victims in order to continue investigating their exploitation; the victims decided not to pursue the case. Some local observers reported the Ministry of Internal Affairs Anti-Trafficking Department (MIA ATD) subjected trafficking victims to interrogations and intimidation during investigations.

Protection

The Government of Azerbaijan made progress during the reporting period to protect and assist victims of trafficking, although the failure to identify foreign labor trafficking victims remained a concern. The MIA ATD has a description of indicators for identifying trafficking victims, but there was no information on how this list was used or whether it was distributed to other government agencies. In 2012, the government certified 17 men as labor trafficking victims and 36 women as sex trafficking victims, compared with no labor trafficking victims and 29 female victims of sex trafficking in 2011. Despite more than 5,000 raids conducted by the MIA ATD and the Labor Inspectorate, the government did not identify a single foreign labor trafficking victim. In part, this failure to identify victims is because the Labor Inspectorate is not authorized by the labor law to identify trafficking victims. In 2012, government authorities identified 455 children who were subjected to forced begging. The government referred approximately 130 of these street children to NGOs and "child police desks," where they were given assistance; there is no information on the children who were not referred.

The government did not ensure victims of trafficking were not penalized for unlawful acts committed as a direct result of their being trafficked. In fact, there were reports that some labor and sex trafficking victims were subjected to administrative penalties for working without permits and for prostitution offenses, respectively. Moreover, the government allegedly deported foreign sex and labor trafficking victims who it did not identify as victims. In 2012, the MIA ATD assisted 53 victims of human trafficking, compared with 38 victims assisted in 2011. Of those victims, 43 received temporary shelter at a government-run facility, which adult victims could reportedly enter and leave freely. Thirty-five of these victims were provided with a one-time subsidy payment in the equivalent of approximately $500, an increase from the equivalent of approximately $250 in 2011. The government offered some of the victims other forms of financial compensation, as well as medical and legal assistance and psychological counseling.

On an *ad hoc* basis, the government encouraged trafficking victims to participate in investigations and prosecutions. There was no information as to whether trafficking victims received social services from local governments based on recent changes which amended the Law on Social Services.

The MIA ATD often referred potential trafficking victims to NGOs or the labor ministry's victim assistance center, but referrals between other relevant government agencies were poor, hindering victim identification and appropriate protection. While the anti-trafficking law authorized victims to receive temporary relief from deportation, this was not applied in practice because the government did not identify any foreign victims. In December 2012, the government provided in-kind assistance, including the provision of facilities, for a three-day anti-trafficking conference in Baku. Prosecutors, judges, and police investigators responsible for trafficking crimes participated in the event, which included sessions on victim identification and sensitivity training.

Prevention

The Government of Azerbaijan sustained its trafficking prevention efforts during the reporting period. The National Referral Mechanism (NRM) served as the national coordinating body of relevant ministries responsible for fighting trafficking. Despite efforts to improve the ministries' investigative and victim identification procedures through two interagency conferences and four national-level seminars held in 2012, anti-trafficking coordination across ministries was limited, and there was limited understanding of each agency's responsibilities under the law. Many working-level officials in the NRM appeared to be focused mainly on sex trafficking and to have a limited understanding of labor trafficking indicators.

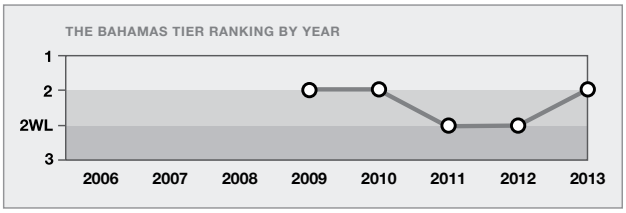
The government's Council on State Support to NGOs provided financial support to anti-trafficking activities in 2012. The MIA ATD gave financial awards to 15 NGOs involved in anti-trafficking issues, compared to 10 NGOs in 2011. The government funded and continued to disseminate anti-trafficking pamphlets and posters and continued to run public service announcements to raise awareness of human trafficking. The government continued to fund an NGO-operated trafficking hotline that provided information to the public and assisted potential victims of trafficking; two of the 13,000 phone calls led to the investigation of two labor trafficking cases. The government organized anti-trafficking seminars for representatives of government ministries, municipal governments, NGOs, teachers, and college students throughout the country, and the MIA ATD trained representatives from 15 travel companies on the identification of trafficking victims.

The Azerbaijani government focused on administrative violations of the labor code such as lack of payment of wages, passport withholding, and lack of provision of work permits, rather than on investigating those violations as potential indicators of forced labor. The government fined companies for employing undocumented workers and failing to provide work permits, secured labor contracts for thousands of migrant workers, and recovered the equivalent of hundreds of thousands of dollars of unpaid wages from employers, which were provided to migrant workers. However, the government did not investigate any of these companies for human trafficking, including one that repeatedly exploited migrant workers. A civil society group noted that this administrative rather than criminal approach creates an enabling environment for the exploitation of migrant workers, as alleged trafficking offenders are not criminally prosecuted. The government provided identity documents to 19 undocumented minors and provided citizenship to 105 stateless people; stateless and undocumented individuals in Azerbaijan are vulnerable to trafficking. The government did not take actions to reduce the demand for commercial sex acts. The Government of Azerbaijan has a 2009-2013 action plan to combat trafficking.

THE BAHAMAS (Tier 2)

The Bahamas is a destination, source, and transit country for men, women, and children subjected to forced labor and sex trafficking. Migrant workers are especially vulnerable to involuntary servitude in The Bahamas, particularly the thousands of Haitians who arrive in The Bahamas largely voluntarily to work as domestic employees, laborers, and in agriculture. Other large, vulnerable, migrant worker communities are from China, Jamaica, and the Philippines. Children born in The Bahamas to foreign-born parents do not automatically receive Bahamian citizenship and face potential discrimination and vulnerability to trafficking due to their statelessness. Groups especially vulnerable to sex trafficking in The Bahamas include foreign citizens in prostitution or exotic dancing and local children under 18 engaging in sex with men for basics such as food, transportation, or material goods.

The Government of The Bahamas does not comply fully with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government made tangible progress over the past year, implementing a victim-centered approach to addressing human trafficking. The government achieved results in the proactive identification and assistance of trafficking victims and launched its first prosecution under its human trafficking law. The government has not yet reported a conviction of a trafficking offender.



Recommendations for The Bahamas: Prosecute, convict, and punish trafficking offenders with jail time; use the new victim identification and referral protocol to identify more potential victims of forced labor and forced prostitution from within vulnerable groups and provide them with appropriate protection and assistance; make efforts to involve independent interpreters when conducting inspections of migrant worker labor sites, and conduct private interviews of workers to enhance their ability to speak openly and ensure their rights are protected; and ensure funding to NGO partners is adequate to provide appropriate assistance for human trafficking victims as outlined in the protocol.

Prosecution

The Government of The Bahamas demonstrated progress in its anti-trafficking law enforcement efforts during the reporting period. All forms of human trafficking are prohibited through the country's Trafficking in Persons Prevention and Suppression Act of 2008, which prescribes penalties ranging from three years to life imprisonment; these penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The government reported 10 new human trafficking investigations (at least four of which were labor trafficking investigations) during the reporting period, an increase from one human trafficking investigation in the previous reporting period. The government reported one sex trafficking prosecution during the reporting period; this marked the first time the government has initiated a prosecution using its human trafficking act. Authorities placed the suspect in pre-trial detention. There were no convictions of trafficking offenders during the reporting period. The government did not report any investigations or prosecutions of government employees for alleged complicity in trafficking-related offenses. The government provided funding for several government representatives to attend training provided by a foreign donor. During the reporting period, the Royal Bahamas Defense Force and Royal Bahamas Police Force required all new recruits to undertake a "Trafficking in Persons Awareness Training Module." Over 240 new officers completed this training in 2012.

Protection

The government demonstrated increased efforts in victim protection during the reporting period. In early 2013, the government implemented a newly developed formal protocol to guide front-line responders in how to identify human trafficking victims and refer them to available services. The protocol provided a step-by-step proactive approach to victim identification and defined the role of key government and NGO entities involved in victim protection for women, men, and children. Immediately after the government published the protocol, officials identified two adult trafficking victims—a positive development as the government had not reported any trafficking victim identifications earlier in the year or in previous reporting periods. Officials then further implemented the protocol and referred the two suspected victims to shelter and provided assistance tailored to their needs. The government's Public Hospital Authority provided medical and psychological services to victims during the reporting period. Late in the reporting period, the government established a fund equivalent to approximately $100,000 for the care of trafficking victims. The government encouraged trafficking victims to assist in the prosecution of trafficking offenders and provided foreign victims with legal alternatives to their removal to countries in which they would face retribution or hardship. Experts raised concerns that prior to the January 2013 implementation of its victim identification and referral the protocol, the government was not referring suspected foreign victims to NGOs, and instead penalized and deported them. After January 2013, however, the government worked with IOM to offer safe and voluntary repatriation assistance to foreign victims identified. The trafficking act provided victims with immunity from prosecution for unlawful acts committed as a direct result of their being subjected to human trafficking.

Prevention

The government demonstrated continued efforts to prevent human trafficking during the reporting period. The government's inter-ministerial committee to coordinate anti-trafficking policy met regularly during the reporting period, as did the government's trafficking taskforce, which was charged with ensuring operational coordination on trafficking cases. Both groups opened formal channels of communication with the diplomatic corps in The Bahamas; diplomats and honorary consular corps members were instrumental in bringing several potential cases to the attention of law enforcement officials. In June 2012, the Ministry of National Security and an international organization launched a six-month trafficking in persons victim awareness program at a restaurant chain. In September 2012, the chair of the inter-ministerial committee addressed local and regional government and law enforcement officials and NGO representatives on trafficking awareness at the Regional Conference of Caribbean Crisis Centers. Labor inspectors began to incorporate trafficking indicators in inspections of labor sites. The government did not undertake measures to reduce the demand for commercial sex acts. Authorities did not consider child sex tourism to be a problem in The Bahamas during the reporting period and reported no child sex tourism investigations.

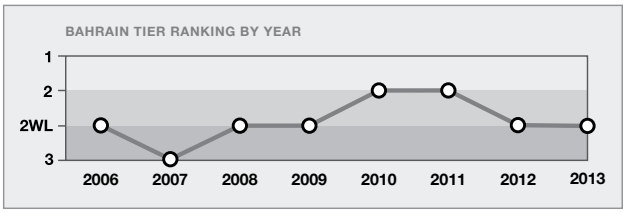
BAHRAIN (Tier 2 Watch List)

Bahrain is a destination country for migrant workers subjected to forced labor and sex trafficking. Men and women from India, Pakistan, Nepal, Sri Lanka, Bangladesh, Indonesia, Thailand, the Philippines, Ethiopia, Ghana, and Eritrea migrate voluntarily to Bahrain to work as domestic workers or as unskilled laborers in the construction and service industries. Some, however, face conditions of forced labor after arriving in Bahrain, through the use of such practices as unlawful withholding of passports, restrictions on movement, contract substitution, nonpayment of wages, threats, and physical or sexual abuse. NGOs report that Bangladeshi unskilled workers are in particularly high demand in Bahrain and are considered exploitable since they do not typically protest difficult work conditions or low pay. Domestic workers are also considered to be highly vulnerable to forced labor and sexual exploitation because they are largely unprotected under the labor law. Government and NGO officials report that abuse and sexual assault of female domestic workers are significant problems in Bahrain; however, strict confinement to the household and intimidation by employers prevent these workers from reporting abuse.

In the last year, 40 suicides among migrant workers in Bahrain were reported, especially those from India, allegedly due at least in part to conditions of forced labor and debt bondage, including the withholding of wages and passport confiscation. A 2011 study by the Bahrain government's Labor Market Regulatory Authority (LMRA) found that 65 percent of migrant workers had not seen their employment contract and that 89 percent were unaware of their terms of employment upon arrival in Bahrain. Many labor recruitment agencies in Bahrain and source countries require workers to pay high recruitment fees—a practice that makes workers highly vulnerable to forced labor once in Bahrain. The LMRA study found that 70 percent of foreign workers borrowed money or sold property in their home countries in order to secure a job in Bahrain. Some Bahraini employers illegally charge workers exorbitant fees to

remain in Bahrain working for third-party employers (under the "free visa" arrangement). In previous years, the LMRA has estimated that approximately 10 percent of migrant workers were in Bahrain under illegal "free visa" arrangements—a practice that can contribute to debt bondage—while source country embassies put the figure at 20 percent. Women from Thailand, the Philippines, Morocco, Jordan, Syria, Lebanon, Russia, Ukraine, China, Vietnam, and Eastern European states are subjected to forced prostitution in Bahrain.

The Government of Bahrain does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government did not, however, demonstrate evidence of overall increasing efforts to address human trafficking over the previous reporting period; therefore, Bahrain is placed on Tier 2 Watch List for a second consecutive year. The government made limited efforts to prosecute and punish perpetrators of forced labor and sex trafficking during the reporting period. There was no indication that the government took steps to institute a formal trafficking victim identification procedure and referral mechanism or to provide foreign victims with legal alternatives to their removal to countries where they faced hardship or retribution. Though a government-funded shelter began accepting female trafficking victims in 2012 and police identified some trafficking victims, trafficking victims continued to be susceptible to arrest, detention, and deportation for offenses directly related to being trafficked. Despite past commitments, the government's migrant worker sponsorship—or "*kafala*"—system was not abolished and continued to give employers inordinate power over foreign workers and contributed to forced labor and debt bondage.



Recommendations for Bahrain: Enforce the 2008 anti-trafficking law, and significantly increase the investigation and prosecution of trafficking offenses—particularly those involving forced labor—including convictions and punishment of trafficking offenders; actively enforce labor law protections for domestic workers; reform the sponsorship system to eliminate obstacles to migrant workers' access to legal recourse for complaints of forced labor; institute and apply formal procedures to identify victims of trafficking among vulnerable groups, such as domestic workers who have fled from abusive employers and women in prostitution; institute a formal victim referral mechanism for law enforcement and other government officials to refer identified victims to protection services, and properly train officials on these referral mechanisms; ensure that identified victims of trafficking are not punished for unlawful acts committed as a direct result of being trafficked, such as illegal migration or prostitution; expand the government-run shelter to protect all victims of trafficking, including victims of forced labor and male victims of trafficking, and ensure that shelter staff receive anti-trafficking training and speak the languages of expatriate workers; and continue to publicly raise awareness of trafficking issues in the media and other outlets for foreign migrants, specifically domestic workers, in their native languages.

Prosecution

The government made few discernible efforts to investigate, prosecute, and convict trafficking offenses during the reporting period, and it frequently treated potential cases of forced labor as labor disputes in civil court instead of treating them as serious crimes. Bahrain's anti-trafficking law, Law No. 1 of 2008 with Respect to Trafficking in Persons, prohibits all forms of trafficking in persons and prescribes penalties ranging from three to 15 years' imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The government reported it investigated seven trafficking cases, a significant decrease from the 18 investigations in the previous reporting period. Of these, six were sex trafficking cases and one was forced labor that also involved forced prostitution; in one case, the accused was acquitted. The criminal court prosecuted three trafficking offenders in this reporting period, but did not convict any trafficking offenders. Four of the cases remained open and under investigation at the end of the reporting period. During the year, the Thai government investigated and arrested in Thailand a Thai woman for operating a sex trafficking ring in Bahrain. In August 2012, the Government of Bahrain began a separate investigation of this trafficking ring, which was ongoing at the end of reporting period; however, the two Thai victims found in Bahrain were deported. NGOs and foreign embassy officials reported that the government failed to penalize and punish employers for forced labor offenses. Cases of unpaid or withheld wages, passport retention, and other abuses—common indicators of trafficking—were typically treated as labor disputes and taken to civil court. These potential trafficking cases were rarely if ever investigated or taken to criminal court to prosecute sponsors and employers for trafficking offenses under Bahrain's anti-trafficking law. The government did not report any investigations or prosecutions of government employees for alleged complicity in trafficking-related offenses during the reporting period. Bahraini government officials indicated there was a general lack of awareness of trafficking crimes among working-level police. The Ministry of Foreign Affairs organized an anti-trafficking seminar in July 2012 for government officials and local NGOs.

Protection

The Bahraini government made minimal progress in improving protection for victims of trafficking over the last year. The government continued to lack systematic procedures to identify victims among vulnerable groups, such as migrant domestic workers who have fled their employers or women arrested for prostitution, putting trafficking victims at risk for being punished for employment or immigration violations, and subjected to detention or deportation. Government officials failed to recognize that some contract violations or salary disputes (including withholding of salaries) are indicators of forced labor and required further investigation. A government-funded 120-bed NGO-run domestic violence shelter began to offer services to female victims of trafficking and their children, assisting 25 suspected trafficking victims in 2012. Shelter residents could freely leave the shelter unchaperoned. The government provided no shelter services for male trafficking victims. While law enforcement officials' victim identification efforts remained *ad hoc*, police identified and referred 18 suspected victims of trafficking to shelter services in this reporting period. The majority of trafficking victims in Bahrain continued to seek shelter at their embassies or at the NGO-operated trafficking shelter, which reported assisting 124

female victims of abuse—some of whom were likely trafficking victims—in this reporting period. These women were referred primarily by the local police. Foreign embassies stated that when foreign victims of trafficking or abuse approached Bahraini labor officials for assistance, they were typically advised to seek assistance at their embassies, with no effort to proactively identify trafficking victims among those who make complaints or to refer potential forced labor cases to law enforcement for further investigation.

Bahraini government officials stated that they encouraged victims to participate in the investigation and prosecution of traffickers; however, workers typically did not file complaints against employers due to fear or ignorance of the law, distrust of the legal system and lengthy court procedures, inability to afford legal representation, lack of interpretation and translation, fear of losing residency permits during proceedings, and to avoid additional maltreatment at the hands of the employer. The government did not provide foreign victims with legal alternatives for their removal to countries where they faced retribution or hardship. The government also did not have policies to protect trafficking victims from punishment for crimes committed as a direct result of being subjected to human trafficking. Migrant workers who were able to flee their abusive employers were frequently charged as "runaways," sentenced to 10 days or more in detention, and deported.

Prevention

The government made some efforts to prevent trafficking in persons during the reporting period. Despite past commitments and pledges, the government did not end the migrant worker sponsorship system, which contributed greatly to forced labor and debt bondage. The new Labor Law (Law No. 36), which was adopted in September 2012, provided some protections to domestic workers for the first time; it required that domestic workers be provided with a proper labor contract, which specified working hours, annual leave, and bonuses. It also required the employer to pay the worker at least once a month; however, it was unclear how this law will be enforced. Law 19 of 2006, amended in 2011, requires that a foreign worker complete a minimum of one year of work with an employer before transferring to a different employer. Under the law, in order to change sponsors, a foreign worker is required to give a minimum of 30 days' notice to the sponsor and must also have a valid visa. The option to transfer sponsors was only available to workers who successfully completed mediation after filing a complaint with the Ministry of Labor, but it remained unavailable to workers whose cases were not resolved. This law lengthened the minimum amount of time a worker must remain with an employer, thereby expanding the length of time a worker could be vulnerable to forced labor. The Ministerial Order against the withholding of workers' passports—a common practice that restricts the mobility of migrant workers and contributes to forced labor—was not effectively enforced. Additionally, although a worker must file a complaint with the police against an employer for withholding a passport, police did not have the authority to arrest the employer for non-compliance. Manpower agencies were poorly regulated or penalized for abuses committed against workers, and labor inspectors reportedly failed to properly inspect work camps. There were unofficial reports that labor inspectors were paid by employers or manpower agencies not to report labor abuses.

The government's interagency Committee for Combating Trafficking in Persons met at least once a month during the reporting period, hosted two national seminars to raise awareness about trafficking, and participated in several regional trainings and workshops. The committee also conducted a trafficking survey, though the results of the survey were unknown. The Committee's overall effectiveness was hampered by slow interagency processes, a lack of strategic goals, and no mandate to proactively address trafficking issues. The LMRA continued to disseminate trafficking-related information to vulnerable workers through its website and media outlets, including a weekly radio show in English, as well as podcasts in Hindi and Malayalam, to educate workers on their rights. The Ministry of Interior continued to operate a toll-free hotline for trafficking victims, but officials declined to provide statistics on the use of the hotline. The LMRA also operates an abuse hotline during working hours, though it is unknown if any trafficking victims were identified through this number. The government reported no efforts to reduce the demand for commercial sex or forced labor during the year.

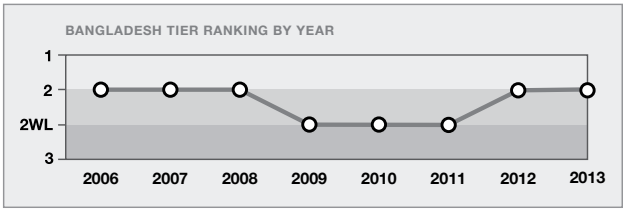
BANGLADESH (Tier 2)

Bangladesh is a source country for men, women, and children subjected to forced labor and sex trafficking. Some of the Bangladeshi men and women who migrate willingly to the Gulf, Maldives, Iraq, Iran, Lebanon, Malaysia, Singapore, Brunei, Europe, and elsewhere for work subsequently face conditions indicative of forced labor, such as restrictions on movement, withholding of passports, threats of force, physical or sexual abuse, and threats of detention or deportation for immigration violations. Before their departure, many migrant workers assume debt to pay high recruitment fees, imposed legally by recruitment agencies belonging to the Bangladesh Association of International Recruiting Agencies (BAIRA) and illegally by unlicensed sub-agents; this places some migrant workers in debt bondage. Some recruitment agencies and agents also commit recruitment fraud, including contract switching, in which they promise one type of job and conditions but then change the job, employer, conditions, or salary after arrival. There are reports of an increased number of Bangladeshis transiting through Nepal to obtain Nepalese visas and work permits for employment in the Gulf; some are trafficking victims. A civil society group reported that some Bangladeshi men in the Gulf, particularly in the United Arab Emirates, are vulnerable to being subjected to forced labor in other countries, including Greece and Spain. Some women and children from Bangladesh are transported to India and Pakistan, where they are subjected to commercial sexual exploitation or forced labor. Some in the Rohingya community in Bangladesh have been subjected to human trafficking.

Within the country, some Bangladeshi children and adults are subjected to sex trafficking, domestic servitude, and forced and bonded labor, in which traffickers or recruiters exploit an initial debt assumed by a worker as part of the terms of employment. Some street children are coerced into criminality or forced to beg; begging ringmasters sometimes maim children as a means to earn more money. In some instances, children are sold into bondage by their parents, while others are induced into labor or commercial sexual exploitation through fraud and physical coercion. According to an international expert on debt bondage, some Bangladeshi families and some Indian migrant workers are subjected to

bonded labor in Bangladesh's brick kilns; some kiln owners sell bonded females into prostitution purportedly to further recoup the families' debts. That same expert also reported that some Bangladeshi families are subjected to debt bondage in the shrimp farming industry in southeastern Bangladesh and that some ethnic Indian families are forced to work in the tea industry in the northeastern part of the country. In some instances, girls and boys as young as eight years old are subjected to forced prostitution within the country, living in slave-like conditions in secluded environments. Trafficking within the country often occurs from poorer, more rural regions, to cities. Many brothel owners and pimps coerce Bangladeshi girls to take steroids to make them more attractive to clients, with devastating side effects.

Bangladesh does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government drafted rules to implement the 2012 Human Trafficking Deterrence and Suppression Act (HTDSA) and began prosecuting cases under the law. However, the lack of adequate law enforcement efforts and institutional weaknesses continued to contribute to the trafficking of Bangladeshi migrant workers abroad. The government took limited steps to regulate fraudulent recruitment agents and their unlicensed subagents. Inadequate trafficking victim protection remained a serious problem.



Recommendations for Bangladesh: Finalize, adopt, and disseminate the implementing rules for the HTDSA, and train government officials on its implementation; take steps to sharply reduce all recruitment fees charged by licensed labor recruiters, and enforce violations with criminal sanctions; increase efforts to prosecute trafficking cases and convict trafficking offenders, respecting due process; use the HTDSA to prosecute fraudulent labor recruiters; continue to train government officials, including law enforcement, labor inspectors, and immigration officers, on methods to proactively identify trafficking cases, including of adults and children subjected to bonded labor; take steps to address any allegations of trafficking-related complicity of public officials, particularly through criminal prosecution; improve oversight of Bangladesh's international recruiting agencies to ensure they are not promoting practices that contribute to labor trafficking; provide support services for adult male trafficking victims and victims of forced labor; conduct awareness campaigns about the existence of laws against bonded labor targeted to government officials, employers, and vulnerable populations; improve services for shelters, legal aid, counseling, and trained staff at Bangladeshi embassies in destination countries; shorten the time required for Bangladeshi victims to receive documentation at Bangladeshi embassies required for repatriation; increase the accessibility of information about the migration process to potential migrants before they decide to migrate; improve quality of pre-departure trainings, including sessions on labor rights, labor laws, and methods to access justice and assistance in destination countries and in Bangladesh; improve data collection on the number of trafficking victims identified and assisted in Bangladesh and by Bangladeshi embassies; establish a toll-free labor exploitation hotline accessible by cell phone to facilitate victim identification; and accede to the 2000 UN TIP Protocol.

Prosecution

The Government of Bangladesh maintained anti-trafficking law enforcement efforts during the reporting period. The 2012 HTDSA generally prohibits and punishes all forms of human trafficking, though it does not prohibit the fraudulent recruitment of labor migrants in the absence of proof of the recruiter's knowledge of forced labor. Prescribed penalties for labor trafficking offenses are five to 12 years' imprisonment and a fine of not less than approximately the equivalent of $600, and prescribed penalties for sex trafficking offenses range from five years' imprisonment to the death sentence. These penalties are sufficiently stringent, and commensurate with those prescribed for other serious crimes, such as rape. In the reporting period, the government drafted but did not yet adopt implementing rules for the HTDSA. The new law repeals the sections of the Repression of Women and Children Act (WCA) that prohibited the trafficking of women and children for the purpose of commercial sexual exploitation or involuntary servitude; however, cases filed under these sections before the passage of the HTDSA would still be valid and would come under the jurisdiction of the HTDSA.

In 2012, the government reported investigating 67 and prosecuting 129 alleged trafficking cases, compared with 143 cases investigated and 80 cases prosecuted in 2011. During the reporting period, the government convicted eight trafficking offenders, and sentenced at least five of them to life imprisonment under Sections 5 (prohibiting "women trafficking") and Section 6(1) (prohibiting "girl trafficking") of the WCA. This is a decrease from the 14 convictions obtained in 2011, with eight offenders sentenced to life imprisonment.

The alleged human trafficking complicity of some Bangladeshi government officials remained a problem. Several NGOs reported links between members of parliament, corrupt recruiting agencies, and village level brokers. Corrupt politicians, police, and border security forces on both sides of the India-Bangladesh border reportedly recognized a token used by human traffickers to evade arrest if caught at the border. NGOs and the media reported that some registered recruitment agencies in Dhaka had links with employers who subjected migrant workers to trafficking and with brokers in destination countries who facilitated fraudulent recruitment. The Government of Bangladesh reported that it continued prosecuting cases of three government officials suspected of trafficking-related complicity under Section 5 of the WCA, although there were no further developments in those cases. The government provided some anti-trafficking training at the police training academy and more thorough training modules at detective training schools. Government agencies provided facilities in support of some NGO-led law enforcement trainings, and the public prosecutor and superintendent of police led some training sessions on the HTDSA in other trainings organized by civil society groups.

Protection

The Government of Bangladesh made limited efforts to protect victims of trafficking over the last year. While the government trained police on standard operating procedures for trafficking

investigations, including provisions for identifying trafficking victims, government officials did not systematically identify trafficking victims among vulnerable populations or refer victims of trafficking to protective services; victim referrals occurred on an *ad-hoc* basis. More than 600 trafficking victims were either self-identified or identified by civil society groups in 2012. The government did not provide or fund shelters or other services specifically dedicated to trafficking victims, but trafficking victims were technically able to access support services for vulnerable people through shelter homes, drop-in centers, and safe homes administered by the Ministry of Social Welfare. The government continued to run one shelter in the Bangladeshi Embassy in Riyadh for female Bangladeshi domestic workers fleeing abusive employers. The government did not provide protective services specifically to male victims of trafficking. A senior government official acknowledged the Bangladeshi diplomatic corps lacked the manpower in destination countries to adequately address labor trafficking. When Bangladeshi migrant workers lodged complaints of labor and recruitment violations, they most often resorted to arbitration by the BAIRA, which did not provide sufficient financial compensation and rarely addressed the illegal activities of some BAIRA-affiliated recruitment agents. There was no information on whether law enforcement officials encouraged victims of trafficking to participate in investigations and prosecutions of their traffickers. An NGO reported that some trafficking victims were detained when they returned to Bangladesh after migrating irregularly to another country. Unregistered Rohingya refugees who were trafficking victims may have been detained indefinitely for their lack of documentation. The government did not provide temporary or permanent residency status for foreign trafficking victims.

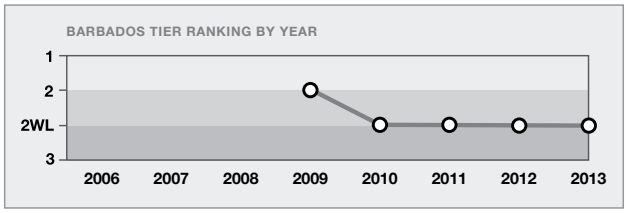
Prevention

The Bangladeshi government made few efforts to prevent trafficking during the reporting period. The government also sustained policies that permitted the forced labor of Bangladeshi migrant workers abroad to continue. For example, the government adopted the Abu Dhabi Dialogue Framework of Regional Collaboration, which includes provisions to familiarize workers with their rights and reduce recruitment fees. However, it continued to allow BAIRA to set extremely high and legal recruitment fees, license individual agencies, certify workers for overseas labor, and handle most complaints of expatriate laborers, while the government exercised inadequate oversight to ensure practices did not facilitate debt bondage of Bangladeshi workers abroad. Many government ministries, in partnership with civil society organizations, continued to raise awareness of human trafficking to government officials and vulnerable populations. The Ministry of Expatriate Welfare's Vigilance Task Force continued to operate; its mandate was to improve the oversight of Bangladesh's labor recruiting process. In the reporting period, the Task Force deregistered 65 recruitment agencies for engaging in illegal practices, but there was no information on whether these practices included fraudulent recruitment or charging illegal recruitment fees. In December 2012, following a 2011 meeting in Dhaka between the Bangladeshi government and BAIRA, the Dhaka Principles for Migration with Dignity were launched, including the principle that migrant workers should not be charged any recruitment fees. The only effort to adhere to these principles was the government entering into a written agreement with Malaysia to establish government-to-government labor recruitment with recruitment fees capped at the equivalent to approximately $500; nonetheless, questions remain about the ability of the Bangladeshi government to protect these workers in Malaysia. The Home Secretary continued to chair the inter-ministerial anti-trafficking committee meetings, which met regularly, and the Ministry of Home Affairs (MHA) continued to work with civil society groups through a bimonthly counter-trafficking coordination committee. Inter-ministerial coordination continued to be a challenge. The MHA published its annual report on human trafficking. Training, including awareness about human trafficking, was provided to Bangladeshi soldiers prior to their deployment abroad on international peacekeeping missions. During the year, the government did not take measures to reduce the demand for commercial sex acts. Bangladesh is not a party to the 2000 UN TIP Protocol.

BARBADOS (Tier 2 Watch List)

Barbados is a source and destination country for men, women, and children subjected to sex trafficking and forced labor. Evidence suggests there are foreign women forced into prostitution in Barbados. In the past, foreigners reportedly have been subjected to forced labor in Barbados, with the highest risk sectors being domestic service, agriculture, and construction. Legal and illegal immigrants from Jamaica, the Dominican Republic, and Guyana appear to be vulnerable to trafficking. The prostitution of children is known to exist in Barbados, including Barbadian and immigrant children engaging in transactional sex with older men for material goods, a phenomenon documented by UNICEF throughout the Eastern Caribbean.

The Government of Barbados does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government has not shown evidence of increasing efforts to address human trafficking over the previous year; therefore, Barbados is placed on Tier 2 Watch List for a fourth consecutive year. Barbados was granted a waiver of an otherwise required downgrade to Tier 3 because its government has developed a written plan that, if implemented, would constitute significant efforts to meet the minimum standards for the elimination of trafficking and is devoting sufficient resources to implement that plan. In 2013, the Barbadian government adopted a national action plan on human trafficking which specifies implementing agencies and addresses prosecution, protection, and prevention measures, and demonstrates its commitment to addressing human trafficking in a substantive way.



Recommendations for Barbados: Amend the 2011 legislation to prohibit both domestic and international forms of human trafficking and prescribe penalties that are sufficiently stringent (without an alternative of a fine) and commensurate with those prescribed for other serious crimes, such as rape; simplify the law and de-link it from the separate crime of human smuggling so that it is easier for law

enforcement officials to understand and apply the law; implement formal procedures for officials across the government to proactively identify trafficking victims among vulnerable populations, such as Barbadians and foreigners in prostitution as well as migrant workers, and refer them to available services; when conducting trafficking investigations, ensure suspected victims are taken to a safe and hospitable location, as victims of human trafficking often feel threatened and are reluctant to identify themselves as victims during a raid; enact protections for victims of trafficking, including provisions that provide foreign victims with relief from immediate deportation, and ensure victims are not punished for crimes committed as a direct result of being subjected to human trafficking; increase funding to the NGO shelter and crisis center to ensure adequate assistance, including free health care, is available to human trafficking victims.

Prosecution

The government launched at least two trafficking investigations but did not address weaknesses in its anti-trafficking legal framework or initiate any prosecutions of alleged trafficking offenders, raising concern about impunity for human trafficking in Barbados. Barbadian law does not appear to prohibit all forms of human trafficking and does not prescribe penalties that are sufficiently stringent or commensurate with the prescribed penalties for other serious crimes, such as rape. The following Barbadian laws address criminal offenses within the definition of trafficking in persons: Article 8 of the Transnational Organized Crime (TOC) Bill of 2011, Articles 33 and 34 of the Offenses against the Person Act, as well as Articles 18 and 20, which cover some elements of sex trafficking occurring within the country. The TOC Bill prohibits some forms of trafficking, though it appears to be inconsistent with international standards because it requires movement across borders as a necessary element of human trafficking. All of the sections addressing the prostitution of children use the age of 16 as the threshold under which aggravated penalties would be imposed rather than the age of 18, the definition of a child under the 2000 UN TIP Protocol. Moreover, it is not clear that Barbadian law considers any children in prostitution with third-party involvement to be victims of human trafficking. Compelling prostitution under Article 20 is punishable by five years' imprisonment, while the trafficking of an adult under the TOC Bill is potentially punishable by a fine with no jail time, both of which are far less than Barbados' prescribed penalty for rape—life imprisonment.

The Barbadian police appointed an inspector to handle human trafficking cases, and police conducted at least two sex trafficking investigations during 2012. This is an increase from no investigations conducted during the previous reporting period. Like the previous year, the government did not report any prosecutions or convictions of trafficking offenders. The government provided in-kind assistance to an IOM-led anti-trafficking training and a foreign government-sponsored anti-trafficking law enforcement training for officials from various ministries.

Protection

The government demonstrated efforts to protect trafficking victims during the reporting period. Officials identified two suspected foreign sex trafficking victims, which was a positive development, as the government did not identify any trafficking victims in previous reporting periods. The government did not establish formal, systematic procedures to guide officials across the government in proactively identifying victims of sex trafficking and forced labor and referring them to available services, though it reportedly employed interim procedures during the last year. The government provided funding for an NGO crisis center providing shelter and services primarily for domestic violence victims, but also for female trafficking victims. Despite significant financial strain, this organization provided very high quality services, had staff trained to handle trafficking cases, and assisted one sex trafficking victim during the reporting period. The other identified victim declined assistance. The government had an agreement with a separate NGO to serve as a shelter for male victims of human trafficking, though this NGO did not assist any male trafficking victims during the reporting period. The government did not have formal policies to encourage victim assistance in the investigation and prosecution of trafficking offenders. It also did not have an official policy or law providing foreign trafficking victims with legal alternatives to their removal to countries where they would face hardship or retribution, though it developed interim procedures directing authorities to provide temporary residence status to foreign victims. In practice the government worked with IOM to provide safe and voluntary repatriation for one foreign victim identified during the year. The government also had interim procedures in place directing authorities not to penalize trafficking victims for unlawful offenses committed solely as a direct result of being subjected to human trafficking.

Prevention

The government made some efforts to prevent human trafficking in Barbados. Officials broadcast short public awareness messages through mass media and held town hall meetings to raise awareness about human trafficking. The government's inter-ministerial anti-trafficking taskforce included NGOs and met monthly to coordinate the government's anti-trafficking efforts. The government drafted a work plan for addressing human trafficking and funded the operation of a hotline staffed by professionals trained to identify human trafficking. The government did not report any efforts to reduce the demand for commercial sex acts or forced labor over the year. The government has not identified a problem with child sex tourism. Barbados is not a party to the 2000 UN TIP Protocol.

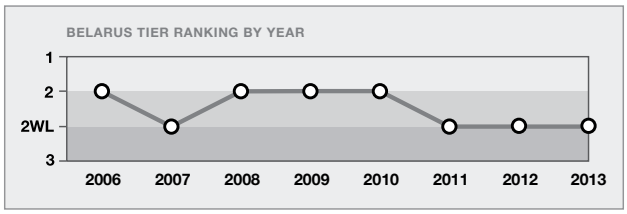
BELARUS (Tier 2 Watch List)

Belarus is a source, transit, and destination country for women, men, and children subjected to sex trafficking and forced labor. Belarusian women and children are subjected to sex trafficking in Russia, Italy, Egypt, the Czech Republic, Lithuania, Spain, Belgium, Turkey, Israel, the United Arab Emirates, Cyprus, Germany, Greece, Lebanon, Poland, and within Belarus. Some Belarusian women are transported through Latvia and Lithuania *en route* to Western Europe, where they are subsequently subjected to forced prostitution. Belarusian men, women, and children are found in forced labor in the construction industry and other sectors in Russia and Belarus. The Government of Belarus restricted Belarusian workers in state-owned wood processing factories as well as construction workers employed in modernization projects at those factories from leaving their jobs. Belarusian men seeking work abroad are increasingly subjected to forced labor. Workers are recruited through informal advertisements and notice boards and then

taken by minibuses from employment centers to foreign countries such as Russia.

The Government of Belarus does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these efforts, the government did not demonstrate evidence of increasing anti-trafficking efforts over the previous reporting period; therefore, Belarus is placed on Tier 2 Watch List for a third consecutive year. Belarus was granted a waiver from an otherwise required downgrade to Tier 3 because its government has a written plan that, if implemented, would constitute making significant efforts to meet the minimum standards for the elimination of trafficking and is devoting sufficient resources to implement that plan.

During the reporting period, the government issued a decree that forbade thousands of workers in the wood processing industry from leaving their jobs in state-owned factories without their employers' permission. Despite an increase in trafficking victims identified and offered care by NGOs, authorities certified very few victims of trafficking and secured only one conviction under the trafficking statute. The government passed a new anti-trafficking law that authorized new victim protections including the provision of beds in state shelters and the right to access care without first agreeing to cooperate with criminal proceedings. The government also passed a new law permitting state funding for services provided to trafficking victims. However, until these laws are fully implemented through regulations, available government-funded services to victims remained very limited, and victims faced bureaucratic hurdles in accessing state shelters. The government continued its efforts to prevent trafficking through awareness campaigns, online tools for potential migrant workers, and promotion of trafficking hotlines.



Recommendations for Belarus: Revoke the December 2012 presidential decree forbidding wood processing workers' resignation without their employers' permission; demonstrate vigorous investigation and prosecution of forced labor and forced prostitution offenders; increase use of Article 181 of the criminal code to prosecute trafficking cases, even in cases also charged under other statutes; examine the revised legal definition of human trafficking to ensure that trafficking cases that do not involve the purchasing and selling of a person are still considered trafficking cases under Belarusian law; improve victim identification, including of teenagers in prostitution inside Belarus and forced labor victims; ensure all victims, including children, are provided with appropriate assistance and protection; increase resources devoted to victim assistance and protection within Belarus; provide funding to NGOs offering victim care; continue efforts to formalize a national identification and referral mechanism; certify individuals as trafficking victims in cases in which a criminal case has not been opened in order to ensure that victims receive appropriate victim assistance; reduce the bureaucratic steps required to access shelter; establish a program to ensure that repatriated victims are given care; cultivate a climate of cooperation with NGO partners providing critical victim protection services; and extend legal counseling to victims upon identification rather than the initiation of an investigation.

Prosecution

The Government of Belarus demonstrated decreased law enforcement efforts during the reporting period, as the government issued a decree establishing coerced labor in a state-run industry and secured significantly fewer convictions. In December 2012, Alexander Lukashenka issued a decree forbidding workers in state-owned wood processing factories from resigning without their employers' permission. The decree applied to thousands of employees; employees are permitted to appeal the decision to the government-appointed provincial governor, but not to a judge. At least one instance of workers barred from quitting occurred during the reporting period. However, the government explained the decree was temporary in nature and workers were free not to sign new contracts required under the decree.

Belarusian law prohibits both sex and labor trafficking through Article 181 of its criminal code, which prescribes penalties ranging from five to 15 years' imprisonment in addition to the forfeiture of offenders' assets. These penalties are sufficiently stringent and are commensurate with penalties prescribed for other serious crimes, such as rape. The Government of Belarus reported eight trafficking investigations in 2012 under Article 181. The government investigated eight additional trafficking cases under non-trafficking statutes, including seven under Article 171 and sub-Article 171, which criminalize pimping and engaging in prostitution, and one case under sub-Article 181, which criminalizes profiting from servitude. This was an increase from 2011, in which the government reported nine trafficking investigations, but remained below the 39 trafficking investigations reported in 2010. Belarusian authorities convicted one trafficking offender under Article 181 in 2012, in contrast to seven in 2011 and 12 in 2010. The government reported sentencing the convicted offender to prison, but did not report the length of the prison term. The government did not report the investigation or prosecution of any public official for alleged complicity in trafficking in persons crimes. Some observers noted that judges required evidence of money transfers or the buying and selling of a person to prove human trafficking under Article 181, which may be one reason it was infrequently used. The government provided the equivalent to approximately $12,300 to its international anti-trafficking training center, which, with the collaboration of NGOs and international organizations, trained over 175 Belarusian and foreign government law enforcement officials on investigating human trafficking cases. Law enforcement officials reported jointly investigating several transnational trafficking-related cases with counterparts from Poland, Turkey, Russia, Germany, Israel, and Estonia.

Protection

The government demonstrated mixed protection efforts during the reporting period, identifying very few victims of trafficking and offering limited services. While two new anti-trafficking laws increased victim protection, victim identification efforts continued to decrease. In 2012 the Belarusian government identified 12 victims of trafficking under Article 181, compared with 14 in 2011 and 64 in 2010. This downward trajectory corresponded with a decrease in

trafficking investigations and demonstrated a reduced capacity to ensure human trafficking offenses were recognized and victims were appropriately offered care. Experts observed that the number of trafficking victims identified by the government was far from commensurate with the number of Belarusian victims identified by NGOs and other sources outside of the country, particularly with regard to reports of increased labor trafficking of Belarusians in Russia. In fact, NGOs in Belarus assisted 196 trafficking victims in 2012, more than the 142 assisted in 2011. Observers reported that law enforcement officials referred more than 50 percent of the trafficking victims cared for to NGOs. Law enforcement officers used specialized references and instructions to identify trafficking victims and refer them for rehabilitation. The government continued to draft proposals for the introduction of a national victim identification and referral mechanism. The government's diplomatic missions abroad helped four Belarusian trafficking victims return to the country and referred one victim to an NGO for care.

Two new laws were passed that, when implemented, could improve victim protection practices. One statute broadened the definition of a trafficking victim, provided for beds in non-trafficking-specific state shelters, and allowed victims to receive care without first requiring their cooperation with criminal proceedings. Another law allowed the government to provide funding to NGOs running social welfare programs; however, the government was still developing guidelines for implementation and did not expect the funding mechanism to be fully enforced until 2014. The government reported providing the equivalent of at least approximately $28,200 for victim reintegration. This was an improvement from 2011, when the government did not report any funding for victim reintegration. The government did not have trafficking-specific facilities available to care for victims, but it maintained 50 non-trafficking-specific "crisis rooms," which, per the new anti-trafficking law, offered temporary shelter, including beds, meals, and personal hygiene products, usually for up to 10 days. The government did not report how many trafficking victims received assistance at these facilities. Observers noted victims needed to obtain many signatures to get access to these crisis rooms, impeding ready access to shelter. While the government did not identify any child victims of trafficking, the Ministry of Education reported maintaining social and education centers that could provide shelter and rehabilitative services. Similar to past years, a large number of victims declined shelter from state-supported centers for fear of social stigma or reprisal. During the reporting period, the Ministry of Health Care approved a list of medical services available for trafficking victims at all state-run medical institutions, which are normally restricted to providing services to individuals residing in their region. Experts noted trafficking victims could easily obtain medical assistance from the state-run hospitals; however, to receive prompt and high-quality medical assistance anonymously, victims reportedly had to pay for certain medical services and seek help at private clinics. The government adopted regulations in February 2012 that provide free-of-charge legal assistance from state-run bar associations during investigations and prosecutions, although victims were without legal counseling prior to police initiating an investigation. The Ministry of Interior (MOI) reported that the government provided lawyers to some trafficking victims. Authorities did not issue any temporary residence permits in 2012, as the government did not identify any foreign trafficking victims. In 2012, the government hosted a seminar for staff members of the crisis room facilities on principles of social rehabilitation. The government also hosted a seminar for psychologists providing services at the crisis room facilities. Observers noted that the government did not consistently screen for trafficking indicators during the prosecution of prostitution cases; in 2012, authorities issued fines to hundreds of women in prostitution and arrested more than 150 for up to 15 days in prison.

Prevention

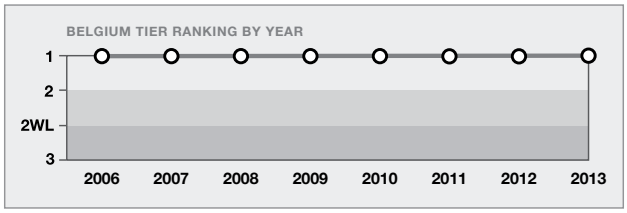
The Government of Belarus improved its efforts to prevent trafficking in 2012. The government conducted public awareness campaigns on radio, in print, and on television. The Government of Belarus supported two NGO-operated anti-trafficking hotlines and, with assistance from an NGO, prepared and printed leaflets and bulletins to inform vulnerable groups about the hotline. The MOI reviewed and approved advertisements for work abroad and significantly improved its website, with updated pages on licensed employment and marriage agencies as well as a new section on securing employment and avoiding exploitation in Russia. The new anti-trafficking law created the position of a national rapporteur and charged it with coordinating anti-trafficking law enforcement activities, liaising with international organizations and foreign governments on trafficking, and annually reporting to the government; the government designated the Minister of the Interior as the national rapporteur during the reporting period. The government reported implementing its 2011-2012 plan of action on victim assistance. The government continued to implement the 2011-2013 State Program to Counteract Trafficking in Human Beings, Illegal Migration, and Other Related Illicit Activities, and the MOI remained the coordinating agency that annually reported on the government's progress.

BELGIUM (Tier 1)

Belgium is a destination, transit, and a limited source country for men, women, and children subjected to forced labor and sex trafficking. Foreign victims originate in Eastern Europe, Africa, East Asia, as well as Brazil and India. Prominent source countries for victims exploited in Belgium include Bulgaria, Romania, Albania, Nigeria, China, and Turkey. Male victims are subjected to forced labor in restaurants, bars, sweatshops, horticulture sites, fruit farms, construction sites, cleaning businesses, and retail shops. The main source countries for labor trafficking victims in Belgium include China, India, Brazil, and Bulgaria. Belgian underage girls, who are recruited by local pimps, and foreign children — including ethnic Roma — are subjected to sex trafficking within the country. Some Belgian women have been subjected to sex trafficking in Luxembourg. Forced begging within the Roma community in Belgium also occurs. Foreign workers continued to be subjected to forced domestic service, including in the diplomatic community assigned to Belgium. During the year, authorities reported the increased number of refugees from North Africa in the country were vulnerable to trafficking.

The Government of Belgium fully complies with the minimum standards for the elimination of trafficking. The government pursued a multi-disciplinary, case-based approach to trafficking informed by the work of a quasi-governmental office that serves as the country's *de facto* National Rapporteur on human trafficking. The government continued to engage

more front-line responders in victim identification. The Belgian government remained a leader in the region for its efforts to investigate and prevent domestic servitude within the diplomatic community. Country experts reported the government offered different levels of protection to victims depending on the victim's legal status in Belgium. Victims whose cases do not result in a conviction or who do not pursue criminal charges against their traffickers remained vulnerable to deportation.



Recommendations for Belgium: Follow through on plans to develop more practical tools for front-line responders to detect trafficking victims, including among potential trafficking victims in the legalized commercial sex sector; continue to examine ways to balance the rights of trafficking victims and their need for assistance with law enforcement priorities, including establishing adequate protection measures for victims who do not wish to pursue a case against their traffickers; develop the capacity to capture comprehensive law enforcement data to demonstrate vigorous prosecution of forced labor and sex trafficking offenders; in light of the expanded legal definition of trafficking in Belgium and in line with Article 2 of the 2011 European Union Directive on Human Trafficking, provide disaggregated prosecution and conviction data for those cases that involved force, fraud, or coercion to demonstrate that trafficking offenders are vigorously prosecuted in Belgium; ensure all trafficking victims are not punished for crimes committed as a result of their trafficking and have access to services regardless of participation in proceedings, success of prosecutions, or citizenship; and expand the government's international leadership role to share Belgium's best practices with other countries, including on its case-based approach and self-critical reporting, as well as efforts to investigate and prevent domestic servitude involving diplomats in Belgium.

Prosecution

The government continued to investigate and vigorously prosecute trafficking offenses; during the reporting period the government increased the number of trafficking offenders who received prison sentences of five years or more. Belgium prohibits all forms of trafficking through a 2005 amendment to its 1995 Act Containing Measures to Repress Trafficking in Persons. As amended, the law's maximum prescribed penalty for all forms of trafficking—20 years' imprisonment—is sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. However, Belgium follows a definition of trafficking that raises concerns of over-breadth. The failure of an employer to meet prevailing wage, hours, and working conditions can constitute "exploitation" under Belgium's anti-trafficking law; these cases are included as trafficking offenses in the government's prosecution data. The government considers coercion to be an aggravating factor under its trafficking law and does not require evidence of such in order to secure a trafficking conviction. A previous Rapporteur report noted that the law "takes greater account of the coercion component" involved in human trafficking crimes. The government reported it prosecuted 381 suspected human trafficking offenders in 2012, compared with 358 prosecutions in 2011; it prosecuted 190 (170 in 2011) offenders for sex trafficking offenses, 164 (165 in 2011) for labor trafficking or economic exploitation offenses, 18 (14 in 2011) for coerced criminality, 7 (8 in 2011) suspects in cases of forced begging and 2 suspects of organ removal. The government reported it convicted and sentenced at least 48 trafficking offenders in 2012, the most recent year for which data was available. The government reported 48 prison sentences in 2012, compared to 68 prison sentences for convicted traffickers in 2011. Sentences ranged from less than one year to five years' imprisonment; three offenders were sentenced to less than one year, 18 were sentenced to between one and three years, 11 were sentenced to three to five years and 10 offenders were sentenced to five years or more.

In October 2012, a court of appeals in Liege sentenced an Albanian sex trafficking offender to eight years' imprisonment for subjecting young Belarusian and Lithuanian women to forced prostitution. In 2012, the Government of Belgium continued its efforts to prosecute eight family members of the royal family of Abu Dhabi (UAE) for allegedly subjecting 17 girls to forced servitude while staying at a Brussels hotel in 2008. The government did not report any investigations or prosecutions of any Belgian government officials for trafficking-related complicity in 2012.

Protection

The government sustained its efforts to protect victims of trafficking in 2012. Federal and regional governments continued to fund three dedicated NGO-run shelters that provided specialized, comprehensive assistance to trafficking victims including psycho-social, medical, and legal care. These shelters assisted 185 new adult victims in 2012, compared to 150 new victims assisted the previous year. The government continued to employ systematic procedures to identify and refer victims for care based on a 2008 interagency directive for trafficking victims; an evaluation of this directive, however, determined that front-line responders needed more practical tools to identify victims. During the year, the government continued to develop multi-disciplinary methods to improve victim identification by involving more front-line responders other than police; for instance, through the distribution of a detailed leaflet for hospital staff on how to identify and refer potential trafficking victims.

Although the Belgian government reported it offered residency and protective services to most foreign trafficking victims, some protection was conditioned on burdensome requirements; victims are granted immunity from fines, detention, or deportation only if they assist in the prosecution of their trafficker. Furthermore, in order to qualify for victim status, victims must have broken off all contact with their traffickers and agree to counseling at a specialized trafficking shelter, conditions that are especially challenging for child trafficking victims. The Rapporteur report urged a more victim-centered approach, especially for victims who are reluctant to participate in court proceedings and recommended granting trafficking victims greater legal status immediately upon their identification. Non-EU citizen victims may obtain permanent residency in Belgium only after the successful prosecution and sentencing of their traffickers; residence permits for indefinite lengths of time may be available without conviction,

if authorities establish a formal charge of trafficking. During the year, the government issued or renewed 620 residence permits to trafficking victims. The government was unable to provide how many were newly issued. Victim-witnesses were granted access to the Belgian labor market during legal proceedings; the government reported that an unspecified number of trafficking victims were provided with such access during the year.

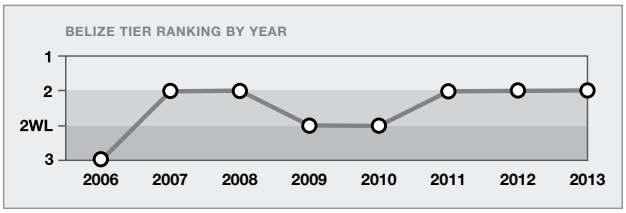
Prevention

The Government of Belgium sustained trafficking prevention efforts, and demonstrated transparency in these efforts, during the year. The Rapporteur's office continued to publish an annual self-critical report on the government's anti-trafficking activities, focused on the financial aspects of trafficking. The report of a Senate working group on human trafficking contained a critical analysis of the strengths and weaknesses of the government's anti-trafficking efforts and made a number of recommendations for improvement. In June 2012, the government approved its 2012-2014 National Action Plan on trafficking, which includes creation of legal status for the shelters, launches new awareness campaigns, and strengthens the prosecution of traffickers. The government continued to co-sponsor the nationwide campaign, "Stop Child Prostitution" in 2012 and continued to distribute a multilingual flyer on visas for potential trafficking victims. The government also continued outreach to domestic workers in diplomatic households to inform them of their rights and provide them with avenues to report abuse; among other measures, requiring domestic workers to appear in person annually to renew their identification cards. Belgian authorities identified child sex tourism as a serious problem among Belgian nationals, but reported no prosecutions of such activity. The government provided specific anti-trafficking training to Belgian troops prior to their deployment abroad on international peacekeeping missions. There were no efforts to reduce demand for commercial sex acts.

BELIZE (Tier 2)

Belize is a source, destination, and transit country for men, women, and children subjected to sex trafficking and forced labor. A common form of human trafficking in Belize is the coerced prostitution of children, often occurring through parents pushing their children to provide sexual favors to older men in exchange for school fees, money, and gifts. Child sex tourism, involving primarily U.S. citizens, has been identified as an emerging trend in Belize. Additionally, sex trafficking and forced labor of Belizean and foreign women and girls, primarily from Central America, occurs in bars, nightclubs, and brothels throughout the country. Foreign men, women, and children, particularly from Central America, Mexico, and Asia, migrate voluntarily to Belize in search of work; some may fall victim to forced labor. Children and adults working in the agricultural and fishing sectors in Belize are vulnerable to forced labor. Forced labor has been identified in the service sector among the South Asian and Chinese communities in Belize, primarily in restaurants and shops with owners from the same country. There has been at least one case of a Belizean trafficking victim identified in previous years in the United States.

The Government of Belize does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government enacted an anti-trafficking law late in the reporting period that raised penalties for human trafficking offenses. It also enacted a law prohibiting and punishing the commercial sexual exploitation of children under the age of 18, but allowed for 16- and 17-year-old children to engage in sexual activity in exchange for remuneration, gifts, goods, food, or other benefits, thus rendering them vulnerable to commercial sexual exploitation. During the year, the government identified an increased number of trafficking victims. However it sentenced only one trafficking offender *in absentia* to jail time. Furthermore, it did not report the investigation or prosecution of any public officials for alleged complicity in human trafficking-related offenses. Lack of punishment for trafficking offenders, especially complicit officials, remained a significant obstacle to the government's ability to authentically address its trafficking problem.



Recommendations for Belize: Proactively implement the recently passed anti-trafficking law by aggressively investigating and prosecuting forced labor and sex trafficking offenders, including officials complicit in trafficking; take steps to ensure the effective prohibition of the commercial sexual exploitation of children, including those of ages 16 and 17; seek criminal punishment for any guilty trafficking offender; monitor human trafficking trial procedures, and ensure trafficking offenders receive sentences that are proportionate to the gravity of the crime; complete the anti-trafficking committee's development and implementation of formal procedures to guide officials in proactively identifying victims of sex trafficking and forced labor, including among migrant laborers and people in prostitution, and refer them for care; continue to increase partnerships with NGOs to address reintegration of trafficking victims in Belize; ensure identified foreign victims are not penalized for crimes, such as immigration violations, committed as a direct result of being subjected to human trafficking; and implement a targeted campaign educating domestic and foreign communities about forced domestic service and other types of forced labor, commercial sexual exploitation of children, and other forms of human trafficking.

Prosecution

The Government of Belize improved its capacity to prosecute trafficking offenders during the reporting period; however, despite an increase in arrests of suspected trafficking offenders, the government did not sufficiently punish convicted trafficking offenders in 2012. In February 2013 the government enacted the Trafficking in Persons (Prohibition) Act which prohibits all forms of trafficking and prescribes punishments of one to eight years' imprisonment, up to 12 years' imprisonment if the victim is a child, and up to 25 years' imprisonment in cases involving sexual assault or other aggravating circumstances. This law repealed and replaced the government's previous anti-trafficking law. Notably, the new law elevated the offense of

trafficking from a "summary offence" tried in the lower courts to an indictable offense tried before the Supreme Court. The prescribed maximum penalty of eight years' imprisonment, up to 25 years' imprisonment in some cases, is sufficiently stringent and commensurate with other serious crimes. During the reporting period, the government also passed the 2013 Commercial Sexual Exploitation Children (Prohibition) Act that criminalizes the facilitation of prostitution of children under 18 years of age. This law also allows for 16- and 17-year-old children to engage in sexual activity in exchange for remuneration, gifts, goods, food, or other benefits. This specific clause in the law may render children vulnerable to commercial sexual exploitation given that coerced prostitution of children by parents pushing their children to provide sexual favors to older men in exchange for remuneration is common in Belize. The government reported it prosecuted and convicted two trafficking offenders during the reporting period; however, no trafficking offenders received a custodial sentence. This is a decline from the previous year, when two convicted trafficking offenders received at least one year jail time. In another case, the government convicted a resort owner for subjecting a child to sex and labor trafficking for five months. Despite the child being 14 years of age, the length of time she was held in servitude, and her being subjected to repeated rape and beatings, the court did not sentence the trafficking offender to any jail time but rather only to a fine. One trafficking offender was tried *in absentia* after fleeing the country, but the government did not provide the specific sentencing information for this convicted offender. Five human trafficking prosecutions from previous years remained pending. Trafficking-related complicity remained a serious problem. The prosecution of a government official, reported in the 2011 TIP Report, who allegedly raped a victim in the course of a trafficking investigation remained pending trial before the Supreme Court. The government provided in-kind assistance for anti-trafficking training for law enforcement and labor officials from many different ministries during the reporting period.

Protection

The Belizean government sustained its efforts to protect trafficking victims during the reporting period. Officials reportedly identified 13 new trafficking victims, a notable increase from two victims identified the previous year. The government reported it assisted seven trafficking victims in 2012, compared with 12 trafficking victims assisted during the previous year. Law enforcement and other officials did not systematically employ formal mechanisms to guide them in identifying victims of sex trafficking and forced labor among vulnerable populations such as migrant laborers or foreign citizens in prostitution during the year. However, the government reported some front-line responders received training on identification of trafficking victims during the reporting period. The government reported that the new 2012-2014 strategic plan contains plans to update and develop draft procedures to guide officials and NGOs in referring trafficking victims to available services. The government spent the equivalent of approximately $96,500 in 2012 to provide services for trafficking victims, compared with the equivalent of approximately $125,000 in 2011. The Department of Human Services provided shelter and basic assistance to seven trafficking victims during the year. The Government of Belize reported that NGOs were actively engaged in victim identification but not in victim care. The government provided victim care and assistance through placements in safe houses, including shelters in the Cayo and Belize districts, or with families around the country. There were no reports that victims were detained involuntarily in these shelters. The government placed child victims in foster care or with relatives.

Authorities in Belize reportedly encouraged victims to assist with the investigation and prosecution of trafficking offenders, and the government reported nine victims were assisted in such cases in 2012, although court delays caused victims to become discouraged and often led them to cease cooperation with law enforcement authorities despite their interest in seeking justice. Authorities reported that identified foreign trafficking victims participating in court cases were not detained or deported during the reporting period. After the conclusion of court cases, foreign victims could remain in the country by applying for residency; however, the government did not cover the costs of the application, presenting a barrier to those victims without funds. The government did not report granting residency to any trafficking victims during the past year. The government's new anti-trafficking law includes some victim protection measures, including a provision for assistance and victim restitution. The law also exempts trafficking victims from prosecution or punishment for crimes committed as a result of being subjected to human trafficking. There were reports, however, that due to lack of identification procedures to guide immigration authorities and prison officials, the government deported or punished some foreign victims before they were able to receive assistance.

Prevention

The government made some progress in prevention efforts during the reporting period. The government continued to coordinate Belize's anti-trafficking programs through an anti-trafficking committee of 13 agencies and NGOs chaired by a senior Ministry of Human Development official. During the year, the committee released a 2012-2014 anti-trafficking national strategic plan, which outlined steps to guide, monitor, and evaluate the government's anti-trafficking efforts. The recently passed anti-trafficking law institutionalized interagency cooperation on trafficking in Belize by formalizing the role and responsibilities of the anti-trafficking coordination committee. During the year, the government demonstrated increased transparency in its anti-trafficking efforts by developing a system for use by front-line responders and the Department of Human Services to document actual and potential trafficking cases. The government continued its awareness campaign in English, Spanish, Mandarin, and Hindi. The government did not conduct any awareness campaigns targeted at the demand for forced labor or clients of the sex trade to reduce the demand for commercial sex acts.

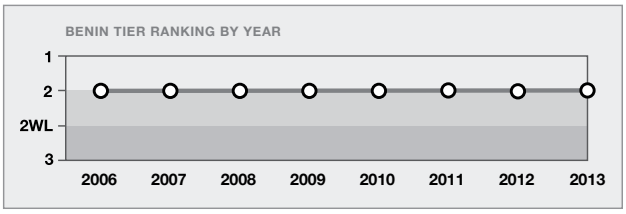
BENIN (Tier 2)

Benin is a country of origin, transit, and destination for women, children, and possibly men subjected to forced labor and sex trafficking. The majority of identified victims are girls subjected to domestic servitude or sex trafficking in Cotonou, the administrative capital. The practice of *vidomegon*, which traditionally provided educational or vocational opportunities to children by placing them in the homes of wealthier families, is now used to exploit children in domestic servitude. Children are forced to labor on farms, in commercial agriculture—particularly in the cotton sector—in artisanal mines, at

construction sites, or as street or market vendors to produce or hawk items. Children from Burkina Faso, Nigeria, Togo, and Niger are also in forced labor in these sectors; Togolese girls are exploited in prostitution in Benin. Cases of child sex tourism, involving both boys and girls, were reported in the Department of Mono and on the shores of the Bight of Benin. In northern Benin, children in Koranic schools, known as *talibe*, are exploited in forced begging by Koranic teachers known as *marabout*. The majority of child trafficking victims are from the northern regions of Benin, and many are recruited and transported to Republic of the Congo, Nigeria, Gabon, and, to a lesser extent, Niger, Cote d'Ivoire, Ghana, and Guinea-Bissau, where they are forced to labor in homes, mines, quarries, restaurants, street vending, and on cocoa farms. The majority of child victims intercepted in Benin, either from Benin or other West African countries, are *en route* to exploitation in Nigeria. Beninese adult and child trafficking victims have also been identified in Lebanon and the United Kingdom. Ghanaian and Nigerian women are trafficked into domestic servitude and forced prostitution in Benin.

The Government of Benin does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, it finalized draft anti-trafficking legislation that prohibits and prescribes penalties for the trafficking of adults, which awaits parliamentary approval. It continued its efforts to prosecute and convict child labor traffickers and to protect their victims, though authorities focused on intercepting trafficking transit situations rather than rescuing persons from exploitation.

During the reporting period, the government identified 170 potential child trafficking victims and convicted 20 individuals for unlawfully transporting them. Although the government also initiated prosecution of six offenders for their involvement in the trafficking of adults, it failed to systematically investigate such cases or provide protective services to adult victims identified in or repatriated to Benin in 2012. It also did not investigate or prosecute any sex trafficking or forced labor offenses or cases that did not involve the movement of victims within Benin or across borders. Anti-trafficking progress was stymied by the government's failure to adequately fund and capacitate the Office for the Protection of Minors (OCPM), the Ministry of Family, and the Ministry of Labor.



Recommendations for Benin: Finalize and enact draft legislation to criminalize all forms of trafficking consistent with the 2000 UN TIP Protocol; increase efforts to convict and punish trafficking offenders, including use of existing statutes to prosecute sex trafficking and forced labor crimes, as well as the trafficking of adults; ensure adequate sentencing of convicted trafficking offenders, including the increased imposition of prison sentences rather than fines; develop systematic procedures for the proactive identification of victims —including those found to be in situations of forced labor— and their subsequent referral to care; train law enforcement officials on relevant legislation and identification and referral procedures; greatly increase funding to the OCPM, the Ministry of Labor, and the Ministry of Family to ensure they can adequately carry out their responsibilities for inspecting worksites for trafficking crimes and providing support to victims; improve efforts to collect law enforcement data on trafficking offenses and make these data available to other government agencies and the public; and launch a nationwide anti-trafficking awareness campaign.

Prosecution

During the reporting period, the government maintained its anti-trafficking law enforcement efforts with regard to child labor trafficking and initiated its first prosecution of an adult labor trafficking suspect; however, it took no discernible prosecutorial action against sex trafficking or forced labor not involving movement of victims. Existing laws do not prohibit all forms of trafficking. The 2006 Act Relating to the Transportation of Minors and the Suppression of Child Trafficking criminalizes all forms of child trafficking and prescribes penalties of 10 to 20 years' imprisonment. These penalties are sufficiently stringent and exceed those prescribed for other serious crimes, such as rape. However, the Act focuses on prohibiting and punishing the movement of children rather than their ultimate exploitation and prescribes much lower penalties—six months to two years' imprisonment or fines—for actual trafficking crimes involving labor exploitation which are not sufficiently stringent. The country's penal code outlaws procuring or offering of someone for prostitution and the facilitation of prostitution and prescribes punishments of six months to two years' imprisonment, while the labor code prohibits forced labor and prescribes punishments of two months to one years' imprisonment or a fine. These punishments are neither sufficiently stringent nor commensurate with punishments prescribed for other serious crimes, such as rape. In September 2012, the government, in partnership with UNODC, completed drafting comprehensive anti-trafficking legislation which includes prohibitions and penalties for the trafficking of adults; the finalized draft awaits parliamentary approval.

During the year, the Ministry of the Interior's OCPM investigated 63 cases and referred 19 suspects to the Court of Cotonou for prosecution. In its first prosecution involving the trafficking of adults, in May 2012, OCPM apprehended and referred six suspects to the Court of Cotonou who are alleged to have coordinated employment for Beninese women in Lebanon and procured their travel documents. Outside the capital, the government convicted 20 individuals for the illegal movement of children under Act 2006-04, compared to 25 offenders convicted in 2011; sentences ranged from a six-month suspended prison term to two years' imprisonment and fines equivalent to approximately $20 to $600. These penalties were lower than those applied in the previous reporting period and were inadequate to deter the commission of trafficking crimes. Due to a backlog in the courts, ten similar prosecutions remained pending at the close of the reporting period. The government failed to investigate or prosecute any sex trafficking offenses, forced labor on worksites, or cases in which victims were not moved within Benin or across borders, as all offenders prosecuted were Beninese and discovered transporting children for intended labor exploitation.

OCPM, a specialized unit responsible for all criminal cases involving children, remained understaffed, underfunded,

and without adequate office supplies, transportation, and fuel to conduct investigations and provide immediate victim assistance. The National Police Academy provided 1,000 senior and entry-level police officers with training on counteracting child trafficking, as part of its broader training on child rights and protection. During the year, the Ministry of Justice began drafting specific trafficking training modules for the police, *gendarmes*, social workers, and judges. The government did not report efforts to investigate, prosecute, convict, or sentence government officials allegedly complicit in human trafficking crimes, including individuals in the Benin diplomatic corps who reportedly protected traffickers or sought to hinder the repatriation of child trafficking victims to Benin.

Protection

The government sustained efforts to protect potential forced child labor victims during the year, though it did not provide protective services to adult victims or identify victims of commercial sexual exploitation or forced labor. The OCPM identified 170 potential child labor trafficking victims by interviewing the children it took into custody, compared to 249 identified in 2011; the majority of these children identified in 2012 were Beninese, though trafficked children from Burkina Faso, Gabon, Ghana, Niger, Nigeria, and Togo were also identified. OCPM provided them temporary shelter, as well as legal, medical, and psychological services in a transit center staffed by government and NGO personnel, but located on police premises in Cotonou, before referring them to long-term NGO shelters. For example, in January 2013, security forces intercepted and the OCPM subsequently identified 12 Togolese and Ghanaian children who were allegedly destined for domestic servitude in Nigeria; the children were assisted at OCPM's transit center before government officials traveled with them to Togo for placement in an NGO-run shelter. OCPM worked with the Ministry of Family to return Beninese children to their families, typically after schooling or vocational training provided by the Ministry of Family had been secured. Officials with the Ministries of Family, Justice, and Interior worked in partnership with UNICEF and NGOs to coordinate placement of child trafficking victims with host families who provided additional care to children prior to reinsertion into their home communities. Government social workers provided counseling for such children, while an NGO provided financial support to cover their basic needs. Through their broad services in support of victims of crime and vulnerable groups, 85 centers for social promotion (CSP) under the Ministry of Family, offered basic social services, food, and temporary shelter to trafficking victims throughout the country, particularly in rural areas where such services were scarce and in the reintegration of victims into their home communities. The OCPM did not encourage child victims to take part in investigations or court proceedings unless a judge required it, preferring not to expose them to potential additional trauma. Although the Beninese government partnered with the Congolese government on the repatriation of at least eight Beninese trafficking victims under a bilateral agreement, it failed in 2012 to carry out joint investigations or extraditions of charged defendants —a key component of this agreement. During the year, the government identified one and assisted in the repatriation of two adult labor trafficking victims. The Ministry of Foreign Affairs reported the efforts of its consulate in Beirut to assist Beninese women who encountered forced labor or prostitution in Lebanon. Although the OCPM maintained jurisdiction to assist adult trafficking victims, it and other official entities failed to shelter or provide protective services to such victims identified in or repatriated to Benin. There were no reports that victims were detained, fined, or jailed for unlawful acts committed as a direct result of being trafficked. However, the government neither made systematic efforts to identify adult trafficking victims nor employed any mechanism for screening individuals in prostitution, which may have left victims unidentified in the law enforcement system.

Prevention

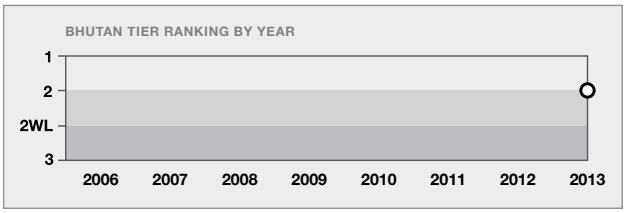
The government made minimal efforts to prevent trafficking in persons during the year. Although government ministries worked in partnership with international organizations to carry out awareness campaigns, the labor inspectorate failed to combat child labor trafficking and the anti-trafficking coordinating body—the Trafficking and Exploitation Technical Working Group of the National Monitoring and Coordination Working Group for Child Protection—similarly failed to undertake efforts during the year. In July 2012, the government adopted the National Plan for the Elimination of the Worst Forms of Child Labor (2012-2015); however, the government has not yet allocated funding to implement the plan. The Ministries of Justice and Family held sessions to raise awareness of child trafficking and the related provisions under Beninese law, specifically in source communities. For example, during October 2012 in Kandi, officials raised awareness of the commercial sexual exploitation of children. In June 2012, as part of the World Day of Action Against Child Labor, the government, in cooperation with the ILO, UNICEF, and UNHCR, raised awareness on the worst forms of child labor, including child trafficking. The Joint Nigeria-Benin Committee to Combat Child Trafficking continued its coordinating efforts aimed at reducing child labor trafficking from Zakpota, Benin to quarries in Abeokuta, Nigeria and facilitated the repatriation of ten child trafficking victims from Nigeria during the year. In September 2012, during an ILO-funded training, Ministry of Labor officials provided instruction on techniques to combat child labor to officials, including judges in the children's courts, *gendarmes*, police, local authorities, mining operators, and CSP staff. Inspectors with the Ministry of Labor and the Civil Service's Office of Labor imposed administrative penalties, resulting in fines, even for serious labor violations, some of which likely included trafficking crimes. In addition, there was no mechanism to coordinate efforts and casework between these offices and the OCPM. Effectiveness of the labor inspectorate remained limited by an inadequate number of inspectors and insufficient resources to conduct inspections. The government took no systematic steps to reduce the demand for commercial sex acts or forced labor both within the country and transnationally during the reporting period. It provided Beninese troops with anti-trafficking training prior to their deployment abroad on international peacekeeping missions, though such training was conducted by a foreign donor.

BHUTAN (Tier 2)

Bhutan is a destination country for men, women, and children vulnerable to forced labor and sex trafficking, and Bhutanese children are subjected to forced labor and sex trafficking within the country. Bhutanese girls who work as domestic servants and entertainers in *drayungs*, or karaoke bars, are subjected to sex and labor trafficking. A civil society group asserted that some *drayung* owners required employees to sign a contract to work in the karaoke bar for five years, and the employees were

financially penalized if they terminated their employment earlier; some employees were required to reside in these bars. A civil society group noted that some of these employed girls are vulnerable to being forced into prostitution with customers under threat of physical abuse from the *drayung* owners. Young, rural Bhutanese are transported to urban areas, generally by relatives, for domestic work, and some of them are subjected to domestic servitude. Indian and Bangladeshi men who work in Bhutan's construction and hydropower sectors and Indian women and girls who work in domestic service in Bhutan are vulnerable to human trafficking. Immigration officials noted there was a growing problem of undocumented Indian domestic workers in Bhutan. In the reporting period, a foreign girl was subjected to forced labor in a restaurant in Bhutan.

The Government of Bhutan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government did not use procedures to identify trafficking victims among vulnerable populations, but funded an NGO whose services were available to protect trafficking victims. Some government agencies have a limited understanding of the definitions of human trafficking.



Recommendations for Bhutan: Amend Section 154 in the penal code to refine the definition of human trafficking so the purpose of the crime is "exploitation" rather than "any illegal purpose;" undertake and publish a comprehensive assessment of all forms of human trafficking—including labor trafficking of men—in Bhutan; train government officials on the existence of human trafficking and the implementation of anti-trafficking laws; establish shelters for trafficking victims in border areas; develop procedures to proactively identify trafficking victims, both men and women, and refer them to protection services; continue to fund NGOs that provide protective services to trafficking victims; ensure that trafficking victims are not penalized for acts committed as a result of being trafficked, such as prostitution or immigration offenses; undertake human trafficking awareness-raising measures among vulnerable populations; and accede to the 2000 UN TIP Protocol.

Prosecution

The Government of Bhutan did not take law enforcement efforts against human trafficking over the last year. Article 154 of the penal code was amended in 2011 broadly to criminalize a person who "recruits, transports, sells or buys, harbors or receives a person through the use of threat or force or deception within, into or outside of Bhutan for any illegal purpose." This definition departs from the Palermo Protocol definition because it requires that the purpose be otherwise "illegal," rather than simply be for the purpose of "exploitation." Bhutan also defines trafficking to include the buying, selling or transporting of a child for any illegal purpose and the same actions if done for the purpose of engaging a person in prostitution in articles 227 and 379 of the penal code, respectively, and prohibits all forms of trafficking of children "for the purpose of exploitation" in Article 224 of the Child Care and Protection Act of 2011. Punishments range from three years to life imprisonment. The Labor and Employment Act of 2007 also prohibits most forms of forced labor, with penalties from three years to less than five years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government did not investigate or prosecute any suspected trafficking offenders in the reporting period. The government did not report any prosecutions of government employees for alleged complicity in trafficking-related offenses during the reporting period. Some NGOs expressed concern that government officials and police officers were not sufficiently trained to understand and respond to trafficking cases.

Protection

The Government of Bhutan undertook modest efforts to protect victims of human trafficking. The government did not employ systematic procedures to identify victims and refer them to protective care. Women and children who were trafficking victims were able to access shelter and services from a government-funded NGO, but there were no known protective facilities for male trafficking victims. Adult victims were not able to leave the shelter unchaperoned until after all court proceedings had been completed. The government identified a foreign child trafficking victim who was found working in a restaurant. The girl was referred to care facilities and the trafficker was fined for employing an undocumented worker. Sex trafficking victims may have been punished for prostitution offenses. The Government of Bhutan deported undocumented Indian and Bangladeshi migrant workers without screening them for trafficking victimization; however, the government worked with foreign civil society groups and foreign governments, and when necessary, paid for temporary lodging and airfare to ensure the welfare of these deported migrant workers. The law does not provide legal alternatives to removal of trafficking victims to countries in which victims would face retribution or hardship.

Prevention

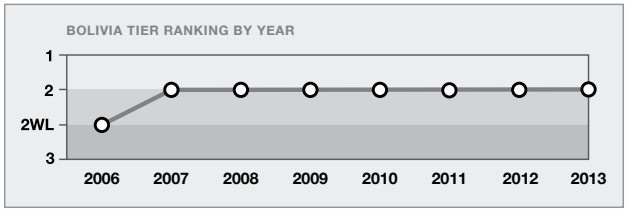
The Government of Bhutan undertook minimal efforts to prevent human trafficking in the reporting period. In February 2013, a government-funded NGO conducted a cross-border sensitization training on human trafficking with an international organization and an Indian NGO. The government did not launch any campaigns to raise awareness of human trafficking in the country. The government did not report whether it took steps to reduce the demand for commercial sex acts. Bhutan is not a party to the 2000 UN TIP Protocol.

BOLIVIA (Tier 2)

Bolivia is principally a source country for men, women, and children who are exploited in sex trafficking and forced labor within the country or abroad. Bolivians are found in conditions of forced labor in Argentina, Brazil, Chile, Peru, Spain, the United States, and other countries, usually in sweatshops and agriculture, as well as in domestic service. Within Bolivia, women, children, and men are subjected to sex trafficking, often in urban areas. Bolivian women and girls are also exploited in

sex trafficking in neighboring countries, including Argentina, Peru, and Chile. To a more limited extent, women from other nearby countries, including Brazil and Paraguay, have been identified in forced prostitution in Bolivia. Members of indigenous communities are particularly vulnerable to trafficking. Within the country, Bolivian children are found in domestic servitude, forced begging, and forced labor in mining and agriculture

The Government of Bolivia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the year, the government enacted a new trafficking law that strengthened victim protection and trafficking prevention efforts. However, it did not provide dedicated funding to government ministries to fulfill some of the law's new requirements until 2013. Also, the government did not allocate dedicated funding for local governments to implement their new responsibilities. Authorities assisted an increased number of sex trafficking victims, achieved the first conviction for domestic servitude, strengthened interagency coordination, and established anti-trafficking policies. The number of trafficking convictions remained low relative to the large number of victims found in Bolivia, particularly for forced labor. The government funded few specialized services for trafficking victims, and services for adult victims and victims of forced labor were inadequate.



Recommendations for Bolivia: Enhance victim services across the country by increasing resources designated for specialized assistance for trafficking victims, including for victims of forced labor; strengthen efforts to prosecute trafficking offenses, and convict and punish trafficking offenders and fraudulent labor recruiters; increase resources for prosecutors and police and ensure that dedicated human trafficking units focus on human trafficking as opposed to other crimes such as missing persons; enhance efforts to identify trafficking victims proactively by developing formal procedures for identifying trafficking victims among vulnerable populations; intensify law enforcement efforts against the forced labor of adults and children, including domestic servitude, and the forced prostitution of adults; ensure that returning Bolivian trafficking victims receive reintegration services.

Prosecution

The government increased investigations of human trafficking during the year, though convictions remained low and the majority of law enforcement efforts focused on child victims. The government enacted a new trafficking law in July 2012 that prohibits all forms of trafficking and establishes penalties of 10 to 15 years' imprisonment. These penalties are sufficiently stringent and commensurate with penalties prescribed under Bolivian law for other serious crimes, such as rape. The law diverges from the 2000 UN TIP Protocol by penalizing illegal adoption as human trafficking. Previously, Bolivian law prohibited all forms of human trafficking and prescribed penalties of eight to 12 years' imprisonment. Some officials conflated human trafficking with the movement of children within the country or to other countries without proper documentation. According to press reports, some police and prosecutors investigated child sex trafficking as other crimes, such as pimping, which prior to the new law carried lesser penalties.

Police reported investigating potential human trafficking cases involving 319 victims in 2012. There was no information available regarding how many of these cases involved forced labor or illegal adoption. Prosecutors reported opening 95 trafficking investigations, although it is unclear how many prosecutions were initiated in 2012. The government reported convicting four sex trafficking offenders and one labor trafficking offender in 2012; reported sentences ranged from two to 12 years' imprisonment, although the convicted labor trafficking offender remained under house arrest after appealing her sentence. In comparison, in 2011 the government reported convicting two forced labor and seven sex trafficking offenders.

The government paid the salaries for officers in 14 specialized anti-trafficking and anti-smuggling police units; these units were also funded by foreign governments. Many of the cases investigated by these units involved missing persons, limiting officers' ability to focus on trafficking cases. During the year, however, the police opened a missing persons unit in La Paz, allowing the La Paz anti-trafficking unit to focus its work on human trafficking cases. The national coordination office responsible for prosecution of human trafficking and other crimes collected law enforcement data from across the country and developed training materials, including an online training course, and victim assistance guidelines during the year. At least one prosecutor in each of Bolivia's nine departments was designated to handle trafficking cases in addition to their existing caseload. In 2012, the attorney general instructed prosecutors to prioritize investigations of cases involving child trafficking victims. Law enforcement officials and prosecutors received anti-trafficking training from government officials in 2012, often funded by NGOs, international organizations, as well as a foreign government. Authorities reported no investigation, prosecutions, or convictions of government officials for trafficking-related complicity.

Protection

While the government reported assisting an increased number of victims, efforts to protect trafficking victims remained uneven, and civil society organizations provided the majority of specialized care without government funding. The government lacked formal procedures for identifying trafficking victims among vulnerable populations. Bolivian police reported identifying 319 possible trafficking victims. Officials referred victims to services and shelters during the year, although the government did not report the total number of victims referred for assistance in 2012. Based on press accounts and trafficking convictions, most victims identified were girls in sex trafficking, and efforts to identify forced labor victims or adult trafficking victims were more limited.

Specialized victim services were lacking in most of the country. Authorities issued a victim attention protocol in December 2012 outlining required victim support procedures for different government institutions. The government operated one shelter in La Paz for girls in commercial sexual exploitation but supported no specialized shelters for adult victims. Authorities

also operated general shelters for vulnerable girls, including victims of violence and juvenile offenders. One of these centers reported assisting 45 girl victims in 2012. Many general centers did not accept children older than fourteen. Local governments operated two special victims units in 2012, including one opened during the year; these units focused on providing legal and psychological services to victims of gender-based violence, including victims of human trafficking. The special victims unit in Santa Cruz provided social, medical, and legal assistance to 46 victims in 2012. NGOs and religious groups without government funding provided the majority of shelter care and reintegration programs to victims. Many of these programs were not exclusively for trafficking victims but also provided services to victims of gender-based violence or sexual abuse. The new law established that local governments should create specialized centers for trafficking victims; the central government did not allocate dedicated funding to establish these centers, but provides departments with a budget to administer all social service programs. Services for male victims were virtually nonexistent, and minor male victims were referred to juvenile justice detention centers for shelter. Argentine officials reported identifying hundreds of Bolivian victims of trafficking during the year, many of whom reportedly chose to return to Bolivia. An international organization funded the repatriation of 40 victims from Argentina and 10 from Peru with government assistance for paperwork but did not have sufficient funding to assist all Bolivian victims exploited in neighboring countries. Authorities assisted repatriated child victims.

The government encouraged victims to participate in trafficking investigations and prosecutions, though victims often chose not to cooperate out of fear of reprisals from traffickers and lack of faith in the judicial system. During the year, some government officials providing services were insensitive to the needs of victims, while other officials released the names of child trafficking victims to the press. The new trafficking law criminalizes the release of victim information by government employees and established penalties of three to eight years' imprisonment. There were no reports of identified victims being jailed or penalized for unlawful acts committed as a direct result of their being subjected to human trafficking. The government did not provide foreign trafficking victims with legal alternatives to deportation to countries where they may face retribution or hardship.

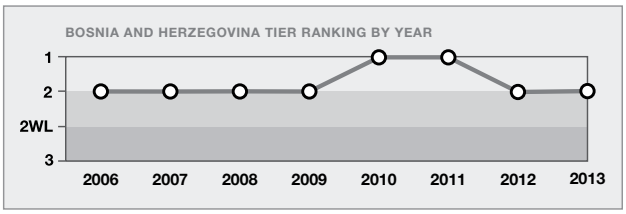
Prevention

The government maintained human trafficking prevention efforts during the year. The national anti-trafficking council, which also focused on smuggling, met regularly in 2012 and developed implementing guidelines for the new trafficking law, which were formalized in February 2013. The government developed public service announcements on the new law that aired during the year. The implementing guidelines of the new law required media outlets to run a certain number of minutes of public service announcements about human trafficking and the new law each month, which some media outlets stated would deprive them of a significant amount of advertising income. Effective coordination between government agencies was uneven outside of the capital, although one department formed an anti-trafficking council in 2012. Police officers continued to conduct awareness programs in public schools in the La Paz area. There were no reported investigations, prosecutions, or convictions for child sex tourism during the year. No government efforts to reduce demand for commercial sex acts or forced labor were reported during the year. The government provided human rights training with anti-trafficking content for its troops before they deployed on international peacekeeping missions.

BOSNIA AND HERZEGOVINA (Tier 2)

Bosnia and Herzegovina is a source, destination, and transit country for men, women, and children subjected to sex trafficking and forced labor. Bosnian women and girls are subjected to sex trafficking within the country in private residences, motels, and gas stations. There is an increasing problem of Roma boys and girls being subjected to forced begging by organized criminal groups. Victims from Serbia, Bulgaria, Germany, and Ukraine were subjected to trafficking within the country. Bosnian victims are subjected to sex trafficking and forced labor in Serbia, Slovenia, Macedonia, Azerbaijan, Croatia, Spain, Italy, and other countries in Europe.

The Government of Bosnia and Herzegovina does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government enhanced its efforts to protect victims of trafficking through improved funding levels for anti-trafficking activities in the national budget and amended legislation to enable victims of trafficking who are in the country on a humanitarian visa to obtain employment. The government convicted and sentenced one public official to prison for a trafficking-related offense. However, the government has not yet amended sub-national laws to criminalize all forms of trafficking consistent with national and international law. Police complicity in trafficking-related offenses and authorities' lack of sensitivity to child victims of sex trafficking reportedly impeded efforts to hold trafficking offenders accountable.



Recommendations for Bosnia and Herzegovina: Vigorously investigate sex and labor trafficking and hold trafficking offenders accountable through prosecutions and appropriate sentences; harmonize sub-national laws to explicitly criminalize all forms of trafficking consistent with the state law and the 2000 UN TIP Protocol; continue to vigorously investigate and prosecute officials complicit in trafficking-related crimes; ensure child victims of trafficking are not punished for acts committed as a direct result of being trafficked; include labor inspectors in the national referral mechanism with a goal to increase identification of male victims and labor trafficking; and increase funding for reintegration services for domestic victims.

Prosecution

The Government of Bosnia and Herzegovina demonstrated modest anti-trafficking law enforcement efforts over the last year, convicting one official for a trafficking-related offense and cooperating on transnational trafficking investigations.

Sex trafficking and forced labor are prohibited through Article 186 of the criminal code, which prescribes penalties of three to 10 years' imprisonment; the criminal code was amended during the reporting period to increase minimum sentences. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The national government convicted one trafficking offender during the reporting period, a minor improvement over no convictions in 2011. The state prosecutor's office reported new investigations of eight trafficking suspects and ongoing investigations of 29 suspects.

Bosnia and Herzegovina consists of two entities within the state, the Federation of Bosnia and Herzegovina and the Republika Srpska. Each entity has political, legislative, and judicial authority. The Brcko District is a self-governing unit under the jurisdiction of the state. The government has yet to harmonize sub-national laws with the state anti-trafficking law and the 2000 UN TIP Protocol to explicitly criminalize all forms of trafficking. In the absence of such statutes, some trafficking offenders were prosecuted under the Enticement to Prostitution statute in Article 210 of Federation of Bosnia and Herzegovina's criminal code, and in Article 207 of Brcko District's criminal code. Article 198 of the criminal code of Republika Srpska covers pimping and forced prostitution but is not consistent with the definition of human trafficking under international law. Cantonal prosecutors' offices within the Federation prosecuted two trafficking offenders in Sarajevo and one in Tuzla for enticement to prostitution. Courts sentenced two offenders in Bihac each to three months' imprisonment and acquitted one defendant. Courts in Republika Srpska convicted one offender under Article 198 and sentenced him to a fine and 26 months in prison, gave one offender a one-year suspended sentence, and acquitted one defendant. The state prosecutor's office accepted one suspected trafficking case referred by the Banja Luka prosecutor's office in Republika Srpska but returned another case referred by the Brcko District prosecutor's office. Sub-national laws against enticement to prostitution permit police to charge children age 14 and older with prostitution; while no such prosecutions of exploited children were documented during the reporting period, observers reported that police continued to treat child victims of sex trafficking as offenders and subjected them to interrogations.

There was one reported conviction of a government official for alleged involvement in trafficking-related offenses; a former social welfare official was sentenced to six years' imprisonment for misusing his position to sexually exploit a child. Allegations of police and other official complicity in trafficking, particularly at the local level, continued; observers alleged that local police ignored or actively protected traffickers and their customers, often in exchange for bribes. The national anti-trafficking coordinator, in cooperation with an NGO and with international funding, provided specialized training to officials on how to identify victims of forced labor. Judicial centers trained new judges and prosecutors on human trafficking, and law enforcement academies trained border police on how to identify trafficking. The government cooperated with the Serbian government on an investigation into ten Serbian victims exploited in Bosnia and Herzegovina.

Protection

The government improved efforts to protect victims of trafficking, providing stable funding for services and permitting victims of trafficking with a humanitarian visa to work legally in Bosnia and Herzegovina. The government identified 39 victims of trafficking in 2012, compared with 34 victims in 2011. Ten of the identified victims were subjected to forced begging. Nineteen of the 39 identified victims were children, including three boys. All of the adult victims identified were women. The national referral mechanism did not incorporate labor inspectors, hampering efforts to identify and assist victims of forced labor. The government allocated the equivalent of $100,000 to implement the national strategy and action plan in 2013: equivalent to approximately $69,000 for assistance to foreign trafficking victims, and the equivalent to approximately $46,000 for assistance to domestic trafficking victims, making the anti-trafficking budget a regular budget line item, and providing more assistance to NGOs. This significantly improved the government's ability to address trafficking compared to the previous year, during which the government drew the equivalent to approximately $46,000, from a general fund for all victims of sexual violence and did not fund services for foreign victims of trafficking. During the reporting period, seven NGOs received small grants to meet basic needs of victims of trafficking. Three NGO shelters assisted 18 child and three adult victims of trafficking; the victims were not permitted to leave the shelter without a chaperone. A restructuring of the national interagency anti-trafficking taskforce to increase expert participation led to a marked improvement in the taskforce's investigation tactics.

Victims in Bosnia and Herzegovina are permitted a 30-day reflection period, time in which they could recover before deciding whether to cooperate with law enforcement; two victims took advantage of the reflection period in 2012. The government amended legislation during the reporting period to allow victims of trafficking who hold a humanitarian visa to work legally in the country and to count time spent under such a visa towards permanent residency. Four victims of trafficking requested and received residence permits during the reporting period, which was equal to the number of victims issued such permits in 2011. Observers reported that once prosecutors determined a victim's testimony was not needed, or when they closed a case due to lack of evidence, the government often initiated deportation procedures against victims of trafficking without providing them adequate assistance or arranging for their safe repatriation. The government rarely referred foreign victims to legal service providers, despite agreements with an NGO to provide such services. There were no reports of adult victims being detained or otherwise penalized for unlawful acts committed as a result of their being trafficked.

Prevention

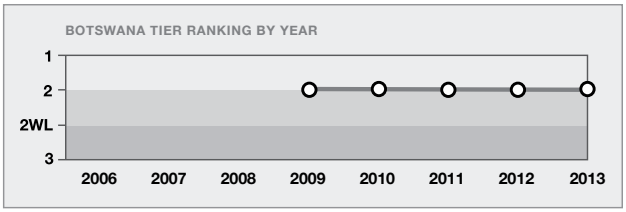
The government made moderate efforts to prevent trafficking during the reporting period. The government funded a grant equivalent to approximately $6,700 for an NGO anti-trafficking public awareness campaign, targeted to young people seeking employment outside of the country. The national anti-trafficking coordinator continued to provide bi-annual training on victim identification and referral for staff at regional day centers for street children that serve Roma and other populations vulnerable to forced begging. The Ministry of Security, in cooperation with an NGO, launched an anti-trafficking website. The government supported a modest prevention campaign in secondary schools targeting demand for commercial sex acts. The government organized an evaluation of the 2008-2012 national action plan to inform a new plan and strategy to combat trafficking. At the end of the

reporting period, the Council of Ministers adopted the Strategy to Combat Trafficking in Persons in Bosnia and Herzegovina and a new national action plan for 2013-2015. The strategy aimed to strengthen criminal prosecution of traffickers and improve victim protection, prevention, and partnerships with NGOs. The Ministry of Defense, in cooperation with the OSCE, maintained a training program for peacekeepers on identifying and reporting human trafficking.

BOTSWANA (Tier 2)

Botswana is a source and destination country for women and children subjected to forced labor and sex trafficking. Residents of Botswana most susceptible to trafficking are unemployed men and women, those living in rural poverty, agricultural workers, and children. Some parents in poor rural communities send their children to work for wealthier families as domestic servants in cities or as herders at remote cattle posts. Young Batswana serving as domestic workers for extended family or friends of family in some cases may be denied access to education and basic necessities or subjected to confinement or verbal, physical, or sexual abuse—all conditions indicative of forced labor. Batswana girls are exploited in prostitution within the country, including in bars and by truck drivers along major highways. The ILO and a child welfare organization in Botswana believe that a significant minority of persons in prostitution are children. NGO reports during the year cited the rescue of 60 girls and boys from prostitution. Undocumented Asian immigrants may be vulnerable to forced labor due to the threat of deportation; in the previous reporting period, one Indian national was held in forced labor through nonpayment of wages and withholding of his passport by traffickers of the same nationality. NGOs report forced labor of both adults and children of the San ethnic minority group on private farms and cattle posts.

The Government of Botswana does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government completed drafting anti-trafficking legislation, which is currently pending approval by the Cabinet. The Ministry of Defense, Justice, and Security (MDJS) coordinated two workshops to review the draft legislation, with foreign government and civil society input and in partnership with UNODC through a donor-funded program. The government nonetheless failed to criminally prosecute or convict trafficking offenders during the year. The government also failed to identify or assist trafficking victims during the year. However, as part of an ILO project in 2011, a government-funded NGO identified 58 victims of commercial sexual exploitation. Another NGO separately identified an additional two victims of commercial sexual exploitation. When victims were brought for assistance by NGOs, the government offered counseling and modest reintegration services. However, protection services were not provided to the large majority of children discovered in prostitution, as they did not qualify as orphans or destitute, which is legally required for such assistance; such services were not provided to any trafficking victims during the current reporting period. For the second consecutive year, the government failed to finalize formal identification and referral procedures and did not coordinate trafficking awareness campaigns. The government failed to proactively investigate official complicity in trafficking and trafficking-related crimes. A report released during the year indicated that police officers, soldiers, and teachers were found among the clients of children in prostitution during the previous reporting period.



Recommendations for Botswana: Enact comprehensive anti-trafficking legislation; increase efforts to investigate and criminally prosecute suspected trafficking offenders under existing laws in both transnational and internal trafficking cases; develop a formal system to identify trafficking victims proactively and train law enforcement, immigration, and social welfare officials to use this system to identify victims among vulnerable populations; develop guidelines for government-provided services to include child victims of trafficking; launch a national human trafficking awareness campaign; and institute a unified system for documenting and collecting data on human trafficking cases.

Prosecution

The Government of Botswana demonstrated minimal progress in its anti-trafficking law enforcement efforts despite its development of comprehensive legislation over the last year. It failed, however, to demonstrate efforts to vigorously investigate and prosecute trafficking offenses under existing law. Botswana does not have a law specifically prohibiting trafficking in persons, though provisions in the Penal Code of 1998, such as those in sections 150-158 (forced prostitution), section 256 (kidnapping for slavery), and sections 260-262 (slavery and forced labor), prohibit most forms of trafficking. The sufficiently stringent penalties prescribed for offenses under these sections range from seven to 10 years' imprisonment, and are commensurate with those prescribed for other serious crimes, such as rape. Sections 57 and 114 of the 2009 Children's Act prohibit child prostitution and child trafficking, respectively; section 57 prescribes penalties of two to five years' imprisonment for facilitation or coercion of children into prostitution, while section 114 prescribes penalties of five to 15 years' imprisonment for child trafficking. The Children's Act, however, fails to define child trafficking, potentially limiting its utility. The Attorney General completed drafting anti-trafficking legislation in October 2012 and submitted it to the Cabinet for review in early March 2013; the draft will then be sent to Parliament for debate and passage. In partnership with UNODC, the MDJS held two sessions to review the draft legislation and solicit feedback from government stakeholders in October 2012 and from civil society in February 2013, through which the legislation was strengthened and awareness of trafficking increased among government and NGO stakeholders.

Unlike the previous reporting period, the government did not formally report comprehensive data on potential trafficking crimes. The Botswana Police Service reported its investigation of two suspected trafficking cases. A trafficking prosecution initiated in 2010 remained ongoing. In 2012, with support from the government, IOM trained 16 immigration and law enforcement officers during a trainer-to-trainer program that took place in a government-owned facility; these officials independently trained an additional 121 officials using this

curriculum, an increase from 81 police officers trained in 2011. Police officers, soldiers, and teachers—members of the Botswana Civil Service—were reported by a government-funded NGO to be among the clients of children in commercial sex; the government did not investigate or prosecute, as appropriate, government employees for such complicity in trafficking crimes.

Protection

The government decreased its efforts to protect victims of trafficking during the year. The government failed to identify or provide assistance to trafficking victims during the reporting period. Nonetheless, as part of an ILO project, a government-funded NGO identified 58 victims of child prostitution during the previous reporting period. Although the government supported reintegration services in 2011 as part of this project through the return of these children to their families, continuation of schooling for some children, and land to start an income-generating program for others, it failed to provide them immediate medical care, counseling, or shelter or provide any such assistance to victims in the current reporting year. In addition, the government did not make systematic efforts or develop formal procedures to identify trafficking victims and refer them to care. The government began to develop a referral process for victims of gender-based violence and vulnerable groups. Botswana has no social services specifically assisting victims of human trafficking. The government funded an NGO-operated shelter, which provided general services to children. One child victim of domestic servitude, identified in 2010, remained within the care of this shelter for a third year and government social workers continued to oversee her case. During the year, this NGO reported its identification of 58 child trafficking victims, all removed from prostitution; these victims constitute a portion of the 328 children identified as part of an ILO project, which served to identify children at risk of entering or already involved in agricultural labor or child prostitution. Department of Social Services staff only provided services to one of the 58 children removed from prostitution, as the children were not orphaned or destitute and therefore were judged not to qualify for existing social services programming. This child was assisted through enrollment in the needy students program, which provided toiletries, school uniforms, and exemption from paying school fees.

Botswana does not have laws, regulations, or policies that protect trafficking victims from punishment for unlawful acts committed as a direct result of their being trafficked or that allow foreign victims relief from deportation. For example, in implementing prostitution laws, police exclusively arrest persons soliciting prostitution but do not screen this vulnerable population for victimization, thereby likely penalizing trafficking victims during the year. Additionally, the government deported undocumented foreign migrants within 24 hours of arrest and, due to limited time and resources, provided only informal screening for trafficking victimization for the 300 undocumented foreign migrants deported each day; thus, illegal immigrants who may have been subjected to conditions of trafficking are likely deported before being referred to social service officials. This informal screening has never resulted in the identification of a trafficking victim.

Prevention

The government continued minimal efforts to prevent trafficking during the year. In partnership with UNODC, the government began to develop a national action plan. Despite official recognition of the need to increase the understanding of trafficking among Batswana, the government did not launch any trafficking-specific prevention campaigns for the second consecutive year, though it made some efforts to spread awareness of hazardous and exploitative child labor. In partnership with the ILO, the government continued its compilation of a list of hazardous forms of work and is still working to complete the list. Child labor committees, which include social workers, school teachers, labor inspection officers, and community leaders such as local chiefs and priests, assisted in identifying and rehabilitating child labor and sexual exploitation victims as part of the ILO project during the previous reporting period. In November 2012, the Department of Labor and Social Security held an anti-trafficking awareness-raising event in rural villages in Southern District. The Minister of Labor raised awareness of exploitative child labor through a weekly nationwide program on Radio Botswana, in particular by advocating children remain in school. The government investigated five suspects for allegedly purchasing sex from children in prostitution; one case was pending prosecution at the end of the reporting period. With that exception, the government did not make efforts to reduce the demand for commercial sex acts during the reporting period.

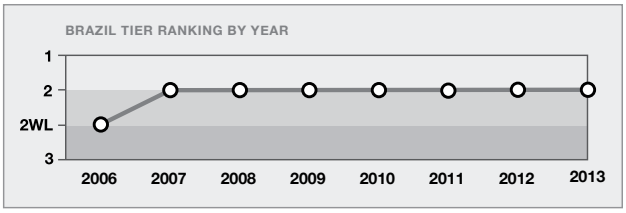
BRAZIL (Tier 2)

Brazil is a large source, destination, and transit country for men, women, and children subjected to sex trafficking and forced labor. A significant number of Brazilian women and children are exploited in sex trafficking within the country, and federal police report higher rates of child prostitution in the Northeast. Brazilian women are found in sex trafficking abroad, often in Western Europe or neighboring countries such as Suriname, but also as far away as Japan. Authorities reported that between 2005 and 2011 the foreign ministry identified more than 300 Brazilian sex trafficking victims abroad. To a lesser extent, some women from neighboring countries, including Paraguay, have been exploited in sex trafficking in Brazil. Some transgender Brazilians are forced into prostitution within the country, and Brazilian men and transgender Brazilians have been exploited in sex trafficking in Spain and Italy. Child sex tourism remains a problem, particularly in resort and coastal areas in Brazil's northeast. Child sex tourists typically arrive from Europe and, to a lesser extent, the United States.

Under Brazilian law, the term *trabalho escravo*, or slave labor, is defined as forced labor or labor performed during exhausting work days or in degrading working conditions. While not all individuals identified as working in *trabalho escravo* are forced labor victims, one recent study noted that 60 percent of workers interviewed in rural *trabalho escravo* cases had experienced key indicators of forced labor, and numerous cases involving debt bondage were identified during the year. Some Brazilian men, and to lesser extent children, are subjected to *trabalho escravo* in rural areas, often on cattle ranches, charcoal production camps, sugar-cane plantations, as well as in logging, mining, and agricultural production. An NGO identified a strong link between *trabalho escravo* and environmental degradation and deforestation-related activities, particularly in the Amazon region. Forced labor victims are commonly lured with promises of good pay by local recruiters known as gatos. Brazilians in *trabalho escravo* have also been identified in urban areas, primarily in construction, as well as in the

restaurant and hospitality industries. Brazil is a destination for men, women, and children from Bolivia, Paraguay, Peru, and China in situations of *trabalho escravo* in garment factories and textile sweatshops in metropolitan centers, particularly Sao Paulo. Some Brazilian women and children, as well as girls from other countries in the region, have been subjected to domestic servitude. Brazilian forced labor victims have been identified abroad.

The Government of Brazil does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Authorities continued to prosecute and convict trafficking offenders, continued funding for 16 anti-trafficking offices, and increased awareness on trafficking in persons by launching well-publicized media campaigns about trafficking warning signs. The government also launched a national anti-trafficking plan and committed to spend the equivalent of approximately $2.9 million to implement it by 2014. Despite this progress, challenges remain. Brazilian officials continued to define trafficking as a movement-based crime and statutes prohibiting trafficking were both too broad and too narrow, making it difficult to assess fully government efforts to combat trafficking. The government continued to investigate and prosecute *trabalho escravo* cases, though sentences for some *trabalho escravo* offenders remained inadequate. The government also did not fund specialized services, such as shelters, for sex trafficking victim and did not report how many total sex trafficking victims were identified or referred to services during the year. Specialized services, including shelters and job training, were unavailable to many of the more than 2,600 potential labor trafficking victims identified during the year. Some identified foreign *trabalho escravo* victims were deported.



Recommendations for Brazil: Increase efforts to investigate and prosecute trafficking offenses, and convict and sentence trafficking offenders, including those involved in internal sex trafficking; dedicate increased funding for specialized assistance, shelters, and protection for victims of sex trafficking and forced labor, in partnership with civil society; vigorously investigate and prosecute those who engage in the prostitution of children, including through child sex tourism; amend legislation to apply more stringent sentences for trafficking offenders to ensure that convicted trafficking offenders cannot serve sentences through community services or fines; enhance data collection on trafficking prosecutions, convictions, and victim identification and increase transparency by making this data public; and increase collaboration between government entities involved in combating *trabalho escravo*, sex trafficking, and child prostitution, in order to ensure coordinated efforts against all forms of human trafficking.

Prosecution

Authorities continued to investigate and prosecute human trafficking and improved data collection on trafficking-related crimes, but it was unclear how many trafficking offenders were prosecuted or convicted during the year. Brazilian laws prohibit most forms of trafficking in persons. Articles 231 and 231-A of the penal code prohibit sex trafficking involving movement, with violence, threats, or fraud as aggravating elements, as opposed to necessary elements of the offense. These articles prescribe penalties of two to eight years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. These articles are inconsistent with international standards because they require movement as a necessary element of human trafficking, and also prohibit movement of a person for the purpose of prostitution, which is not a trafficking crime as defined in the 2000 UN TIP Protocol. However, other penal code statutes prohibit sex trafficking that does not involve moving the victim. Many internal sex trafficking cases appear to be investigated as other crimes, such as sexual exploitation of children. During the year, the Senate committee on human trafficking released a report that recommended new legislation to increase penalties for trafficking offenders and to expressly criminalize labor trafficking.

Some labor trafficking offenses are criminalized pursuant to Article 149 of the penal code, which prohibits *trabalho escravo*, or reducing a person to a condition analogous to slavery, prescribing penalties of two to eight years' imprisonment. Article 149, however, goes beyond situations in which people are held in service through force, fraud, or coercion, and criminalizes other treatment that is not considered human trafficking, including situations in which persons were subjected to exhausting work days or degrading working conditions. Some convicted labor trafficking offenders have not served jail time in Brazil, as most are eligible to appeal their convictions while out on bail, or serve sentences in a half-way home, or pay fines. Article 207 of the penal code prohibits fraudulent recruitment of workers, with sentences of one to three years' imprisonment.

While there were not comprehensive statistics on law enforcement efforts against all forms of trafficking in Brazil, the government enhanced data collection efforts during the year, including by reporting the number of convictions under trafficking-related statutes achieved in 2012. Given that these laws also criminalize non-trafficking offenses and other laws may have been used to prosecute and convict trafficking offenders, it was unclear how many trafficking offenders were convicted and sentenced in 2012. Authorities reported at least nine prosecutions and six convictions under internal sex trafficking statutes, as well as at least two convictions under international sex trafficking statutes in 2012, but did not report the range of sentences. Many trafficking offenders were free to appeal their convictions while out on bail, and officials noted that delays in the justice system made it difficult to hold traffickers accountable for their crimes, sometimes due to delayed transfer of cases from police to prosecutors. There was no public data on the number of individuals prosecuted or convicted in cases of sex trafficking not involving movement in 2012. Prosecutors typically prosecute cases of sex trafficking not involving movement under pimping statutes instead of the sex trafficking statute.

To investigate potential cases of *trabalho escravo*, the Ministry of Labor (MOL) conducted 135 operations involving 241 properties in 2012, compared with 171 operations involving 342 properties in 2011. According to data from federal prosecutors' offices, there were 503 police investigations of potential *trabalho escravo* open at the end of 2012. Based on

available but incomplete data, there were approximately 286 open prosecutions under Article 149 before courts in 2012. Of these prosecutions, 39 resulted in sentences during the year, but it was not clear how many, if any, were acquittals. There was no centralized data on the range of penalties for these sentences: according to press reports, some individuals convicted of *trabalho escravo* in 2012 were given prison sentences that were fulfilled through community service or reduced to fines, while others faced long sentences, in some cases for 10 years' imprisonment. During the year, NGOs identified some cases of individuals and companies with multiple accusations and investigations involving *trabalho escravo* against them, indicating the difficulty in preventing recurrence of this crime.

The Ministry of Labor's anti-*trabalho escravo* mobile units continued to free laborers and require those responsible to pay fines. Labor inspectors and prosecutors can only apply civil penalties, and their efforts were not always coordinated with Public Ministry prosecutors who initiate criminal cases. An NGO that filed the many of these complaints noted in 2011 that only half of the *trabalho escravo* cases they referred to authorities were investigated and that only around 10 percent were criminally prosecuted. In some areas, local political pressure, threats from landowners, shortage of labor inspectors or police officers, and the remoteness of areas in which rural *trabalho escravo* was prevalent have been cited as impediments in the investigation of some of these cases. Mobile inspection teams should have been accompanied by federal police for physical protection, but this did not always occur and sometimes limited prosecutors' ability to investigate cases. Official guidelines instructed labor prosecutors to respond to possible cases of child domestic servitude with awareness efforts, as opposed to criminal or labor investigations, but officials reported that these guidelines were under review.

There were no reports of investigations, prosecutions, or convictions of public officials for complicity in sex trafficking offenses during the year. In 2012 authorities continued to investigate or prosecute three members of Congress for *trabalho escravo*. Authorities trained federal police, labor inspectors, and other officials on how to identify trafficking cases and assist victims, but training for local and state level police was uneven.

Protection

The Brazilian government maintained efforts to ensure that trafficking victims had access to specialized services during the year. The government operated anti-trafficking offices in 16 states that referred victims to government and NGO services, but did not fund specialized services for victims of sex trafficking or forced labor. Authorities continued to use mobile inspection teams to identify forced laborers, but did not report systematic procedures for identifying sex trafficking victims among other vulnerable populations, such as people in prostitution. During the year, however, authorities issued a guide for government entities working on trafficking that described trafficking indicators and suggested referral mechanisms. There were no comprehensive statistics regarding the number of trafficking victims identified and assisted in 2012, and different government entities used different definitions when counting trafficking victims. Authorities in Sao Paulo reported identifying 18 sex trafficking victims and 59 victims of *trabalho escravo* in 2012. In 2012, the MOL's mobile units identified and freed 2,560 laborers in situations of *trabalho escravo*; it is unclear how many of these laborers were victims of forced labor. A recent study reported that only 13 percent of workers that had experienced strong indicators of forced labor were rescued by mobile units during their exploitative experience, suggesting that many exploited workers and forced labor victims remain unidentified. Child sex trafficking was often miscategorized, and authorities did not report the number of children identified in commercial sexual exploitation during the year.

Additional challenges remained. The federal government did not fund specialized shelters for trafficking victims, and victim services and shelters are underfunded and inadequate in some parts of the country, particularly in the Northeast. The Ministry of Social Development provided generalized shelter, counseling, and medical aid to women through its nationwide network of at least 187 centers and 72 shelters, but authorities noted that these services are not specifically for trafficking victims. It was unclear how many trafficking victims received these services in 2012, and some services were limited due to lack of funding. Brazilian police continued to refer child sex trafficking victims to the government-run specialized social service centers, where they could be referred to legal and health services and offered temporary shelter for 24 hours, after which the children were referred to families or to an alternate shelter. It was unclear how many child victims were referred to these centers during the year, and specialized shelters for children in commercial sexual exploitation were lacking. NGOs noted some government-run centers were not prepared or willing to handle trafficking cases, and were underfunded. NGOs and international organizations provided additional victim services, often with foreign funding, and authorities referred victims to NGOs during the reporting period for specialized care. There were no specialized services for male and transgender sex trafficking victims. Long-term shelter options for sex trafficking victims were generally unavailable, and an NGO noted that identified sex trafficking victims were not offered three months' salary at minimum wage like laborers in situations of *trabalho escravo*.

The federal government continued to fund regional anti-trafficking offices in partnership with state governments in 16 states, one of which opened during the reporting period. These offices are responsible for coordinating local government efforts against trafficking, raising public awareness, and referring victims of movement-based trafficking to services. The government funded assistance posts in airports and other key transit points to aid repatriated citizens, including possible trafficking victims. There were a total of 12 assistance posts, six of which were opened during the year. The offices and posts generally functioned during business hours, and staff received training during year on victim assistance. The report released by the Senate in 2012 noted that some offices received inadequate funding and highlighted some office's limited ability to assist victims. There was no public information about how many total victims these entities identified and assisted in 2012 or what services victims were referred to, such as shelters or legal or psychological services.

Forced labor victims were not eligible for government-provided shelter assistance, though victims who were Brazilian citizens were provided with unpaid wages plus three months' salary at minimum wage. Although labor prosecutors reported awarding some victims monetary compensation from fines levied against employers, in some cases authorities did not file for these indemnities, and in other cases the victims did not receive them due to nonpayment by employers. The government reported that rescued workers were due the

equivalent of approximately $4.4 million in back-pay in 2012. The state of Mato Grosso continued to fund a program to provide vocational training in construction skills and other services to freed slave laborers, and was one of the only states to do so. According to NGOs and international organizations, a significant percentage of rescued slave laborers have been re-trafficked, due to few alternate forms of employment and a lack of substantive assistance and services.

The government encouraged trafficking victims to participate in investigations and prosecutions of trafficking, and some did so during the year. Some victims were reluctant to testify due to fear of reprisals from traffickers. Victims of sex trafficking were eligible for short-term protection under a program for witnesses, but it was unclear how many victims participated in this program in 2012. The government generally did not detain, fine, or otherwise penalize identified victims of trafficking for unlawful acts committed as a direct result of being trafficked. Foreign victims of trafficking were eligible for permanent visa status, although authorities did not report how many victims received this status in 2012. During the reporting period, however, federal police officers deported some identified foreign victims of *trabalho escravo*, despite official guidance instructing officials not to do so. Brazilian consulates abroad assisted Brazilian victims.

Prevention

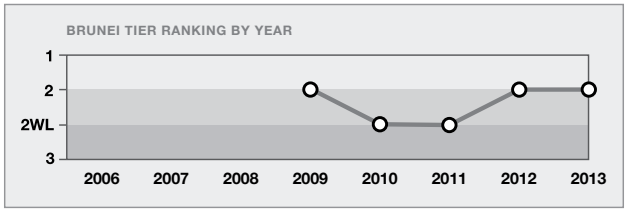
The Brazilian government took steps to prevent human trafficking during the year, most significantly by formally launching the second national anti-trafficking plan for 2012-2016. The plan for movement-based trafficking established government priorities in several areas, including changing the law, increasing the number of anti-trafficking offices and assistance posts, and improving data collection. The government announced that it would dedicate the equivalent of $2.9 million to implement this new national plan by 2014, including by opening an additional 10 anti-trafficking offices and training 400 government officials. The National Secretary of Justice coordinated interagency efforts on movement-based trafficking, and federal government entities reported meeting frequently in 2012. In 2012 the government released a study it conducted with UNODC on Brazilian trafficking victims exploited abroad between 2005 and 2011. Many states and some municipalities had local-level anti-trafficking coalitions, committees, and plans, some of which were launched in 2012. The national commission to eradicate *trabalho escravo*, a council composed of government agencies, NGOs and international organizations, continued to coordinate efforts against *trabalho escravo*, and some states had local commissions displaying varying degrees of activity. Authorities distributed awareness materials targeted at Brazilians traveling abroad or within the country. Civil society organizations, private sector companies and various federal, state, and municipal entities collaborated on anti-trafficking initiatives.

The MOL published a "dirty list," which publicly identified individuals and corporate entities determined to be responsible for *trabalho escravo*. The most recent version of the list, released in December 2012, added more than one hundred new entries from the 2011 list, for a total of 400 total employers, some of whom were denied access to credit by public and private financial institutions because of this designation. In some cases, owners of companies included on the list created new companies to avoid consequences associated with the list. In December 2012, the Sao Paulo state legislature passed a law strengthening state-level penalties for companies using *trabalho escravo* in their supply chain. The government took public measures to reduce demand for commercial sexual exploitation of children by continuing to raise awareness during the Carnival season. Despite the significant number of child sex tourists visiting Brazil, there were no public reports of prosecutions or convictions for child sex tourism in 2012. The Brazilian government provided anti-trafficking training to its military troops prior to their deployment abroad on international peacekeeping missions.

BRUNEI (Tier 2)

Brunei is a destination country and, to a much lesser extent, a source and transit country for men and women who are subjected to forced labor and forced prostitution. Men and women from countries within the region such as Indonesia, Bangladesh, China, the Philippines, and Malaysia migrate to Brunei primarily for domestic work, and are sometimes subjected to conditions of involuntary servitude after their arrival. There are approximately 100,000 migrant workers in Brunei, some of whom face debt bondage, nonpayment of wages, passport confiscation, abusive employers, and confinement to the home—conditions widely recognized as indicators of human trafficking. Although it is illegal for employers in Brunei to withhold wages of domestic workers for more than 10 days, some employers have been known to withhold wages in order to recoup labor broker or recruitment fees or as a tool to maintain the service of the workers. While officials attempt to ensure that workers understand contracts by reviewing the details and witnessing the signatures, foreign nationals continue to have difficulties understanding contract provisions as many lack basic literacy skills or do not speak the local language. Many victims enter the country on social visit passes or tourist visas.

The Government of Brunei does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Continuing its anti-trafficking law enforcement progress, the government obtained its first successful trafficking conviction, and initiated three prosecutions. The government developed and began implementing procedures to proactively identify victims among vulnerable groups, though no victims were identified during the year. General-purpose government shelters provided services for female trafficking victims identified during a previous year, though no specialized services were available for male or child trafficking victims. The government expanded its anti-trafficking police force unit, forming an ad hoc interagency committee which met to coordinate its efforts. The government continued to monitor recruitment agencies for licensing violations, and it prosecuted a case of forced labor; however, overall efforts to address labor trafficking, including document confiscation and debt bondage, could be improved.



Recommendations for Brunei: Differentiate between human trafficking and smuggling in legal protocol and trainings, and disaggregate data collection on law enforcement efforts to combat these separate crimes; continue to increase the number of investigations and prosecutions of both sex and labor trafficking offenses using the anti-trafficking law, and convict and punish trafficking offenders; train officers on proactive procedures to identify victims of trafficking among vulnerable groups, such as migrant workers and females in prostitution, and implement them widely; enforce stringent criminal penalties against those involved in fraudulent labor recruitment or forced labor; prosecute employers and employment agencies who unlawfully confiscate workers' passports as a means of extracting forced labor; ensure that victims of trafficking are not threatened or otherwise punished for crimes committed as a direct result of being trafficked; establish a policy whereby all victims are eligible for employment passes to work legally in Brunei; consider a policy to allow resources from the fund established by the 2004 law to be paid directly to victims as restitution; formalize and allocate funding to the *ad hoc* interagency committee; develop a national plan of action for prosecuting and preventing trafficking crimes and ensuring protective services to victims; accede to the 2000 UN TIP Protocol; and continue to support comprehensive and visible anti-trafficking awareness campaigns directed at employers of foreign workers and clients of the sex trade.

Prosecution

The government demonstrated increased progress in its anti-trafficking law enforcement efforts during the past year. The Government of Brunei prohibits both sex and labor trafficking through its Trafficking and Smuggling Persons Order of 2004, which prescribes punishments of up to 30 years' imprisonment. These punishments are sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. Amendments to the penal code in the previous reporting period included a prohibition on traveling outside the country for commercial sex with children, prescribing a punishment of up to 10 years' imprisonment. The government obtained its first conviction of a trafficking offender, sentencing a Thai national to four years' imprisonment for subjecting three Thai women to forced prostitution. Over the course of the reporting period, 57 cases were investigated and three prosecutions were initiated, but because the law includes the separate crime of human smuggling, it is unclear if any of these were trafficking cases. In a positive step, the government investigated and prosecuted a police officer and his wife for subjecting a household worker to domestic servitude; this case remained ongoing at the close of the reporting period. Criminal penalties do not yet appear to have been imposed in any cases of labor trafficking. The government reported developing standard operating procedures for trafficking investigations, and provided some specialized training to officers in the Heads of Specialist Trafficking Unit within the Royal Brunei Police Force.

Protection

The Government of Brunei continued modest efforts to identify and protect trafficking victims during the reporting period. The government made preliminary efforts to implement proactive procedures for the systematic identification of victims of trafficking among vulnerable groups, such as foreign workers and individuals in prostitution, developing a checklist of questions to be used by officials to identify indicators of trafficking and distributing it to front-line officials. However, these efforts did not yield any victims identified during the year. The government maintained three general-purpose shelters that could be used to assist female trafficking victims, though no similar facilities for male victims or specialized services for child victims were available. Victims residing in the shelters were generally not permitted to leave except under special circumstances, and as granted by the police. Four victims identified during the previous reporting period were sheltered and had access to services until their voluntary repatriation in May 2012. There continued to be no safeguards in place to reduce the risk of hardship, retribution, or re-trafficking of those repatriated or deported.

Brunei's 2004 law established a fund that is theoretically available to pay the cost of victims' repatriation and to award individuals helping to prevent or suppress trafficking, but as it is funded primarily by court settlements—of which there have been none—its funding level remained low. Police began implementing a new standardized procedure of asking screening questions when apprehending persons in prostitution; however, no sex trafficking victims were identified by this or other methods. Foreign women identified during brothel raids were detained and deported; unlike last year, there were no reports that women found in prostitution were allowed to stay at a government-run shelter without being fined or convicted. Similarly, immigration authorities continued to actively identify and charge violators of immigration laws without reporting identification of or assistance to any trafficking victims among this population during the reporting period. The government reported that certain labor trafficking victims would be eligible on a case-by-case basis to receive employment passes to temporarily work in Brunei while assisting in investigations, though none received this benefit during the year.

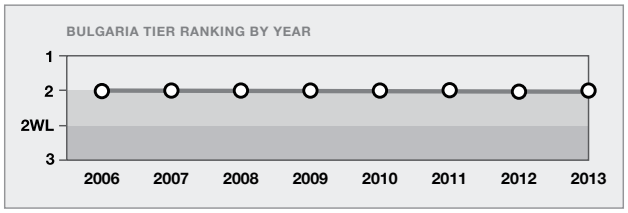
Prevention

The Bruneian government continued its modest efforts to prevent trafficking during the reporting period. The Labor Department continued efforts to enforce licensing requirements for all labor recruitment agencies, prosecuting two agencies for related violations. The government expanded its Heads of Specialist Trafficking Unit within the Royal Brunei Police Force, forming an ad hoc interagency committee to oversee its anti-trafficking policies and responses; this new committee met six times during the year and began drafting a national plan of action to combat trafficking. The government-influenced press disseminated stories with details of all trafficking cases brought to court, and the government prepared posters and cards in English and Malay for distribution and posting at transit points to educate the traveling Brunei public and incoming foreign workers. The government reported developing performance indicators for its awareness campaigns but did not provide additional information about what these indicators were or how they were applied to measure effectiveness. The government did not make notable efforts to prevent child sex tourism, and it did not take discernible measures to decrease the demand for forced labor or commercial sex acts during the year. Brunei is not a party to the 2000 UN TIP Protocol.

BULGARIA (Tier 2)

Bulgaria is a source and, to a lesser extent, a transit and destination country for women and children who are subjected to sex trafficking, and men, women, and children subjected to forced labor. Bulgarian women and children are subjected to sex trafficking within the country, particularly in resort areas and border towns, as well as in Austria, Belgium, Cyprus, the Czech Republic, Finland, France, Germany, Greece, Italy, Macedonia, the Netherlands, Norway, Poland, Slovakia, Spain, Sweden, Switzerland, Turkey, and the United Kingdom. Bulgarian men, women, and children are subjected to conditions of forced labor in Belgium, Cyprus, the Czech Republic, Germany, Greece, Israel, the Netherlands, Italy, Norway, Spain, Sweden, and the United Kingdom. Labor trafficking victims are predominantly exploited in agriculture, construction, and in restaurants. Ethnic Roma men, women, and children are particularly vulnerable to becoming trafficking victims due to social marginalization, and represent a significant share of identified trafficking victims. Some Bulgarian children are forced into street begging and petty theft within Bulgaria and also in Greece, Italy, Sweden, and the United Kingdom. Bulgarian women and girls with mental disabilities are increasingly subjected to sex trafficking, particularly in the Netherlands.

The Government of Bulgaria does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government provided increased funding for two state-owned trafficking shelters, identified more victims of trafficking, and provided care for more female trafficking victims. Shelter capacity for female victims was insufficient, and the government lacked specialized services for male victims. The government prosecuted slightly fewer cases against alleged trafficking offenders, and the majority of convicted offenders did not receive a sentence requiring time in prison. Law enforcement action against public officials and police officers remained limited, although one court imposed a 10-year sentence on a former municipal official for leading an organized crime group involved in trafficking. The government more than doubled funding for prevention campaigns, which included a number of robust public awareness events and advertisements. It also held trainings on trafficking for labor mediators, social workers, journalists, and Roma specialists working to prevent trafficking. Although the government increased its outreach to Roma communities, Roma engagement remained insufficient overall. The government adopted its 2013 national action plan in January.



Recommendations for Bulgaria: Investigate, prosecute, and convict government officials complicit in trafficking, and ensure that convicted officials receive prison sentences; enhance efforts to investigate, prosecute, and convict trafficking offenders, and ensure that the vast majority of convicted offenders serve time in prison; take legislative action to prohibit the prosecution of trafficking victims for acts committed as a direct result of their being trafficked; continue to increase the number of victims referred by government officials to service providers for assistance, especially repatriated victims; increase the capacity of existing shelters for adult female trafficking victims, and implement service offerings including legal services, reintegration assistance, and shelter for male victims as outlined in the national referral mechanism; and intensify outreach activities to Roma communities.

Prosecution

The Government of Bulgaria made limited progress in its anti-trafficking law enforcement efforts during the reporting period, as prosecutions of alleged traffickers declined slightly and investigations of allegedly complicit public officials remained low. Bulgaria prohibits both sex and labor trafficking through Article 159 of its Criminal Code, which prescribes penalties of between two and 15 years' imprisonment for convicted offenders. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In 2012, police conducted 121 sex trafficking investigations and seven labor trafficking investigations, compared with 119 sex trafficking and nine labor trafficking investigations conducted in 2011. Authorities prosecuted 91 individuals for sex trafficking and two for labor trafficking in 2012, compared to 102 persons prosecuted for sex trafficking and 13 for labor trafficking in 2011. The government convicted 94 offenders of sex trafficking and three offenders of labor trafficking in 2012, compared to 95 sex trafficking offenders and 17 labor trafficking offenders convicted in 2011. The percentage of convicted offenders sentenced to prison terms remained low; the government reported that 53 of the 110 offenders convicted for trafficking and the separate offense of baby selling were sentenced to time in prison, with 40 defendants sentenced to up to three years' imprisonment, 12 defendants sentenced to three to five years, and one defendant sentenced to five to 10 years' imprisonment. The remaining 57 convicted offenders received suspended sentences, 33 of whom were also fined.

Combating human trafficking is covered in the regular curricula of the Interior Ministry's Police Academy, the Foreign Ministry's Diplomatic Institute, and the National Institute of Justice, which is the country's training institution for judges, prosecutors, and investigators. The government sponsored seminars for a total of 180 investigating police officers, prosecutors, and judges on international law enforcement cooperation and best practices in countering both sex and labor trafficking. Bulgarian law enforcement officials also collaborated on joint human trafficking investigations with law enforcement counterparts from nine other governments.

The government demonstrated inadequate efforts to combat trafficking-related complicity of government officials in the reporting period. The government began investigations of five police officers in 2012 for trafficking-related complicity, all of which were ongoing at the close of the reporting period. By comparison, the government investigated seven police officers in 2011 and 12 officers in 2010. The alleged criminal acts that were the subject of the 2012 investigations included forcing a woman into prostitution, recruiting victims, and warning traffickers of planned police raids. In January 2012, a court imposed a 10-year sentence on a former municipal councilor who was charged with leading an organized crime

group involved in human trafficking; an appeal of the sentence is pending. There were no other reported prosecutions or convictions against public officials in the reporting period. In 2012, two districts' prosecution services terminated investigations of four border police officers and one police officer for trafficking-related corruption. There were reports alleging corruption on the part of Ministry of Interior officers responsible for investigating trafficking, noting that information leaks had compromised several anti-trafficking operations.

Protection

The Government of Bulgaria demonstrated mixed results in protecting trafficking victims over the last year. Two state-run shelters received more funding and provided care for more women; however, a limited number of victims received government-funded services overall. Through the government's national referral mechanism, law enforcement and other officials referred trafficking victims to services regardless of their nationality or readiness to assist with police investigations. The national prosecution service recorded data on victims who chose to assist law enforcement. In 2012, the prosecution service identified a total of 646 victims of trafficking, including 65 children, compared with 512 identified victims in 2011, 70 of whom were children. Of the 646 victims, 574 were victims of sex trafficking and 72 were victims of labor trafficking. The government identified one foreign victim in 2012, a Czech national who was sexually exploited in Bulgaria.

The government allocated the equivalent of approximately $59,300 for victim assistance to the two state-run shelters in 2012, a large increase from the equivalent of approximately $27,000 spent in 2011. The local governments of Varna and Burgas provided rent-free facilities for these shelters. NGOs provided victim services in these shelters, including medical and psychiatric services, as well as assistance in reintegration, such as preparation for job interviews. Each shelter has a capacity of six persons, and in 2012 the two shelters accommodated 24 victims in total, a large increase from the nine victims assisted in each of the previous two years. All 24 were female sex trafficking victims. Victims could leave the shelters on their own without supervision. Male victims had difficulty obtaining legal and reintegration assistance, and did not have access to trafficking-specific shelters. NGO representatives reported that government support of labor trafficking victims was only basic despite the services outlined for them in the national referral mechanism. They also reported that victims were unaware of their right to apply for compensation. NGO representatives claimed that the national referral mechanism should be incorporated into the legal framework so that first responders are obligated to refer victims to specialized care.

The government operated 14 crisis centers for child victims of violence that provided shelter and psychological and medical assistance to approximately 24 child victims of trafficking in 2012, compared to 67 in 2011 and 79 in 2010. The government encouraged victims to assist in the prosecution of trafficking cases, and it offered witness protection programs. Bulgarian law allowed foreign victims who cooperated with law enforcement to stay and work in Bulgaria for the duration of criminal proceedings before mandatory repatriation. Foreign victims who chose not to assist in trafficking investigations were permitted to remain in Bulgaria for 40 days for recovery before mandatory repatriation to their country of origin; the recovery period for foreign child victims was 70 days. The government continued to enforce a provision in the Penal Code that allows for up to two years' imprisonment of those who profit from immoral activities, and at least 10 women were arrested under this provision in January 2013; this provision could be used against potential sex trafficking victims because prostitution is not regulated in Bulgaria.

Prevention

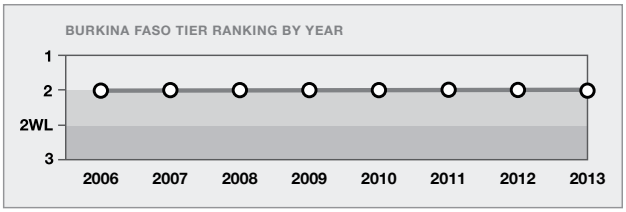
The Government of Bulgaria demonstrated substantial efforts to prevent human trafficking during the reporting period. The inter-ministerial coordinating body, the National Commission for Combating Trafficking in Human Beings, spent the equivalent to approximately $87,600 on prevention campaigns, training, and international visits, a large increase from the equivalent to approximately $37,000 spent in 2011. The commission, in coordination with its nine local bodies, sponsored a number of innovative public awareness-raising campaigns to attempt to reduce the demand for sex trafficking and reach vulnerable groups looking for summer jobs abroad. The Deputy Prime Minister, Commission experts, and victims of trafficking gave three public lectures on the social and criminal impact of trafficking at universities. The Commission trained approximately 225 labor mediators on identifying labor exploitation, and approximately 50 social workers on trafficking victim protection and assistance. The Commission also organized trainings for prevention specialists in a Roma community, and 30 national and local journalists. The Commission hosted an international conference where more than 100 experts from 47 countries discussed the root causes of human trafficking, with expert panels on working with Roma communities and using public-private partnerships for more effective prevention campaigns. In 2012, the National Commission received 64 complaints of potential labor exploitation, and referred all of them to the Labor Ministry's Inspectorate for investigation into fraudulent job offers and administrative punishment; in 2011, the Commission referred 11 such cases. The Government of Bulgaria annually adopts a national action plan for combating human trafficking. The 2012 plan was approved in May 2012 and the 2013 plan was approved in January 2013. The government demonstrated efforts to reduce the demand for commercial sex by publishing outdoor and print advertisements emphasizing the punishments for offenders.

BURKINA FASO (Tier 2)

Burkina Faso is a country of origin, transit, and destination for women and children subjected to forced labor and sex trafficking. Burkinabe children are subjected to forced labor as farm hands, gold panners and washers, street vendors, domestic servants, and beggars recruited as pupils by individuals posing as religious teachers. Girls are exploited in the commercial sex trade. Burkinabe children are transported to Cote d'Ivoire, Mali, and Niger for subsequent forced labor or sex trafficking. Burkina Faso is a transit country for traffickers transporting children from Mali to Cote d'Ivoire, and is a destination for children trafficked from other countries in the region, such as Ghana, Guinea, Mali, and Nigeria. To a lesser extent, traffickers recruit women for ostensibly legitimate employment in Lebanon and various countries in Europe, and subsequently subject them to forced prostitution in the destination countries. Women

from other West African countries, including Nigeria, Togo, Benin, and Niger, are fraudulently recruited for employment in Burkina Faso and subsequently subjected to situations of forced prostitution, forced labor in restaurants, or domestic servitude in private homes.

The Government of Burkina Faso does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government recognizes that sex trafficking and forced labor are problems in the country, and makes continued efforts to identify child trafficking victims. As a result of a mission to Beirut in March 2012, in conjunction with INTERPOL, adult Burkinabe women were identified as trafficking victims and provided assistance by Burkinabe authorities; these were the first adult victims to be acknowledged by the government. Despite this achievement, the government did not take additional steps to identify adult victims of trafficking among vulnerable populations. The government sustained anti-trafficking law enforcement efforts, conducting 96 investigations and initiating 31 prosecutions. However, at the close of the reporting period, the government had not yet obtained any convictions, and 24 prosecutions remained pending. The government continues to struggle to compile comprehensive data on its law enforcement efforts.



Recommendations for Burkina Faso: Strengthen the system for collecting anti-trafficking law enforcement data, and ensure that authorities responsible for data collection are supplied with adequate means for accessing and compiling this information; increase efforts to prosecute and convict trafficking offenders, and apply appropriate penalties as prescribed by the May 2008 anti-trafficking law; train law enforcement officials to identify trafficking victims among vulnerable populations, such as women in prostitution and children working in agriculture and mining, and refer them to protective services; strengthen efforts to identify traffickers posing as Koranic school teachers and pursue criminal prosecution of such individuals; improve coordination between the national and regional committees that combat trafficking in persons, including by increasing funding to regional bodies; and, while continuing to fund transit centers and vocational training programs, develop a formal referral mechanism for coordinating with NGOs to provide victims with long-term care.

Prosecution

The government sustained its anti-trafficking law enforcement efforts during the year, though the number of suspected trafficking cases it investigated and prosecuted continued to be few compared with the significant number of victims identified in 2012. The government also struggled to compile complete data on its law enforcement efforts. The country's May 2008 anti-trafficking law prohibits all forms of trafficking and prescribes maximum penalties of 10 years' imprisonment; these penalties are sufficiently stringent and commensurate with prescribed penalties for other serious offenses, such as rape. The government reported investigating 96 suspected trafficking cases, initiating 31 prosecutions, and convicting no trafficking offenders in 2012, a decrease in investigations and convictions compared with the previous year; however, 24 of the 31 cases remained pending at the close of the reporting period. Over the course of the reporting period, the Government of Burkina Faso provided anti-trafficking training to police officers, social workers, and judges, which included information on trafficking victim identification, victim assistance, investigation procedures, and prosecution of trafficking crimes. The trainings were provided to 409 participants and conducted by the government with the financial support of UNICEF and INTERPOL. The Ministry of Territorial Administration, Decentralization, and Security conducted periodic raids of sites vulnerable to trafficking, such as brothels and farms, which also served as a means to address the demand for commercial sex acts and forced labor. The Government of Burkina Faso did not report any investigations or prosecutions of government employees for alleged complicity in trafficking-related offenses during the reporting period; however, law enforcement efforts remained hindered by limited human and financial resources, and general corruption in the judiciary.

Protection

The government sustained its efforts to identify and provide protective services to large numbers of child trafficking victims during the year, and identified adult victims for the first time. In 2012, the Ministry of Social Action (MSA) identified 1,910 child victims of trafficking, of which 1,427 were boys and 483 were girls; 1,554 were victims of internal trafficking, while the remaining 356 were victims of transnational trafficking. A large number of these children were intercepted and rescued prior to reaching their destinations where they would face exploitation, typically in gold mines or in city centers as domestic servants or street beggars; it is unclear whether these children were victims or potential victims of trafficking. The aforementioned INTERPOL mission to Lebanon, led by Burkinabe police, resulted in the identification of 25 adult female victims of trafficking. These women were recruited by traffickers who promised them jobs as nannies, housekeepers, or cashiers in shops; however, once in Lebanon, the women were forced into domestic servitude and prostitution. To date, four victims have been returned to Burkina Faso and have received assistance from the government, including psychological and social support. The Government of Burkina Faso noted that the women victims in the Lebanon trafficking cases provided valuable information which allowed the authorities to investigate the traffickers. During the year, the government, in collaboration with a variety of local NGOs and international organizations, continued to operate 23 multi-purpose transit centers, which provided limited food, medical care, and counseling before reuniting victims with their families. The government did not report housing any of the adult victims identified in the Lebanon cases in these shelters. The shelters are open, and victims are free to leave at any time. To complement funding from other donors, the government allocated the equivalent of approximately $14,000 to support protection activities, including funding for these transit centers. The law provides that foreign citizens may apply for asylum if they fear they will face hardship or retribution if returned to their country of origin, although no trafficking victims sought this protection during the year. There were no reports that trafficking victims were penalized for unlawful acts committed as a direct result of being trafficked.

Prevention

The Burkinabe government sustained moderate efforts to prevent trafficking in persons over the last year. The MSA conducted a number of awareness-raising activities, including open-forum discussions, film screenings, theater forums, radio programming, conferences, and lectures for the general public. To increase regional participation, membership in the National Committee for Vigilance and Surveillance Against the Trafficking in Persons and Assimilated Practices, which meets annually to assess the current trafficking situation, provide guidance, and make recommendations, was opened to provincial governors in 2012. In addition to the annual National Committee meeting, 13 regional bodies brought together police, social workers, transit companies, NGOs, and other groups engaged in combating trafficking on a regional level to coordinate activities to identify and assist victims and potential victims of trafficking, as well as support law enforcement efforts. Despite these efforts, the regional bodies remained severely underfunded and lacked sufficient resources.

In 2012, the government directed the MSA to provide counseling on the dangers of trafficking to all women who apply for visas to Lebanon. Additionally, it continued to collaborate with neighboring countries on anti-trafficking efforts, including hosting regional meetings and a training session with participants from Ghana, Canada, and Cote d'Ivoire. The first ladies of Burkina Faso and Cote d'Ivoire signed a joint declaration in October 2012 that commits each country to finalize a bilateral cooperative agreement against cross-border child trafficking in early 2013.

The Government of Burkina Faso failed to adequately address the issue of traffickers posing as Koranic school teachers who force children to beg in the streets, due to sensitivities involved in addressing the issue within the Muslim community. The government provided Burkinabe troops with anti-trafficking and human rights training prior to their deployment abroad on international peacekeeping missions.

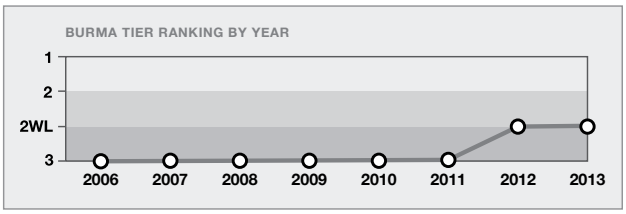
BURMA (Tier 2 Watch List)

Burma is a source country for men, women, and children subjected to forced labor, and for women and children subjected to sex trafficking in other countries. Many Burmese men, women, and children who migrate for work to Thailand, Malaysia, Indonesia, Singapore, the United States, China, Bangladesh, India, South Korea, and Qatar are subjected to conditions of forced labor or sex trafficking in these countries. Poor economic conditions within Burma have led large numbers of Burmese men, women, and children to migrate legally and illegally throughout East Asia and to destinations in the Middle East, where many are subject to forced labor and sex trafficking. Men are subjected to forced labor in the fishing and construction industries abroad, where women and girls are also subjected to sex trafficking and domestic servitude. The government is beginning to address the systemic political and economic factors that cause many Burmese to seek employment through both legal and illegal means in neighboring countries, where some become victims of trafficking. Trafficking within Burma both by government officials and private actors continues to be a significant problem. Military personnel and insurgent militia engage in the unlawful conscription of child soldiers and continue to be the leading perpetrators of forced labor inside the country, particularly in conflict-prone ethnic areas. Since the dissolution of a ceasefire with the Kachin Independence Army in June 2011 and sectarian violence in Rakhine State in June and October 2012, fighting has displaced an estimated 75,000 Kachin and 115,000 Rakhine residents who are highly vulnerable to forced labor and sex trafficking. There were reports during the year that Burmese officials kidnapped Rohingya women from Sittwe and subjected them to sexual slavery on military installations. There are reports that victims deported from Thailand into Democratic Karen Buddhist Army (DKBA)-controlled areas of Burma continue to be extorted and re-trafficked by DKBA elements, in collusion with Thai officials. Since authorities refuse to recognize members of certain ethnic minority groups (including the Rohingyas) as citizens and do not provide them with identification documentation, members of these communities are made more vulnerable to trafficking. During the year, there were reports that some Rohingya asylum seekers transiting Thailand *en route* to Malaysia were sold into forced labor on Thai fishing boats, reportedly with the assistance of Thai military officials. Military and civilian officials have systematically forced men, women, and children into working for the development of infrastructure, in state-run agricultural and commercial ventures, and as porters for the military. The Burmese military, and to a lesser extent, civilian officials have used various forms of coercion, including threats of financial and physical harm, to compel households to provide forced labor. Those living in areas with the highest military presence, including remote border areas populated by minority ethnic groups, are most at risk for forced labor. The Kachin ethnic minority are particularly vulnerable to trafficking due to an ongoing conflict between the Burma Army and the Kachin Independence Army.

Military and, to a lesser extent, civilian officials subject men, women, and children to forced labor, and men and boys as young as 11 years old are forced through intimidation, coercion, threats, and violence to serve in the Burma Army as well as the armed wings of ethnic minority groups. Some observers estimate that thousands of children are forced to serve in Burma's national army in part as a way of offsetting desertions. Children of the urban poor are at particular risk of conscription. Past UN reports indicate that army recruiters have targeted orphans and children on the streets and in railway stations, and young novice monks from monasteries for recruitment or conscription. Anecdotal reports indicate that some children are threatened with jail if they do not agree to join the army, and are sometimes physically abused. Children are also subjected to forced labor by private individuals and groups in tea shops, home industries, agricultural plantations, and as beggars. Economic migrants from central Burma and the Irrawaddy Delta migrate to Kawthaung, the southernmost point in the country, in search of work in fishing or agriculture; failing this, many ultimately travel to Thailand, where some are subsequently subjected to forced labor or sex trafficking. There were anecdotal reports that some were forced to labor on palm oil and rubber plantations near Kawthaung. Those seeking work in Thailand's fishing and domestic work sectors did so outside formal channels, as these industries are not included in the memorandum of understanding between the two countries, which allows Burmese migrants to work in certain industries in Thailand. Networks on both sides of the border facilitate migration of undocumented workers, which often leads to their being trafficked upon arrival in Thailand. Exploiters subject children and adults to domestic servitude, and girls and boys to sex trafficking, particularly in urban areas. There is evidence that a small number of foreign pedophiles have attempted to enter Burma with the intent to

exploit Burmese children, and some may have entered the country. Outside observers and Burmese authorities have both expressed concern over a possible increase in the problem as tourism in Burma increases.

The Government of Burma does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government continued implementation of the numerous reforms it undertook during the previous reporting year, and it modestly increased its efforts to prevent trafficking. In June 2012, following five years of discussions, the government signed an action plan with the UN to eliminate the recruitment and use of children in its armed forces, though unfettered UN access to military bases has since been problematic. Authorities continued efforts to address the cross-border sex trafficking of women and girls, and increased the number of dedicated anti-trafficking officers in its police force. Nevertheless, the government's victim protection efforts remained inadequate. The lack of specialized services and rehabilitation efforts, as well as weak local-level coordination between police and social welfare officials, undermined its ability to successfully prosecute and punish trafficking offenders. Forced labor of civilians and the recruitment of child soldiers by both military officials and private entities remained serious problems. The climate of impunity and repression created under the previous government and the lingering lack of accountability in military ranks for forced labor and the recruitment of child soldiers continue to represent the primary causal factors for Burma's significant trafficking problem; therefore, Burma is placed on Tier 2 Watch List for a second consecutive year.



Recommendations for Burma: Vigorously prosecute and punish offenders of both sex and labor trafficking, including trafficking occurring within Burma; continue to implement the terms of the ILO action plan for the elimination of forced labor offenses perpetrated by government employees, particularly military personnel; increase efforts to investigate and sanction, including through criminal prosecution, government and military perpetrators of internal trafficking offenses, including child soldier recruitment and other such crimes; actively identify and demobilize all children serving in the armed forces; abide by the terms of the UN-backed action plan to grant international monitors unhindered access to inspect recruitment centers, training centers, and military bases to support the identification, demobilization, and rehabilitation of child soldiers; ensure no children are arrested or imprisoned for desertion or attempting to leave the army; through partnerships with local and international NGOs, prioritize and significantly increase victim identification and protection efforts, including victim shelters and provision of services for male victims; develop and implement formal victim identification and referral procedures, including for victims identified within the country; consider appointing labor attachés to work in additional overseas diplomatic missions to support the prevention of forced labor of Burmese migrants abroad; and focus more attention on the internal trafficking of women and children for commercial sexual exploitation.

Prosecution

The Government of Burma reported continued anti-trafficking law enforcement efforts during the year, focusing primarily on the recruitment and transport of Burmese women and girls across international borders for forced marriages and sex trafficking. There were reports from the local media and other observers of efforts to prosecute and punish perpetrators of internal trafficking—including military officers' recruitment of children and Burmese nationals' exploitation of children in domestic servitude—but the government failed to provide sufficient evidence to determine the extent of these efforts. There were no reports of investigations or prosecutions of military officials for extracting forced labor from civilians.

Burma prohibits sex and labor trafficking through its 2005 Anti-Trafficking in Persons Law, which prescribes criminal penalties that are sufficiently stringent and commensurate with those prescribed for rape. Forced labor, including the recruitment of children into the army, is a criminal offense under both the new Wards and Village Tracts Administration Act passed in March 2012, and Penal Code Section 374, which could result in imprisonment for up to one year, a fine, or both. In addition, forced labor is prohibited under Section 359 of Burma's 2008 constitution. The Government of Burma reported investigating 120 cases of trafficking, and prosecuting 215 offenders in 2012, compared with 136 investigations and 231 prosecutions in 2011. As in previous years, the government's law enforcement efforts focused primarily on the sex trafficking and forced service of Burmese women through forced marriages to Chinese men. The government's law enforcement efforts to combat trafficking within Burma have been consistently weak, but during the year the government reported investigating 19 suspected cases of internal trafficking. It did not provide additional information about the nature of these cases or whether they resulted in any prosecutions or convictions. Media reports, however, indicate that two offenders were convicted in February 2013 for child sex trafficking within the country, and that court proceedings occurred in at least two cases of child domestic servitude, though the outcome of these cases is unknown. Burmese court proceedings continued to lack transparency and did not accord due process to defendants. Burma's judiciary lacks sufficient independence; international organizations and NGOs were often unable to verify court statistics provided by the government. Additionally, limited capacity and training of the police coupled with the lack of transparency in the justice system make it uncertain whether all trafficking statistics provided by authorities were indeed for trafficking crimes.

Corruption and lack of accountability remain pervasive in Burma and affect all aspects of society; officials frequently engage in corrupt practices with impunity. Police can be expected to self-limit investigations when well-connected individuals are alleged to be involved in forced labor or sex trafficking cases. During the reporting period, government officials did not publicly acknowledge that any government personnel were involved in trafficking, and reported that it did not investigate, prosecute, or punish any complicit officials. However, an unverified report to an international organization from the Ministry of Defense suggests that the government disciplined 30 military officers and 154 enlisted personnel for the recruitment of children; though the majority

of these received reprimands, three officers and one enlisted soldier were reportedly dismissed, and two officers and seven enlisted personnel were reportedly imprisoned. The power and influence of the Burmese military continued to limit the ability of civilian police and courts to address cases of forced labor and the recruitment of child soldiers by the armed forces. Without assent from high-ranking military officers, law enforcement officials generally were not able to investigate or prosecute such cases. In April 2012, Burma's commander-in-chief reportedly issued an order stating that soldiers accused of committing forced labor would be tried under civilian rather than military courts, though there was no evidence that this policy had been implemented. There were reports that the Ministry of Defense undertook independent efforts to investigate and punish military personnel for their involvement in recruiting children for military service, but the government did not confirm these reports.

During the year, the government continued its cooperation with the ILO and other international partners in reviewing remedies for the long-standing problems of forced labor and child soldier conscription committed by members of the military or civilian administrators. The ILO continued to receive and investigate forced labor complaints; in 2012 it received 274 complaints of military recruitment of children and 68 complaints of forced labor. Through 26 anti-trafficking taskforces (ATTF) operating in key cities and at international border crossings, the police continued to identify and investigate trafficking offenses and arrest suspected trafficking offenders. Two new ATTFs were opened during the current reporting year, and the aggregate number of ATTF officers more than doubled to a total of some 400 at the end of 2012. In January 2013, the government approved a plan to hire an additional 1,000 ATTF officers over the coming year. The Ministry of Home Affairs conducted and partially funded four human trafficking investigation courses, reaching 122 police officers, and three child protection investigation courses, with additional funding provided by foreign donors.

Protection

The Burmese government continued modest efforts to provide temporary shelter and facilitate safe passage to Burmese victims repatriated from abroad, but its overall victim protection efforts were inadequate. Department of Social Welfare (DSW) officials in 2012 received 195 repatriated victims, 64 from Thailand, and 131 from China, a decrease from 229 victims repatriated to Burma by foreign authorities in 2011. The police reported identifying an additional 66 victims during the year, and border officials from two newly established international liaison offices identified three victims. The government reported that 100 of the victims repatriated during the year were men victimized in forced labor on Thai fishing boats. Through implementation of its UN-backed action plan on child soldiers, the government identified and released 66 children who had been recruited into its military's ranks. In January 2013, the Kachin Independence Army released to the ILO eight children who had been captured from the Burmese army and held as prisoners of war.

Police and border officials consistently referred repatriated victims to DSW to receive protective services, but there were no referral mechanisms in place for victims of other forms of trafficking, and working-level cooperation between DSW and the police remained weak. The government has written procedures in place for the identification of victims, but the majority of victims were identified through international repatriations, and front-line officers lacked adequate training to identify possible victims with whom they come in contact within the country. The government was unwilling to allow UN monitors unhindered access to all military installations to inspect for the presence of children. The government implemented aspects of its UN-backed action plan on child soldiers; UNICEF trained military officials on procedures for releasing identified children, and during the year the government established and publicized a dedicated phone line and post office box to receive complaints on underage recruitment. The government continued to operate a national trafficking hotline established during the previous year. Inadequate efforts to screen for indicators of trafficking in thousands of anti-prostitution interventions may have led to sex trafficking victims being treated as law violators. Although the government has discontinued its policy of forcing repatriated victims to stay in a government center before returning to their villages, poorly coordinated returns in practice caused most victims from China to remain at the centers while DSW and civil society partners completed family tracing and arranged for victims' transportation. The government continued to operate five centers for women and children in need, including trafficking victims, and one facility dedicated to female victims of trafficking. NGOs and foreign donors provided the majority of funding for the limited protective services available to victims. While in government facilities, victims received basic medical care and had access to counseling, which was often substandard. Victims had very limited access to psycho-social counselors. There remained no shelter facilities available to male victims of trafficking. No additional victim screening was performed once repatriated victims reached Burma, and no individualized services were available for victims; the lack of adequate protective measures for returned victims made them vulnerable to being re-trafficked. Longer-term support for trafficking victims was virtually nonexistent. International organizations and NGOs provided reintegration support to demobilized child soldiers. Government authorities reported encouraging victims to assist in investigations and prosecutions but noted that the lack of adequate victim protection and rehabilitation efforts—including economic opportunities—made it difficult to obtain victims' cooperation in prosecutions. Although victims have the right to file civil suits against their traffickers, the government did not provide access to legal assistance. In 2012, the government disbursed to several victims the equivalent to approximately $2,000 total from the seized property of traffickers. The government did not provide alternatives to the removal of foreign victims to countries where they may face hardship or retribution, though few, if any, foreign victims were identified during the year.

Prevention

The Government of Burma increased its efforts to prevent all forms of human trafficking over the last year. The government's Central Body for the Suppression of Trafficking in Persons (CB-TIP), comprising representatives from 26 agencies and some civil society members, continued to coordinate the government's anti-trafficking programs and policies, in line with the five-year national action plan to combat human trafficking. In June 2012, after five years of discussions with the UN, the government signed a UN-backed action plan for the identification, release, and rehabilitation of children in the Burmese military. The plan includes provisions for long-term reintegration of demobilized children, strengthening of recruitment procedures to prevent child recruitment, child-

protection training for the military, public awareness raising, and accountability for perpetrators. Though the government released some children and facilitated training on the action plan at military focal points, it has not taken steps to prevent recruitment, such as through strengthening age verification procedures, and UN monitors report the government has not provided access to all its military installations in line with the terms of the plan.

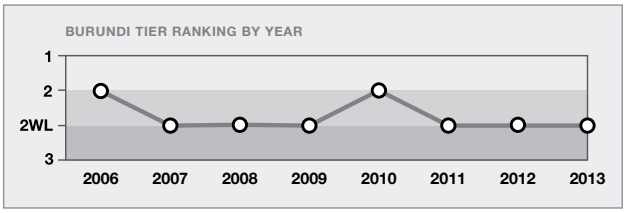
In August 2012, the CB-TIP conducted training sessions for 42 of the country's 16,589 community-based anti-trafficking watch groups in targeted areas where trafficking is known to be prevalent. The Ministry of Labor continued efforts to prevent forced labor of Burmese citizens at home and abroad; together with Thai officials, it opened five temporary passport-issuing centers in Thailand, staffed by Burmese labor ministry personnel. The centers assisted more than 1.3 million expatriate Burmese workers in obtaining temporary Burmese identity documents, and the labor attaché in the Burmese embassy in Thailand continued providing assistance and advocacy on behalf of the large number of Burmese workers in Thailand. The government could increase its efforts to prevent the forced labor of its citizens abroad by embedding labor attachés in additional overseas diplomatic missions.

The government continued human trafficking awareness campaigns during the reporting period, including in cooperation with a foreign donor, and it launched a national campaign in partnership with the ILO on preventing forced labor and underage recruitment into the armed forces. In an effort to prevent child sex tourism, Burmese authorities reported preventing two Australian nationals from entering the country as a result of information about prior criminal activities provided by the Australian government. The government did not make any discernible efforts to reduce the demand for forced labor inside Burma during the reporting period.

BURUNDI (Tier 2 Watch List)

Burundi is a source country for children and possibly women subjected to forced labor and sex trafficking. Children and young adults are coerced into forced labor on plantations or small farms in southern Burundi, small-scale menial labor in gold mines in Cibitoke, labor-intensive tasks such as collecting river stones for construction in Bujumbura, or informal commerce in the streets of larger cities. Some traffickers are the victims' family members, neighbors, or friends who recruit them for forced labor under the pretext of assisting with education or employment opportunities. Some families are complicit in the exploitation of children and adults with disabilities, accepting payment from traffickers who run forced street begging operations. Children in domestic servitude in private homes or working in guest houses and other entertainment establishments are coerced—with threats of being fired—into committing sex acts for their employers or clients. Children are also fraudulently recruited for domestic work and later exploited in prostitution. A joint survey conducted by UNICEF and the Government of Burundi in September 2011 identified 92 children as victims of commercial sexual exploitation. Young women offer vulnerable girls room and board within their homes, eventually pushing some of them into prostitution to pay for living expenses; these brothels are located in poorer areas of Bujumbura, along the lake, and on trucking routes. Extended family members sometimes also financially profit from the prostitution of young relatives residing with them; mothers sometimes also initiate their daughters into the sex trade, at times through threats and bullying. Incarcerated women facilitate commercial sex between male prisoners and detained children within the Burundian prison system. Male tourists from East Africa and the Middle East, teachers, police officers, *gendarme*, military, and prison officials exploit Burundian girls in prostitution. Business people recruit Burundian girls for prostitution in Bujumbura, as well as in Rwanda, Kenya, Uganda, and the Middle East, and recruit boys and girls for various types of forced labor in southern Burundi and Tanzania.

The Government of Burundi does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these measures, the government did not demonstrate evidence of overall increasing anti-trafficking efforts over the previous reporting period; therefore, Burundi is placed on Tier 2 Watch List for a third consecutive year. Burundi was granted a waiver from an otherwise required downgrade to Tier 3 because its government has a written plan that, if implemented, would constitute making significant efforts to meet the minimum standards for the elimination of trafficking and is devoting sufficient resources to implement that plan. Despite the demonstration of interest by the government and the support of donor countries, there were few tangible anti-trafficking results in 2012. The Office of the First Vice President established a commission to propose future efforts to combat trafficking; however, the government has not implemented any of its suggestions. The government failed to prosecute trafficking offenses vigorously or increase its capacity to protect victims; most victim assistance continued to be provided by NGOs without government support. The lack of coordination and data collection on anti-trafficking efforts in Burundi remains a serious concern.



Recommendations for Burundi: Finalize and enact draft anti-trafficking legislation; enforce the trafficking provisions in the 2009 Criminal Code amendments through increased prosecution of trafficking offenses and conviction and punishment of trafficking offenders, including complicit officials; ensure all police, prosecutors, judges, and border guards receive anti-trafficking training, including how to refer cases for investigation; establish standardized policies and procedures for government officials to identify and interview potential trafficking victims proactively and transfer them to the care of local organizations when appropriate; continue the anti-trafficking public awareness campaign currently being undertaken by the police; establish mechanisms for increasing protective services to victims, possibly through partnerships with NGOs or international organizations; and establish broad-based institutional capacity to coordinate and guide anti-trafficking efforts by forming an inter-ministerial committee or building upon the existing technical commission.

Prosecution

The Government of Burundi failed to vigorously investigate and prosecute trafficking offenses in 2012. It arrested two suspected offenders during the reporting period, but did not initiate any prosecutions or achieve any trafficking convictions from prosecutions initiated during previous reporting periods. Articles 242 and 243 of Burundi's Criminal Code prohibit some forms of human trafficking, prescribing punishments of five to 20 years' imprisonment, but do not provide a definition of human trafficking, impeding investigators' and prosecutors' ability to identify and prosecute trafficking offenses. Elements of sex trafficking offenses can also be addressed using penal code articles on brothel-keeping and procuring prostitution, which prescribe penalties of one to five years' imprisonment, and child prostitution, with prescribed penalties of five to 10 years' imprisonment, but these articles do not require the use of force, fraud, or coercion. These penalties are sufficiently stringent and commensurate with those prescribed for other serious offenses, such as rape. Forced labor is prohibited by Article 2 of the Labor Law, though the Criminal Code prescribes no explicit penalties for a violation; officials cite this as a weakness in combating trafficking crimes, especially in addressing forced child labor. The government failed to complete its draft comprehensive anti-trafficking legislation intended to rectify this and other gaps in existing laws. However, in July 2012, in partnership with UNODC, government stakeholders reviewed the draft, which now is in the office of the First Vice President for final editing; it must then be sent to the General Secretariat to be scheduled for debate in the council of ministers before being sent to parliament for debate and passage. The Children and Ethics Brigade, under the Burundian National Police, was the sole government entity that made specific anti-trafficking efforts during the year; however, the brigade lacked capacity to adequately track its caseload. Police arrested two suspected trafficking offenders during the year, a decrease from four offenders arrested in 2011. In May 2012, parents informed the police after finding their missing daughter in prostitution at a bar. The police arrested the establishment's owner, but he was released because of conflicting understandings of trafficking crimes between the police and magistrate. The status of a second case involving the arrest of a Burundian man for facilitating the prostitution of five girls is unknown. For the second consecutive year, the government failed to train any of its officials, including law enforcement personnel, on relevant legislation and indicators for victim identification. Officials' lack of investigative skills and trafficking awareness reportedly continued to hinder investigations and prosecutions. Police repeatedly apprehended suspects involved in the commercial sexual exploitation of children but released them shortly thereafter without prosecution, at times because of corruption of police and judicial officials. As in previous years, the government failed to prosecute or convict any public officials suspected of complicity in human trafficking crimes, including a diplomat, teachers, police officers, military, *gendarme*, and prison officials. For example, in February 2013, a police officer was suspected of trafficking young girls into prostitution in Cibitoke; the assistant prosecutor of the province investigated the case. Government officials took no action to stop child prostitution occurring within the Burundian prison system.

Protection

The government made minimal efforts to protect victims during the reporting period. Care centers in Burundi are operated by NGOs, religious organizations, and women's or children's associations largely funded by UN agencies; none are specifically focused on providing assistance to trafficking victims. NGOs reported the identification and referral of an unknown number of trafficking victims by communal leaders and border police following their anti-trafficking training of these officials; however, the government did not independently provide information on its victim identification or referral efforts or adequate support to the services these organizations provide. The Ministry of National Solidarity provided funding to some local NGOs to assist victims of gender-based violence and trafficking, while the Ministry of Health provided vouchers for hospital care to an unspecified number of trafficking victims. In addition, in 2012, the government established a center to assist victims of crime where they receive basic counseling and medical services; the government provided the equivalent of approximately $102,000, in addition to support from UNICEF, UNDP, the UN Population Fund, the UN Development Fund for Women, and the World Food Program. The Ministry of National Solidarity also continued to establish new, and increase the capacity of existing, commune-level centers for family development (CDF) that address human rights and gender-based violence issues; in the previous reporting period, a CDF assisted an NGO in the reintegration of one trafficking victim. The government operated two centers, in Kigobe and Buyenzi communes, to assist street children, including an unknown number of victims of forced child labor identified, and provided counseling through the centers during the year. In 2012, the government, in partnership with UNICEF, opened a one-stop center in Gitega—staffed by Burundian government employees—to assist victims of gender-based violence in reporting cases and receiving immediate care, including psycho-social support; though the center could assist trafficking victims, it is unclear if it did so during the year.

The government has not yet finalized a system to proactively identify trafficking victims among vulnerable populations or to refer victims to service-providing organizations; however, in 2012, the government, in partnership with an NGO, began development of such procedures. Without standardized procedures for identifying trafficking victims, some may have been penalized for unlawful acts committed as a direct result of their being trafficked. The Children and Ethics Brigade did not attempt to identify trafficking victims among women in prostitution who were arrested, jailed, or fined. However, police provided limited shelter and food to child trafficking victims in temporary custody, keeping them in a holding area separate from adult detainees while authorities attempted to locate their families. In some instances, the brigade and its provincial focal points provided counseling to children in prostitution and mediated between these victims and their parents immediately thereafter, though without referral for additional services. The government did not encourage victims to assist in the investigation or prosecution of trafficking cases during the year. Burundian law does not provide foreign trafficking victims with legal alternatives to their removal to a country where they may face hardship or retribution.

Prevention

The government maintained its modest efforts to prevent trafficking during the year, though it remained without a national committee to coordinate an action plan to guide its anti-trafficking efforts. In 2012, the Children and Ethics Brigade continued its national awareness-raising campaign throughout the country to educate officials and local populations about the dangers of human trafficking, and encourage citizens to

report trafficking cases to local authorities. In 2012, the brigade gave sensitization workshops for provincial civil servants, civil society, and police officers in the provinces of Makamba, Rutana, Karuzi, Cankuzo, Muyinga, Kayanza, Bubanza, and Cibitoke. In addition, sensitization campaigns also targeted 15 secondary schools. The Office of the First Vice President established a technical commission to complete an assessment of the government's current anti-trafficking efforts and propose future action items; however, the government failed to act on the commission's suggestions as elaborated in a November 2012 report. Coordination across government ministries to combat trafficking remained poor, and relevant agencies and police units are largely unaware of the problem, which severely hindered progress. With donor funding, an NGO-led joint taskforce on human trafficking, including representation from the National Police and the Ministries of Justice and National Solidarity, continued to meet every three months to share information; however, the government did not take an active role or assume leadership of the taskforce. In 2012, the Ministry of Labor's 15 inspectors conducted no child labor inspections. During the year, the National Multi-Sectoral Committee for the Elimination of the Worst Forms of Child Labor educated local officials in several provinces about child labor laws and the worst forms of child labor. The government did not make efforts to reduce the demand for commercial sex acts or child sex tourism during the reporting period. The government, in partnership with a foreign donor, provided Burundian troops with anti-trafficking training prior to their deployment abroad on international peacekeeping missions.

CAMBODIA (Tier 2 Watch List)

Cambodia is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Cambodian men, women, and children migrate to countries within the region—primarily Thailand and Malaysia, but also Singapore, Vietnam, and South Korea—for work in factories, restaurants, or other industries, but many are subsequently subjected to sex trafficking, domestic servitude, debt bondage, or forced labor within the fishing, construction, food processing, and agricultural industries. Vietnamese women and children, many of whom are victims of debt bondage, are transported to Cambodia and forced into commercial sex. Corrupt officials in Cambodia and Thailand facilitate the transport of victims across the border. Additionally, an unknown number of unidentified trafficking victims are among the large number of migrants deported from Thailand each year. During the year, male Cambodians continued to be subjected to forced labor on Thai-flagged fishing boats; an organization that assists victims in Cambodia reported an increase in the number of repatriations of Cambodian victims in the Thai fishing industry in the first two months of 2013. Cambodian victims who escaped their fishing industry traffickers were identified in Malaysia, Indonesia, Mauritius, Fiji, Senegal, and South Africa. The men reported being deceived by Thai fishing boat owners about the expected length of service and their wages. Some Cambodian men also reported severe abuses by Thai captains and being forced to remain aboard the vessels for up to two years.

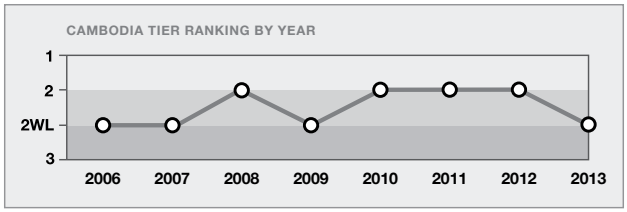
The inability to understand formal obligations, read contracts, or pay processing fees, and inadequate regulatory government oversight rendered some Cambodian migrant workers vulnerable to forced labor and debt bondage in destination countries, especially in Malaysia and Thailand. Cambodian migrant workers have reported employers in destination countries withholding copies of employment contracts and confiscating passports. Recruitment agencies have reportedly engaged in the falsification of legal identification and age verification documents to allow for the illegal recruitment of children. The ban on the legal emigration of Cambodian women to Malaysia for work in domestic service caused many recruitment agencies to shut down. In many cases, these recruitment agencies were the only link between Cambodian workers in Malaysia and their families in Cambodia. As a result, the ban created difficulties in accounting for the workers already in Malaysia and increased their vulnerability to exploitation and abuse. Despite the ongoing ban, women and girls seeking employment continued to migrate to Malaysia, reportedly through the use of tourist visas; some of them subsequently became victims of domestic servitude. NGOs report that some Cambodian victims transited through Thailand *en route* to Malaysia, and some Vietnamese victims were transported through Cambodia by criminal gangs before being exploited in Thailand and Malaysia.

Within Cambodia, children from impoverished families are highly vulnerable to forced labor, including domestic servitude, and have been sent by their parents to beg on the streets in Thailand. Cambodian children are also transported to Vietnam for forced labor and forced begging. The Svay Pak brothel area outside Phnom Penh, where young children are exploited in the sex trade, continues to operate despite numerous attempts by police to close it down.

Within the country, Cambodian and ethnic Vietnamese women and girls migrate or are transported from rural areas to Phnom Penh, Siem Reap, Poipet, Koh Kong, and Sihanoukville, where they are subjected to sex trafficking in brothels and increasingly in venues such as beer gardens, massage parlors, salons, karaoke bars, and non-commercial sites. Police and NGOs report that child sex traffickers have adopted new tactics designed to evade prosecution; increasingly, commercial sexual exploitation of children occurs in locations other than brothels, often through the use of additional brokers, though traffickers in commercial establishments continue to facilitate this type of exploitation. Sex trafficking of children under the age of 15, once promoted through highly visible methods, has become increasingly clandestine. The sale of virgin women and girls continues to be a problem in Cambodia. Cambodian men form the largest source of demand for child prostitution; however, men from other Asian countries, the United States, and Europe travel to Cambodia to engage in child sex tourism.

The Government of Cambodia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these measures, the government failed to make progress in holding trafficking offenders and child sex tourists accountable because of inadequate prosecutions and sentences, and its efforts to protect victims remained inadequate. The government prosecuted and convicted fewer trafficking offenders and identified fewer victims than it did in the previous year. The government did not make efforts to address trafficking-related corruption during the year, and complicity of government officials contributed to a climate of impunity for trafficking offenders and a denial of justice to victims. The government developed operational procedures to assist male trafficking victims but did not provide adequate protections to such victims during the year. The government continued to lack

systematic procedures for its diplomatic missions abroad to assist trafficking victims. The government's policy not to allow undercover anti-trafficking operations hampered law enforcement's ability to pursue cases successfully, as did its failure to address disincentives keeping victims from participating in investigations and prosecutions. The government prosecuted and convicted the staff members of one labor recruitment company for their role in labor trafficking. Because the government did not demonstrate evidence of overall increasing efforts to address human trafficking over the previous year, Cambodia is placed on Tier 2 Watch List.



Recommendations for Cambodia: Increase efforts to vigorously investigate, prosecute, convict, and punish offenders of both labor and sex trafficking; issue an executive decree (*prakas*) authorizing the use of undercover investigative techniques in the enforcement of the anti-trafficking law; improve efforts to investigate and prosecute government officials complicit in human trafficking; initiate more stringent monitoring and enforcement measures to better regulate the recruitment, placement, and protection of migrant workers going abroad; enforce criminal penalties for labor recruitment companies engaging in illegal acts committed during the recruitment process, such as debt bondage, detention of workers during pre-departure training, and recruitment of workers younger than 18; sensitize law enforcement authorities and policymakers to the prevalence of trafficking of adult men, especially in fishing, and make more services available to male victims; streamline procedures for reporting and responding to cases in which victims are identified in countries without Cambodian diplomatic representation; revise sub-decree number 190 to include more comprehensive, transparent, and unequivocal stipulations for the protection of migrant workers; increase efforts to make court processes more efficient and sensitive to the needs and interests of trafficking victims; establish witness protection provisions specifically for trafficking victims; expand efforts to proactively identify victims of trafficking among vulnerable groups, such as children and Cambodians emigrating for or returning from work in other countries; institute a nationwide victim identification protocol; augment governmental referrals of trafficking victims to NGOs with increased support and services, including legal aid, psycho-social support, and reintegration programs; establish systematic procedures to assist Cambodian victims through diplomatic missions abroad, perhaps by appointing a dedicated labor attaché in countries with large numbers of Cambodian workers; improve interagency cooperation and coordination between police, court officials, and other government personnel on trafficking cases and victim referral processes; and continue to promulgate public awareness campaigns aimed at reducing the demand for commercial sex and child sex tourism by locals and foreign nationals.

Prosecution

The Government of Cambodia failed to demonstrate progress in its anti-trafficking law enforcement efforts. The 2008 Law on the Suppression of Human Trafficking and Commercial Sexual Exploitation explicitly addresses trafficking offenses in 12 of its 30 articles. The law prohibits all forms of trafficking and prescribes penalties that are sufficiently stringent and commensurate with other serious crimes, such as rape. During the current year, the Ministry of Justice (MOJ) reported 50 prosecutions resulting in 44 convictions, a decrease from the 102 prosecutions and 62 convictions in the previous year. Of the 44 convictions, five offenders were prosecuted using the anti-trafficking law and 39 trafficking-related offenders were prosecuted under the penal code and Law on Aggravated Circumstances. The majority of the convictions were reportedly related to sex trafficking; four staff members from one licensed recruiting agency were convicted of labor trafficking and the remaining for sex trafficking. During the year, the government designed and delivered donor-funded training for more than 1,400 law enforcement and judicial officials on implementation of the anti-trafficking law, but police and judicial officials lacked adequate expertise to identify and prosecute a significant number of trafficking cases. Officials at times conflated labor trafficking and human smuggling, and a lack of expertise in evidence collection led officers to rely almost wholly on victim testimony to build cases. Inadequate efforts to protect victims, including a lack of incentives for victims to participate in prosecutions, left many unwilling to participate. Victims whose families received out-of-court settlements from traffickers at times changed their testimonies, hampering the pursuit of successful prosecutions.

Though not explicitly prohibited by Cambodian law, undercover evidence collection operations in human trafficking cases have been deemed illegal by Cambodian judges in recent years. While the government has specifically approved undercover investigation authority for other types of investigations, such as counter-narcotics investigations, similar approval has not been extended to the investigation of suspected offenses under the 2008 human trafficking law. Furthermore, child sex traffickers' methods have become increasingly sophisticated and difficult to detect, making proactive and undercover investigation necessary for collecting sufficient evidence and building cases.

Endemic corruption at all levels continued to impede anti-trafficking endeavors. Local observers believe corruption to be the cause of impunity afforded to recruiting firms, including some with reported financial ties to senior government officials, engaging in illegal recruitment practices that contribute to trafficking. Police officials reportedly cooperate with labor brokers who send migrants across the border into Thailand without regard for their vulnerability to trafficking. The government reported that no government officials were investigated, prosecuted, or convicted for involvement in trafficking or trafficking-related activities. The former head of the Phnom Penh Municipal Police's Anti-Human Trafficking and Juvenile Protection Department, convicted *in absentia* for complicity in trafficking in the previous year, was not apprehended during the reporting period and remained at large.

Protection

A number of government entities continued to employ systematic procedures to identify victims and refer them to

NGOs for care, but the government made limited progress in strengthening these procedures and making them uniform nationwide, and the number of victims identified decreased from the previous year. The majority of medical, legal, and shelter services were provided by NGOs, which cared for victims of a number of forms of abuse. Although there were no procedures in place for law enforcement officials' proactive identification of victims among vulnerable groups, the government continued efforts to develop victim identification guidelines in consultation with UN agencies. Authorities systematically referred identified victims to NGO shelters to receive care but did not develop a policy for formally transferring custody of child victims, leaving NGOs that accepted these victims for care vulnerable to court actions against them. The government operated a temporary shelter in Phnom Penh for female victims of trafficking and other crimes, though the authorities did not offer further assistance to victims. Lack of available long-term care made victims, particularly child sex trafficking victims, highly vulnerable to re-trafficking. The Ministry of Social Affairs, Veterans, and Youth Rehabilitation (MOSAVY) released an Operational Standard Procedure on Reintegration Support to Male Trafficking Victims outlining procedures for the processing and reintegration of male trafficking victims, but protection for male trafficking victims remained inadequate. Despite the prevalence of male victims, the availability of men's shelters remained severely limited, as NGOs were not required by the Cambodian government to accept male victims and many refused to do so. Foreign victims of trafficking had the same access to victim care facilities as Cambodian trafficking victims; however, there were a limited number of shelters with the ability to provide specialized care to foreign victims, including foreign language capabilities and culturally sensitive support.

MOSAVY reported receiving and referring 570 trafficking victims to shelters, and the local police referred 388 victims of sex trafficking to provincial agencies for NGO referrals. The total number of victims identified and referred, 958, is a decrease from the 1,131 victims identified and referred during the previous reporting period. With assistance from an international organization, MOSAVY continued to operate a transit center in Poipet, where it received 27 victims identified by Thai authorities and identified an additional 64 victims of trafficking from among the approximately 100,000 Cambodian migrants deported from Thailand, a decrease from the 104 victims identified during the previous year. Because victim identification procedures on both sides of the border were inadequate, the number of actual trafficking victims among this population was likely much higher. International and local NGOs unofficially repatriated victims of Thai fishing vessels, thus the total number of returning victims was not known. One organization reported repatriating 51 male victims from Mauritius, Indonesia, Fiji, Senegal, China, Malaysia, and South Africa and providing support for the government in repatriating 17 male victims from Indonesia and Malaysia during the reporting period, but this represented only a fraction of the total number of Cambodian men believed to have been trafficked onto fishing boats. The government did not have adequate procedures in place to facilitate the rescue of victims of forced labor on fishing boats identified overseas; NGOs reported the Ministry of Foreign Affairs and International Cooperation did not have a focal point for these cases and did not respond to requests for assistance during the year.

In the previous reporting period, the government prohibited the migration of additional women to Malaysia for domestic work but failed to ensure that procedures or safeguards were in place to assist Cambodian women already working in Malaysia. This prohibition may have contributed to the increased vulnerability of Cambodian domestic workers in Malaysia, because when the majority of the recruitment companies subsequently shut down, exploited women who remained in Malaysia had little access to support or remediation, which the companies had provided in the past. The Cambodian embassy in Kuala Lumpur provided temporary shelter to an unknown number of Cambodian domestic workers who faced abuse in Malaysia, but it did not have systematic procedures to assist trafficking victims through its diplomatic mission in Malaysia or other countries.

The Cambodian government required foreign victims found in Cambodia to be repatriated to their home countries and did not provide legal alternatives to their removal should they face hardship or retribution upon return to their countries of origin. There were no reports that identified victims were punished for crimes committed as a result of being trafficked; improved efforts to proactively identify victims among vulnerable groups would help ensure that unidentified victims were not punished. Authorities reportedly encouraged victims to participate in investigations and prosecutions of traffickers, and foreign victims were eligible for temporary legal residence in order to do so. However, Cambodia's weak and corrupt judicial and law enforcement systems, lengthy legal processes, and credible fears of retaliation on the part of victims combined with the lack of witness protection, long-term residency options for foreign victims, or access to resources continued to hinder victims' willingness to cooperate in cases, thereby impeding their access to legal redress. The government did not consistently follow procedures to ensure victims' interests. Although it had in place standards that required service providers, including police, to ensure a safe place in which to conduct interviews with victims, the government typically lacked the necessary equipment and office space to do so, and perpetrators and victims were often interviewed in the same location. Victims were theoretically eligible for restitution, though this was limited in practice by a legal requirement that compensation be paid only following the completion of a convicted offender's jail term.

Prevention

The Government of Cambodia continued efforts to prevent trafficking during the reporting period. The National Committee on the Suppression of Human Trafficking, Smuggling, and Labor and Sexual Exploitation and its secretariat continued to lead the country's anti-trafficking efforts, including through issuing an annual report on the government's anti-trafficking efforts and working to implement the committee's anti-trafficking action plan. The committee, its working groups, and its provincial-level affiliates held a total of 176 meetings during the year. In an effort to better address exploitation of Cambodian workers abroad, the government established a migration working group within its anti-trafficking committee comprising representatives from the government, recruitment agencies, and civil society. Although this group sent a delegation to Malaysia in December 2012, the two countries did not finalize a bilateral MOU on the labor migration of Cambodian domestic workers to Malaysia. The government did not improve or enforce sub-decree 190, approved during the previous reporting year, which governs the activities of companies that recruit Cambodians to work abroad, though it did convict four staff members from one licensed

recruiting agency for labor trafficking. Overall, Cambodia's laws and regulations governing recruitment, placement, and protection of migrant laborers abroad remained weak. These policies lacked clear delineation of responsibilities of recruitment agencies and government authorities during the recruitment process and did not detail suitable controls or monitoring of agencies to avoid abuses, prevent corruption, or assign criminal penalties. Issues such as passport confiscation and debt bondage were not adequately addressed.

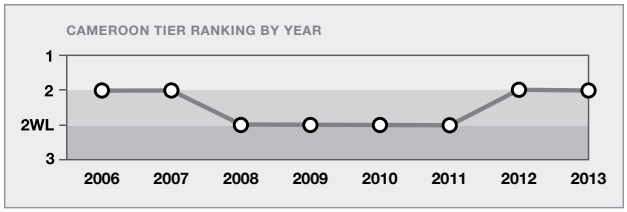
Foreign and local donors provided support to the government to conduct education and awareness campaigns. The government distributed CDs and DVDs with content to educate the population about the risk of trafficking posed by unsafe migration. Officials from the Ministry of Women's Affairs held events to raise awareness about safe migration and collaborated with an NGO to host a televised roundtable discussion on the topic. The government once again organized events to commemorate an anti-trafficking awareness day in December; it conducted awareness campaigns in four provinces and held a march along the Cambodia-Thailand border with approximately 1,600 government and civil society participants. The Ministry of Tourism sustained collaboration with NGOs in producing billboards, magazine advertisements, and handouts aimed at reducing the demand for commercial sex acts and child sex tourism, though these efforts were targeted at foreign sex tourists rather than the local population that is the main source of demand for commercial sex with children.

Authorities convicted three foreign nationals for child sex tourism offenses during the year, and two cases were ongoing. The government's handling of pedophilia cases weakened the credibility of Cambodian efforts to combat child sex tourism. The government deported a convicted foreign pedophile—who was pardoned and released early from prison in the previous reporting period—to South Korea, but only after extensive advocacy by NGOs and the international community. He was subsequently deported to face child sex abuse charges in Russia. In December 2012, the government reduced the charge against a convicted Australian pedophile and released him from prison without investigating claims that his lawyer bribed the victim's family to change her testimony. Several convicted pedophiles were among the 412 criminals pardoned in February 2013 as part of the funeral ceremonies for Cambodia's former king. Five Cambodian officials testified in the United States in prosecutions of pedophiles accused of exploiting children in Cambodia. In an effort to decrease the demand for commercial sex acts, the government continued to conduct police raids on brothels. Although there were no reports that identified victims were punished for crimes committed as a result of being trafficked, improved efforts to proactively identify victims among vulnerable groups would ensure unidentified victims were not punished as law violators. The anti-trafficking committee provided members of military forces with training on human trafficking prior to their deployment abroad on peacekeeping initiatives.

CAMEROON (Tier 2)

Cameroon is a source, transit, and destination country for children subjected to forced labor and sex trafficking and a country of origin for women subjected to forced labor and forced prostitution. Trafficking operations usually target two or three children, often when rural parents hand over their children to an intermediary promising an education or a better life in the city. Traffickers are increasingly resorting to kidnapping their victims, however, as heightened public awareness about trafficking has led to parents being less willing to give their children to these intermediaries. Cameroonian children are exploited in many sectors such as domestic service; street vending; mining; agriculture, including on tea and cocoa plantations; in the urban transportation and construction sectors, where they perform odd jobs as errand boys and laborers on construction sites; and in prostitution within the country. Reports indicate the existence of hereditary slavery in northern chiefdoms. Cameroonian women are lured to Europe and other regions by fraudulent internet marriage proposals or offers of domestic work and subsequently become victims of forced labor or forced prostitution in Switzerland and France, with smaller numbers in Russia. During the year, Cameroonian trafficking victims were also identified in Denmark, Cyprus, Spain, Germany, Norway, Slovakia, the United Arab Emirates, and several West and Central African countries.

The Government of Cameroon does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting year, the government continued to make modest improvements to its legal and regulatory framework by using a newly enacted law to prosecute three traffickers and by drafting amendments to address shortcomings in victim witness protection. The government also developed formal procedures to identify trafficking victims among vulnerable populations and refer them to care centers and continued to take significant steps to prevent human trafficking. Despite these efforts, the government did not make adequate progress in ensuring trafficking victims received access to protective services, and data collection remained sporadic and did not cover the entire country, resulting in unreliable and incomplete statistics on victim identification and law enforcement.



Recommendations for Cameroon: Vigorously prosecute and convict trafficking offenders, including government employees complicit in trafficking-related offenses; continue to educate police, judges, lawyers, and social workers about the new law against human trafficking; dedicate resources to improve the collection of statistics relating to victim identification and law enforcement; develop standardized procedures for referring trafficking victims to NGO care services, and socialize these mechanisms among government officials and the NGO community; and address cases of hereditary servitude in the northern regions.

Prosecution

The Government of Cameroon sustained modest anti-trafficking law enforcement efforts during the reporting period. The 2011 Law Relating to the Fight Against Trafficking in Persons and Slavery prohibits all forms of trafficking in persons, and under Section 4 prescribes a penalty of 10 to 20 years' imprisonment, penalties that are sufficiently stringent

and commensurate with those prescribed for other serious offenses, such as rape. Section 5 prescribes penalties ranging from 15 to 20 years' imprisonment if the trafficking victim is 15 years of age or younger, if violent pretexts are used to coerce the victim, or if the victim sustains serious injuries as a result of trafficking. Section 3 prescribes penalties for debt bondage ranging from five to 10 years' imprisonment. These penalties are also sufficiently stringent. In collaboration with an NGO, the government organized a working session in July 2012, which brought together 30 government and civil society actors, as well as national and international experts on trafficking. As a result of the session, the government began drafting amendments to the 2011 law to address shortcomings in protection of victims and witnesses; these amendments were still under consideration at the end of the reporting period.

During the reporting period, the government initiated three trafficking prosecutions but had not yet secured convictions by the end of the reporting period; all three prosecutions remained pending in the Southwest region. This represents a decrease from the previous reporting period, in which the government conducted five trafficking investigations and obtained two convictions. Additionally, two investigations involving child trafficking in the Littoral and South regions were ongoing at the close of 2012. However, the government failed to collect comprehensive anti-trafficking law enforcement data from all of Cameroon's 10 regions during the reporting period. It also did not report any investigations or prosecutions of government employees for alleged complicity in trafficking-related offenses.

Protection

The Cameroonian government demonstrated modest efforts to ensure victims of trafficking received access to protective services. The government and NGOs identified 87 trafficking victims during the reporting period, a decrease from the 135 victims identified in the previous reporting period. The government continued to provide limited direct assistance to child victims, including shelter, medical assistance, and psychological support. These government-run shelters are closed—adult victims are not allowed to leave at will or unchaperoned. It is unclear how much funding the government devoted to victim care during 2012 or how many victims received services; however, the Ministry of Social Action (MSA) identified and placed 25 vulnerable children in government care facilities for assistance. Local and international NGOs provided the majority of victim services in the country, and the government has yet to institute a standardized, reliable referral mechanism to refer victims to these services. At ports of entry, trained customs and border security officers interrogated adults accompanying children and checked their travel documents to verify their parentage; however, these procedures did not result in the identification of any trafficking cases during the reporting period.

The government encouraged victims to assist in the investigation and prosecution of trafficking crimes. Victims may file suits or seek legal action against traffickers, and, because children are the main victims of trafficking in Cameroon, family members may also bring civil suits against traffickers on behalf of children. At least six victims received financial settlements from their traffickers after filing such suits. Although the government stated it would provide temporary resident status or legal alternatives to the removal of foreign trafficking victims to countries where they may face hardship or retribution, no such relief was provided during the reporting period. The government did not punish any trafficking victims for unlawful acts committed as a direct result of being trafficked.

Prevention

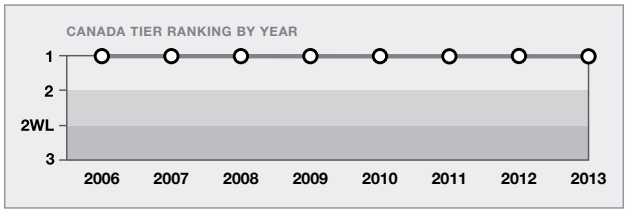
The Cameroonian government demonstrated continued progress in preventing human trafficking over the last year. An inter-ministerial committee, chaired by the secretary general of the prime minister's office and comprised of over a dozen different ministries, coordinates anti-trafficking efforts across the government. The government continued a nationwide awareness campaign about trafficking and the exploitation of children through a joint effort with UNICEF in the Littoral, Northwest, Southwest, and West regions. The National Commission on Human Rights and Freedoms and the MSA also organized seminars and meetings to raise public awareness on trafficking in persons. The government continued to address the phenomenon of street children, a vulnerable population considered at high risk of becoming trafficking victims, and identified 285 new cases during the reporting period. The government returned the majority of these children to their families and periodically followed up with families to ensure that children were not returned to the streets. The government continued to provide members of the Cameroonian armed forces with training on human trafficking prior to their deployment abroad on international peacekeeping missions as part of an overall briefing on international humanitarian law.

CANADA (Tier 1)

Canada is a source, transit, and destination country for men, women, and children subjected to sex trafficking and a destination country for men and women subjected to forced labor. Canadian women and girls are exploited in sex trafficking across the country, and women and girls from Aboriginal communities as well as minors in the child welfare system are especially vulnerable. Foreign women, primarily from Asia and Eastern Europe, are subjected to sex trafficking as well, often in brothels and massage parlors. Law enforcement officials continue to report that local street gangs and transnational criminal organizations are involved in sex trafficking in certain urban centers. Labor trafficking victims include foreign workers from Eastern Europe, Asia, Latin America, and Africa who enter Canada legally—sometimes through the temporary foreign worker program—but then are subsequently subjected to forced labor in agriculture, construction, processing plants, restaurants, the hospitality sector, or as domestic servants. Reports of forced labor continue to be more prevalent in Ontario, Alberta, and British Columbia. There was one report of a Canadian citizen exploited in forced labor during the year. Canada is also a significant source country of tourists who travel abroad to engage in sex acts with children.

The Government of Canada fully complies with the minimum standards for the elimination of trafficking. During the year, authorities continued to strengthen law enforcement efforts, including the conviction of a record number of trafficking offenders. The government launched a national anti-trafficking plan that strengthened coordination and increased efforts to train frontline responders across the country. Some provincial governments increased anti-trafficking efforts, though the effectiveness of these local efforts varied. Across the country,

few specialized services were available to trafficking victims, and there was no comprehensive data collection on trafficking victims identified and assisted during the year.



Recommendations for Canada: Continue to intensify efforts to investigate and prosecute trafficking offenses, and convict and sentence trafficking offenders using anti-trafficking laws; enhance specialized care services available to trafficking victims in partnership with civil society and through dedicated funding; increase use of proactive law enforcement techniques to investigate trafficking cases, including allegations of forced labor; amplify efforts to educate officials working in law enforcement, immigration, the justice sector, health care, and social work about human trafficking; continue to strengthen interagency coordination; establish formal mechanisms for officials to identify trafficking victims and refer them to protection services; increase investigations and prosecutions of Canadian child sex tourists abroad; continue efforts to improve trafficking data collection, particularly regarding victim identification and assistance; and strengthen coordination among national and provincial governments on law enforcement and victim services.

Prosecution

The Government of Canada strengthened its anti-trafficking law enforcement efforts by significantly increasing the number of trafficking offenders convicted during the year, though convictions for forced labor crimes and international sex trafficking remained low in comparison with those for domestic sex trafficking. Section 279.01 of Canada's criminal code prohibits all forms of human trafficking, prescribing a penalty of up to 14 years' imprisonment or life imprisonment in the case of certain aggravating factors such as kidnapping or sexual assault. There is a five-year mandatory minimum sentence for trafficking of children. These penalties are sufficiently stringent and commensurate with those for other serious crimes, such as rape. During the year, the criminal code was amended to further define exploitation in the context of trafficking offenses; some NGOs and law enforcement officers had believed that the previous definition was overly restrictive. This amendment also authorizes the government to prosecute Canadian citizens or Canadian permanent residents for trafficking offenses they commit abroad. Section 118 of Canada's Immigration and Refugee Protection Act prohibits transnational human trafficking, prescribing a maximum penalty of life imprisonment and the equivalent of approximately a $1 million fine. In March 2012, the Ontario Court of Appeals ruled unconstitutional federal statutes prohibiting living on the profits of prostitution or operating "bawdy houses;" these statutes had frequently been used in human trafficking prosecutions. The provincial government of Manitoba enacted a law in 2012 allowing the proceeds from human trafficking cases to go to victim settlements. Authorities in the province of Ontario have prosecuted and convicted the greatest number of trafficking offenders of all the Canadian provinces.

In addition to ongoing investigations, as of February 2013, there were at least 77 ongoing federal human trafficking prosecutions, 72 of which were domestic sex trafficking cases. It is unclear how many of these prosecutions were initiated during the reporting period. These cases involved at least 130 defendants and 119 victims, compared with 57 ongoing trafficking prosecutions during the previous reporting period, involving 94 defendants and 158 victims. The government reported 27 total trafficking convictions during the last year, compared with at least 12 convictions during the previous year. The 27 convictions included two convictions for forced labor under trafficking-specific laws, in contrast to three convictions for forced labor under trafficking-specific laws obtained during the preceding reporting period. Prosecutors convicted at least 25 trafficking offenders under other sections of the criminal code in 2012, including provisions against conspiracy to commit human trafficking, living on the proceeds of prostitution, and forcible confinement; this is a notable increase compared with six such convictions obtained during the preceding reporting period. Sentences ranged from one day to nine years' imprisonment; some of these sentences were suspended, and credit was given for pre-trial custody. One company was fined the equivalent of approximately $215,000 for its role in a forced labor case.

Federal and provincial level officials conducted various training sessions for government officials during the year. The Royal Canadian Mounted Police (RCMP) continued extensive anti-trafficking training efforts in 2012 for law enforcement officers, border service officers, and prosecutors and trained 50 police officers in an in-depth human trafficking investigator's course. The RCMP and the border service agency each launched online anti-trafficking training courses. In 2012, authorities trained provincial labor inspectors in Ontario on human trafficking indicators. The Canadian government reported collaborating with foreign governments on several trafficking investigations and did not report investigating or prosecuting any government employees for complicity in human trafficking-related offenses. Coordination between the federal and provincial governments on anti-trafficking law enforcement efforts continued to be a challenge in some cases.

Protection

The government maintained protections for trafficking victims during the reporting period, though most victim services offered by the government were general services offered to victims of a wide variety of crimes and there were no government programs specifically designed to serve trafficking victims. Immigration officials continued implementing guidelines intended to assess whether foreign nationals were potential victims of trafficking. There were no nationwide procedures, however, for other government officials to proactively identify and assist trafficking victims among vulnerable populations, such as women in prostitution or migrant workers. Officials did not collect comprehensive statistics on the total number of trafficking victims identified and assisted during the year. Provincial and territorial governments had primary responsibilities for general crime victim services, which were available to trafficking victims, and the range and quality of these services varied. Most jurisdictions, however, provided trafficking victims with access to shelter services, short-term counseling, court assistance, and other services. The government did not report funding or operating any dedicated facilities for trafficking victims. Female trafficking victims could receive services at shelters

designed for victims of violence, and in some cases shelters for homeless persons provided basic services to male trafficking victims. The demand for some services, such as longer-term assisted housing, generally exceeded resources. Some law enforcement officials and NGOs indicated that the lack of specialized services was problematic and noted that increased protection of victims could enhance victim cooperation with law enforcement.

NGOs noted that provincial referral mechanisms, often involving a local anti-trafficking network or coalition, worked well in practice; however, some NGOs reported that communication between different sectors, such as law enforcement officials and service providers, was uneven. Provinces and territories had primary responsibility for enforcing labor standards; however, civil society organizations reported that provincial and territorial governments often lacked adequate resources and personnel to effectively monitor the labor conditions of increasing numbers of temporary foreign workers or to proactively identify human trafficking victims among such groups.

Undocumented foreign trafficking victims in Canada could apply for a temporary resident permit (TRP) to remain in the country. The government issued 26 TRPs to 24 foreign trafficking victims in 2012, 13 of which were first-term permits and 13 of which were renewals. In comparison, authorities reported granting 53 TRPs to 48 foreign victims in 2011. Some foreign trafficking victims might have received different forms of immigration relief, such as refugee protection. During a 180-day reflection period, immigration officials determined whether to grant TRP holders a longer residency period of up to three years, and victims had access to essential and emergency medical care, dental care, and trauma counseling. TRP holders could apply for fee-exempt work permits, and some foreign victims received these permits during the reporting period. Some officials and NGOs reported difficulties in getting TRPs for foreign victims due to lack of coordination or understanding among service providers, law enforcement officers, and immigration officials about whether an individual qualified as a trafficking victim. Identified victims were not penalized for crimes committed as a direct result of being subjected to human trafficking. Canadian authorities encouraged but did not require trafficking victims to participate in investigations and prosecutions of trafficking offenders. The government continued to provide protections to victims who chose to testify, such as witness protection programs and the use of closed circuit television testimony; however, it did not report how many victims, if any, participated in investigations and prosecutions. During the year, the wife and step-daughter of a Hungarian forced labor victim who testified against his traffickers were deported after their refugee request was denied.

Prevention

The Government of Canada maintained strong anti-trafficking prevention efforts during the reporting period. Canada's national action plan released in 2012 created a new federal-level interagency taskforce to replace the previous working group. In addition to outlining specific anti-trafficking commitments, the national plan increased transparency by requiring the federal government to report publicly and annually on its efforts. Although the plan did not come with a separate budget, it committed the equivalent of approximately $25.8 million from federal entities for anti-trafficking efforts over the next four years. The RCMP continued to conduct widespread awareness-raising activities and maintained six regional human trafficking awareness coordinators across the country to facilitate anti-trafficking initiatives and assist in developing local strategies. These coordinators distributed anti-trafficking toolkits to Aboriginal communities. The federal government funded several anti-trafficking initiatives abroad through the Canadian International Development Agency and the Department of Foreign Affairs and International Trade (DFAIT).

Provincial and local governments also undertook a variety of trafficking prevention events and initiatives during the year; these efforts varied in effectiveness. British Columbia had the only provincial anti-trafficking office in the country, and the office conducted a variety of prevention, training, and awareness activities. Quebec's provincial government reported funding NGOs that provided services to trafficking victims. Ontario implemented provincial-level initiatives including victim identification tools and awareness materials. The Alberta provincial government continued to fund an NGO coalition to coordinate the province's actions to combat trafficking.

Authorities continued to implement the compliance framework for the federal temporary foreign workers program. Immigration officials provided information to temporary foreign workers, including live-in caregivers, to let them know where to seek assistance in case of exploitation or abuse and to inform them of their rights. Some NGOs asserted that these efforts did not address the root issues that make temporary foreign workers vulnerable to forced labor and called for a national policy framework to regulate labor brokers and recruiters. In 2012, the federal government enacted a policy making it more difficult for businesses involved in the sex trade to hire temporary foreign workers and stopped processing new work permits for temporary foreign workers to work in related businesses, such as strip clubs and massage parlors. In 2012, the government banned two diplomatic missions from bringing domestic servants into Canada because of abuses, including unpaid wages, contract switching, and long hours; it is unclear if any civil suits were filed by the abused workers.

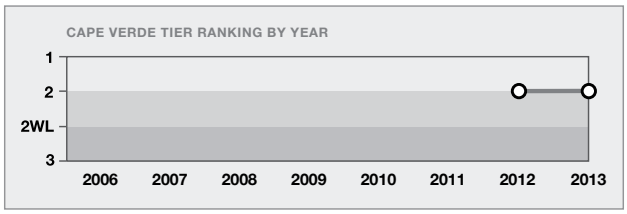
Canada is a source of child sex tourists, and the country prohibits its nationals from engaging in child sex tourism through Section 7(4.1) of its criminal code, which has extraterritorial application and carries penalties of up to 14 years' imprisonment. DFAIT continued to distribute a publication warning Canadians traveling abroad about penalties under Canada's child sex tourism law with every new Canadian passport issued. However, there were no public reports of investigations, prosecutions, or convictions of child sex tourists during the year. Canadian authorities provided anti-trafficking information to Canadian military forces prior to their deployment on international peacekeeping missions. Canadian authorities continued to prosecute individuals who solicited commercial sex, and there were no known efforts to address demand for forced labor.

CAPE VERDE (Tier 2)

Cape Verde is a source country for children subjected to forced labor and sex trafficking within the country and, at times, a source for persons trafficked to Brazil, Portugal, and other countries in Europe for forced transport of drugs. Migrants from China, Ghana, Guinea, Guinea-Bissau, Nigeria, and

Senegal may receive low wages, work without contracts, and not have regularized their visa status, creating vulnerabilities to forced labor. West African migrants may transit the archipelago *en route* to situations of exploitation in Europe. Cape Verdean children work in domestic service, often working long hours and at times experiencing physical and sexual abuse—indicators of forced labor. Reports indicate that boys and girls, some of whom may be foreign nationals, are exploited in prostitution in Santa Maria, Praia, and Mindelo. Sex tourism, at times involving prostituted children, is a problem in Cape Verde. Cape Verdean adults and children are at risk of being deceived or forced into transporting drugs to or within Brazil and Portugal. Between 2010 and 2012, three Cape Verdean trafficking victims were identified in Guinea.

The Government of Cape Verde does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government investigated at least two cases involving alleged child prostitution, an increase compared to its failure to investigate any cases of suspected human trafficking in the previous reporting period. In addition, it began prosecution of three offenders in one case. The Cape Verdean Institute for Children and Adolescents (ICCA), under the Ministry of Youth, Employment, and Human Resources Development, made concerted efforts to protect child victims of sexual abuse, including children in prostitution, and to assist vulnerable children. Despite these efforts, the government did not prosecute or convict any trafficking offenders during the year. Furthermore, it did not make efforts to identify any trafficking victims or reduce the demand for commercial sex acts.



Recommendations for Cape Verde: Draft comprehensive anti-trafficking legislation consistent with the 2000 UN TIP Protocol, including a broad definition of trafficking in persons that does not rely on evidence of movement but rather on exploitation; prosecute, convict, and punish trafficking offenders under existing law; ensure Cape Verdean law prohibits facilitating the prostitution of children ages 16 and 17; train law enforcement officials to use existing laws to investigate and prosecute trafficking offenses; develop and implement procedures for the identification of trafficking victims amongst vulnerable populations; compile anti-trafficking law enforcement data; and launch a targeted anti-trafficking public awareness campaign.

Prosecution

The Government of Cape Verde demonstrated minimal efforts to combat human trafficking during the year; however, it did not prosecute or convict any trafficking offenders. Cape Verdean law does not specifically prohibit all forms of trafficking, though several existing statutes cover certain forms. Article 14 of the labor code prohibits forced labor and Article 271 of the penal code outlaws slavery, both of which prescribe sufficiently stringent penalties of six to 12 years' imprisonment. Article 148 of the penal code outlaws facilitating prostitution of children under the age of 16 and prescribes sufficiently stringent penalties of two to eight years' imprisonment for victims under 14 years and one to five years for victims aged 14 or 15. These penalties are not commensurate with penalties for other grave crimes, such as rape. The penal code does not prohibit or punish those who facilitate the prostitution of children aged 16 and 17. Investigations into sex crimes involving children aged 14 and 15 require complaints from the child's legal guardian; government officials indicate that no such case has ever been reported to police. Prostituted children aged 14 to 17 are rendered virtually invisible to law enforcement and social welfare officials under existing law, granting impunity to those who profit from their exploitation.

During the year, the judicial police investigated at least two cases of child prostitution reported by the ICCA. In February 2013, the government began prosecution of three men involved in the prostitution of teenage boys between the ages of 12 and 14 transported from Praia to other parts of the island of Santiago for prearranged clients. The second case involved the prostitution of children on the island of Sal. The government did not provide information regarding the status of these cases. It did not provide any specialized training for officials on the identification or prosecution of trafficking offenses. There were no reports of trafficking-related corruption during the year; corruption is generally not a significant issue in Cape Verde.

Protection

The government made modest efforts to protect trafficking victims. Although it did not report its identification or protection of trafficking victims, several government facilities that provide care to vulnerable children and victims of gender-based violence may have assisted trafficking victims during the year. Two ICCA-run centers for child emergencies in Praia and Mindelo afforded temporary care to child victims of sexual abuse, violence, and abandonment; children can remain in these centers for up to three months. The government maintained its five protection and social reinsertion centers on the islands of Sal, Sao Nicolau, Bao Vista, Fogo, and Santiago, which offered reintegration services to children experiencing long-term trauma. The ICCA continued its *Nos kasa* project that aims to reduce the vulnerability of street children to sexual abuse and child labor through the operation of six day centers on the islands of Santo Antao, Sao Vincente, Sao Nicolau, Fogo, Boa Vista, and Santiago, which host children during the day and provide counseling. There are also government-supported foster family and adoption programs for the care of children who cannot return to their families. The government lacked formal procedures for the identification and referral of trafficking victims. However, the ICCA's network for the protection and prevention of sexual abuse of children and adolescents—comprised of the judicial police, the national police, the national prosecutor, the directorate general of tourism, and the Office of Health for Praia—coordinated the referral of child victims of sexual abuse to care and offered support throughout court processes. *Disque Denuncia*, the government's hotline for reporting cases of child abuse, served as a referral system, coordinating efforts between the attorney general's office, the judiciary police, the national police, hospitals, and Offices of Health and School. ICCA and UNICEF established a special unit in the judicial police to attend to child sex abuse victims; the unit is equipped with a video room that allows children to testify outside of court. Cape Verdean law does not provide for legal alternatives to

the removal of foreign trafficking victims to countries where they may face hardship or retribution.

Prevention

The government made modest efforts to prevent trafficking during the reporting period through efforts directed towards the elimination of child labor and protection of migrants. Nonetheless, it did not undertake any trafficking awareness campaigns. During the year, the government continued its drafting of a list of hazardous forms of work. In 2012, ICCA inaugurated its unit for prevention and elimination of child labor and worked with government and civil society partners to establish the National Committee for Eradication of Child Labor in Cape Verde. The government did not identify any child labor violations during the reporting period and did not remove any children from situations of child labor. In the previous reporting period, it developed a national immigration strategy to manage migration flows, regulate migrant access to the labor market, develop a model employment contract for immigrant workers, and lay groundwork to identify and address labor exploitation by strengthening the coordination between inspection divisions, labor unions, NGOs, and migrant associations. In 2012, the government, in partnership with international organizations and donors, held awareness events about this strategy and workshops for the National Immigration Council and Permanent Monitoring Group. The National Immigration Council is a committee comprised of 26 members from different stakeholder organizations responsible for monitoring and evaluating the implementation of the national immigration strategy. The Permanent Monitoring Group is an advisory group that supports the immigration coordination unit, established in February 2012, to ensure coordination on and compliance with national immigration policies as part of its larger efforts to improve conditions for migrants and facilitate their integration into Cape Verdean society. In December 2012, the Minister of Internal Affairs opened the first Immigration Support Office, based in the Santa Maria police precinct, which aims to serve and inform migrants living in the area. During the year, the Ministry of Internal Administration reported one pending prosecution of a child sex tourist. In 2012, the government did not make significant efforts to reduce the demand for commercial sex acts or to address sex tourism.

CENTRAL AFRICAN REPUBLIC (Tier 3)

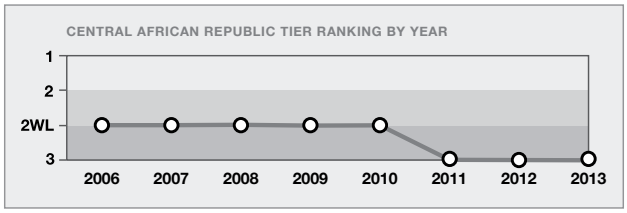
The Central African Republic (CAR) is a source and destination country for children subjected to forced labor and sex trafficking and possibly for women subjected to forced prostitution. While the scope of the CAR's trafficking problem is unknown, NGO programs launched during the reporting period to survey the problem have contributed to an increased understanding of the nature of trafficking in the country. Observers report that most victims appear to be Central African citizens exploited within the country, and that a smaller number are transported back and forth between the CAR and Cameroon, Chad, Nigeria, Republic of the Congo, Democratic Republic of the Congo (DRC), Sudan, and South Sudan. Trafficking offenders—likely including members of expatriate communities from Nigeria, South Sudan, and Chad as well as transient merchants and herders—subject children to domestic servitude, commercial sexual exploitation, and forced labor in agriculture, artisanal gold and diamond mines, shops, and street vending. Within the country, children are at risk of becoming victims of forced labor, *Ba'aka* (Pygmy) minorities are at risk of becoming victims of forced agricultural work—especially in the region around the Lobaye rainforest—and girls are at risk of being exploited in the sex trade in urban centers. Girls forced into marriages are often subjected to domestic servitude, sexual slavery, and possibly commercial sexual exploitation. Women in prostitution, some of whom report being subjected to gang rapes and beatings perpetrated by peacekeeping troops from other Central African countries, may be vulnerable to sex trafficking.

Armed groups operating in the CAR continued to recruit and use children, at times through force, for military activities. Human rights observers reported that opposition militia groups in the north of the country continued to recruit and unlawfully use children in armed conflict. Despite having previously signed action plans with the UN to end the recruitment and use of children, both the Union of Democratic Forces for Unity (UFDR) and the Convention of Patriots for Justice and Peace (CPJP) continued to recruit and use children during the year. Some children formerly associated with the CPJP were threatened for having "deserted," and children released from both groups were at risk of being re-recruited. The rebel group Popular Front for Recovery (FPR) reportedly used children during the year; in September 2012, this group surrendered, and its members, including 18 children, were subsequently repatriated to Chad. Observers indicate the Democratic Front of the Central African Republic (FDPC) and the Movement of Central African Liberators for Justice (MLCJ) continued to harbor children. The People's Army for the Restoration of Democracy (APRD), known to recruit and use children, disbanded in May 2012. In February 2012, the Central African army (FACA) reportedly captured a 14-year-old boy fighting with the FPR and allegedly used him to identify FPR hideouts, and local observers reported the presence of children manning FACA checkpoints during the current reporting year. Village self-defense units, which were established by towns to combat armed groups and bandits in areas where the national army or *gendarmes* are not present, used children as combatants, lookouts, and porters. UNICEF estimated that children comprise one-third of these self-defense units. The government reportedly provides occasional in-kind support to some of these groups; in one December 2012 incident, government officials and members of the ruling political party distributed machetes to children in self-defense neighborhood groups in Bangui. The recruitment of children for use in armed groups increased in December 2012 when the Seleka coalition—an alliance comprised of members of the CPJP, UFDR, FDPC, and others—launched a rebellion against the government. Both Seleka rebels and pro-government militias are reported to have recruited and used children during the conflict.

The Lord's Resistance Army (LRA), a Ugandan rebel group that operates in eastern regions of the CAR, continued to abduct and enslave South Sudanese, Congolese, Central African, and Ugandan boys and girls for use as cooks, porters, concubines, and combatants. The LRA also forced girls into marriages and forced children to commit atrocities such as looting and burning villages, killing village residents, and abducting or killing other children. Some of these children may have been taken back and forth across borders into South Sudan or the DRC. In May 2012, during the capture in the CAR of senior LRA commander Ceaser Achellam, who is accused of

recruiting and using children as soldiers and sex slaves, the Ugandan military identified a 12-year-old trafficking victim and referred her to an international organization for protection.

The Government of the Central African Republic does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The government did not investigate or prosecute any suspected cases of human trafficking, and it did not identify, provide protection to, or refer to service providers any trafficking victims. Furthermore, it took actions during the year which caused further harm to victims of trafficking. In collaboration with an NGO, the government began convening a working group to develop a database for collecting and sharing information on cases of human trafficking as well as a national action plan for combating human trafficking in the CAR.



Recommendations for Central African Republic: Increase efforts to demobilize and reintegrate child soldiers serving in armed groups and self-defense units, and institute a zero tolerance policy for the use of children within the government's armed forces; in collaboration with NGOs and the international community, train law enforcement officials and magistrates to use the penal code's anti-trafficking provisions to investigate and prosecute these offenses; increase efforts to educate and encourage the public and relevant governmental authorities to identify and report trafficking victims among vulnerable populations, such as women and girls in prostitution, street children, children associated with armed groups, and *Ba'aka*; and, in collaboration with NGOs and the international community, provide care to demobilized child soldiers and children in commercial sexual exploitation and forced labor.

Prosecution

The Government of the Central African Republic made no discernible anti-trafficking law enforcement efforts during the reporting period. Article 151 of the CAR's penal code prohibits all forms of trafficking in persons and prescribes penalties of five to 10 years' imprisonment, penalties which are sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. If the offense involves a child victim, Article 151 prescribes the additional penalty of hard labor. If the offense involves a child victim of sex trafficking or forced labor similar to slavery, the prescribed penalty is life imprisonment with hard labor. Articles 7 and 8 of the January 2009 Labor Code prohibit forced and bonded labor and prescribe sufficiently stringent penalties of five to 10 years' imprisonment. Victims can file civil suits to seek damages from their traffickers. These provisions, however, are not enforced, and no cases of suspected human trafficking offenses were investigated or prosecuted during the reporting period. NGOs engaged in anti-trafficking work reported that local officials were generally disinterested in prosecuting human trafficking cases. Judges and prosecutors failed to prosecute trafficking cases brought to their attention, which may have contributed to an environment that allowed traffickers to operate with impunity. Traditional dispute resolution methods are widely practiced throughout the country, often to the exclusion of formal legal proceedings to punish criminal acts. Furthermore, the Criminal Court in Bangui has not held a session since 2010, apparently due to lack of financial resources. The CAR government did not investigate or prosecute any public officials for their alleged complicity in trafficking-related criminal activities during the reporting period. The government did not investigate the use of child soldiers in self-defense militias that may in fact be supported by the government. In addition, it took no punitive measures against the government security forces that forcibly removed and threatened 66 demobilized child soldiers in protective custody in Bangui. Law enforcement officials were not provided adequate technical training and resources to identify and investigate trafficking cases, and officials outside the capital may not have access to copies of the legal codes.

Protection

The Government of the CAR did not make significant efforts to ensure that victims of trafficking received access to protective services during the reporting period. It neither developed measures for the proactive identification of victims among vulnerable groups nor enacted a system for referring identified victims to NGOs to receive care. The government did not identify any trafficking victims during the year, but an NGO reported identifying 40 suspected victims of sex and labor trafficking. The government maintained its partnership with UNICEF and NGOs for the protection and reintegration of demobilized child soldiers. During the reporting period, UNICEF, in partnership with local NGOs, worked to reintegrate an unknown number of identified child soldiers; the government's role in this process was minimal and, at times, its actions inflicted further harm on children released from armed groups, who were sometimes detained by the government. In one December 2012 incident, the government raided a shelter serving former child soldiers, and arrested and jailed 66 children rescued from fighting among the ranks of the Seleka coalition; the children were eventually released to an NGO, but with threats that they would be shot if they tried to leave the shelter. These children were believed to have been re-recruited by the Seleka coalition, and as of the close of the reporting period, the government has not investigated or punished the officers involved. The government, which has very limited resources, did not directly provide reintegration programs for child soldiers, which left victims susceptible to further exploitation or re-trafficking by armed groups or other traffickers. Reports indicated that the government arrested and jailed individuals involved in the sex trade, some of whom may have been trafficking victims, without verifying their ages or attempting to identify indicators of trafficking. The government did not provide legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution, and no such victims were identified.

Prevention

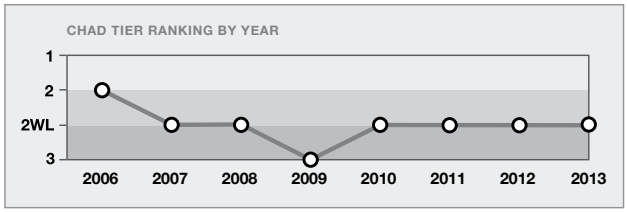
The government undertook moderate anti-trafficking prevention efforts during the reporting period. In November 2012, during a working group meeting convened by an NGO, government representatives and other stakeholders committed to the drafting of a national plan to combat trafficking. In December, this group constructed a rudimentary database in an attempt to increase efforts to collect and share data

across agencies. The working group has continued to meet twice weekly to develop the national plan, which was not finalized by the close of the reporting period. The government took no action to establish a policy against child soldiering or raise awareness about the country's laws prohibiting the use of children in armed forces. The government did not take any measures to reduce the demand for commercial sex acts during the year.

CHAD (Tier 2 Watch List)

Chad is a source, transit, and destination country for children subjected to forced labor and sex trafficking. The country's trafficking problem is primarily internal and frequently involves children being entrusted to relatives or intermediaries in return for promises of education, apprenticeship, goods, or money, only to result in forced labor in domestic servitude or forced herding. Some children are sold in markets, a practice that has been documented since 2011. Child trafficking victims are also subjected to forced labor as beggars and agricultural laborers. Some children who leave their villages to attend traditional Koranic schools are forced into begging, street vending, or other labor by illegitimate teachers. Child cattle herders, some of whom are victims of forced labor, follow traditional routes for grazing cattle and at times cross ill-defined international borders into Cameroon, the Central African Republic, and Nigeria. There continue to be allegations of child herders being forced to work by military or local government officials. Chadian girls travel to larger towns in search of work, where some are subsequently subjected to prostitution or are abused in domestic servitude. Chadian children were identified in some government military training centers and among rebel troops in 2012. Although some of the children may have lied about their age in order to enlist, reports indicate that some children were recruited by government forces during the reporting period.

The Government of Chad does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these modest steps, the government did not demonstrate evidence of overall increased efforts to address human trafficking compared to the previous year; therefore, Chad is placed on Tier 2 Watch List for a fourth consecutive year. The country was granted a second consecutive waiver of an otherwise required downgrade to Tier 3 because its government has a written plan that, if implemented, would constitute significant efforts to meet the minimum standards for the elimination of human trafficking and is devoting sufficient resources to implement that plan. During the reporting period, the Government of Chad demonstrated a limited commitment to increased anti-trafficking law enforcement by investigating nine suspected trafficking cases and convicting five traffickers of forced child labor, including one senior military official. The government also continued nation-wide campaigns on human rights issues, including trafficking in persons, and high-ranking officials, such as the president and prime minister, spoke out publicly against trafficking. Despite these efforts, the government has yet to enact legislation specifically prohibiting human trafficking and strengthening labor protections for children within Chad. It also lacks formal victim identification procedures and has failed to provide trafficking victims with basic support. The country continued to face severe challenges, and its resources remain constrained following decades of conflict and instability.



Recommendations for Chad: Pass and enact draft penal code revisions that include a prohibition on child trafficking; consider drafting and enacting penal code provisions that criminalize the trafficking of adults; increase efforts to enhance magistrates' understanding of and capability to prosecute and punish trafficking offenses under existing laws; continue anti-trafficking law enforcement efforts, including the investigation and prosecution, when appropriate, of suspected trafficking offenders; adopt and implement the Child Protection Act, which would protect children from forced labor and prohibit their recruitment into the military; continue collaborating with NGOs and international organizations to increase the provision of protective services to all types of trafficking victims, including children forced into cattle herding, domestic service, or prostitution; create a senior-level inter-ministerial committee to combat trafficking and provide support and resources to regional bodies to help facilitate overall national coordination of anti-trafficking efforts; continue to take steps to raise public awareness of trafficking issues, particularly at the local level among tribal leaders and other members of the traditional justice system; and continue to work with international partners to implement a national action plan to combat trafficking.

Prosecution

Chad made modest law enforcement efforts against trafficking in persons during the reporting period, an increase from the previous reporting period. Existing laws do not specifically prohibit human trafficking, though forced prostitution and many types of labor exploitation are prohibited. Title 5 of the labor code prohibits forced and bonded labor, prescribing fines equivalent to approximately $100 to $1,000, but not imprisonment, which is not sufficiently stringent to deter this form of trafficking and does not reflect the serious nature of the crimes. Penal code Articles 279 and 280 prohibit the prostitution of children, prescribing punishments of five to 10 years' imprisonment and fines up to the equivalent to approximately $2,000, penalties that are sufficiently stringent and commensurate with penalties prescribed for other serious crimes. Pimping and owning brothels is also prohibited under penal code Articles 281 and 282. The 1991 Chadian National Army Law prohibits recruitment of children younger than 18; punishment for those who violate this provision is conducted at the discretion of military justice officials. Draft revisions to the penal code that would prohibit child trafficking and provide protection for victims have not been enacted for the third consecutive year.

The Government of Chad prosecuted nine cases and convicted five traffickers during the reporting period. Local law enforcement officials in the Tandjile and Mandoul regions detected and investigated seven cases involving the sale of boys for forced labor in cattle herding and the sale of girls for forced

labor in domestic service. The government prosecuted all seven cases, resulting in three convictions and four acquittals; two traffickers were sentenced to two years' imprisonment, and one trafficker received a two-year suspended sentence and a fine. A trafficker was convicted of forced child labor in eastern Chad and received a one-year sentence, and a senior army official was sentenced to two years' imprisonment for child trafficking and forced labor.

Protection

The Chadian government did not take adequate steps to identify and provide protection to victims of trafficking during the reporting period. It did not officially report identifying or referring victims to protection services. Regional committees, located in six regions within Chad, identified and referred an unknown number of victims to appropriate services where available, but these bodies lacked support and resources and were unable to coordinate with the national government. Lack of formal victim identification procedures continued to be a problem. The government collaborated with a donor-funded NGO project to create a human trafficking database, but the database was not completed during the reporting period.

Inadequate human and financial resources severely limited the government's ability to provide adequate services to victims of all crimes, including victims of trafficking. The government provided limited in-kind contributions and social services to victims of crime through a joint agreement with UNICEF, though these services not tailored to the specific needs of trafficking victims. The government encouraged trafficking victims to participate in investigations and prosecutions of trafficking offenders and did not detain, fine, or jail any trafficking victims for unlawful acts committed as a result of being trafficked.

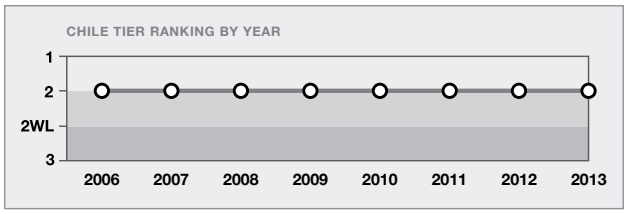
Prevention

The government made modest efforts to prevent human trafficking during the reporting period. The Ministry of Human Rights launched nationwide campaigns on human rights, which included sensitization of the population to the dangers of giving, renting, or selling one's child for animal herding or as domestic servants. These campaigns included the distribution of posters and other informational materials and involved various high-ranking government officials. The prime minister and president also made public announcements regarding combating trafficking in persons. A national committee focused on human trafficking continued to function in Chad, but it only included working-level representatives from relevant ministries who met on an informal basis and were not empowered to take significant action; a lack of information sharing between ministries continued to prevent effective coordination at a national level. During the reporting period, the government closed down motels that encouraged or practiced prostitution and the facilitation of prostitution, though it took no additional discernible action to reduce demand for commercial sex acts. The Minister of Defense published an order that all senior military officials responsible for recruitment or training identify any children still in their units, and joint inspections with UNICEF were conducted to verify compliance. Children found during the verification missions were removed from the army and reintegrated with their families with the assistance of the Ministry of Social Action. In 2012, the government drafted a law intended to establish a birth registration system, with the goal of better identifying victims of trafficking and child soldiering, and sent it to the National Assembly for approval.

CHILE (Tier 2)

Chile is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Chilean women and children are exploited in sex trafficking within the country, as are women and girls from other Latin American countries, including Argentina, Bolivia, Peru, Paraguay, the Dominican Republic, and Colombia. Men, women, and children, primarily from Bolivia, Peru, Paraguay, Colombia, and Ecuador, have been identified as forced labor victims in Chile's mining, agricultural, and hospitality sectors, and in domestic service. Authorities report that Chinese immigrants may also be vulnerable to both sex trafficking and forced labor. Chilean authorities continued to identify an increasing number of children involved in illicit activities, including the transportation of illegal drugs; some of these children may have been coerced or forced.

The Government of Chile does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the year, the government strengthened law enforcement efforts, particularly by achieving its first convictions under the 2011 trafficking law, and by enhancing the capacity of the dedicated investigative police. Authorities increased specialized services through opening a dedicated shelter for adult female trafficking victims and continued to provide services to children in commercial sexual exploitation. Specialized services for male victims remained limited, victim identification and assistance guidelines were lacking, and authorities had yet to convict a forced labor offender.



Recommendations for Chile: Increase efforts to investigate and prosecute all forms of human trafficking and convict and punish trafficking offenders; strengthen victim protection efforts for male as well as female victims, and ensure victims' access to shelters and comprehensive services through increased funding for these services; create and implement formal victim identification and referral protocols for front-line responders; continue to strengthen law enforcement's capability to proactively investigate trafficking cases outside the capital, especially involving potential forced labor and domestic servitude; expediently issue temporary visas to foreign trafficking victims to ensure they receive necessary services; improve data collection; and continue to enhance interagency coordination mechanisms and communication with NGOs, particularly at the working level.

Prosecution

The Government of Chile enhanced its anti-trafficking law enforcement efforts during the year by strengthening the

dedicated police unit, achieving the first convictions under the 2011 anti-trafficking law, and continuing to prosecute and convict child sex trafficking offenders. Chilean law prohibits all forms of human trafficking, prescribing penalties ranging from five years and a day in prison to 15 years' imprisonment, plus fines, for trafficking offenses. Such penalties are sufficiently stringent and are commensurate with those prescribed for other serious crimes, such as rape. Officials continued to investigate and prosecute many internal child sex trafficking cases as commercial sexual exploitation of minors or pimping, pre-existing crimes which can carry lower sentences. During the year, authorities increased staffing and resources for the trafficking and smuggling investigative police unit, which had been limited to investigating crimes in the capital area. Authorities recognized the need for increased data collection and sharing.

During the reporting period, police investigated at least 16 sex trafficking and two labor trafficking cases. The government initiated at least 158 trafficking prosecutions, including 16 for labor trafficking and 15 for sex trafficking of adults, though the majority involved child sex trafficking. In 2012, Chilean courts achieved the first convictions under its 2011 anti-trafficking law, convicting four trafficking offenders for internal and transnational sex trafficking; sentences ranged from five to 15 years' imprisonment, with the lowest sentence suspended and served as immediate parole. Prosecutors also convicted one trafficker under Chile's previous transnational sex trafficking statute with a sentence of 185 days deemed already served in preventive detention. In addition, authorities reported convicting 22 trafficking offenders under statutes prohibiting the facilitation or promotion of prostitution of children but did not report the range of sentences for these convictions. This compares with 34 sex trafficking convictions achieved in 2011.

There were no reported investigations or prosecutions of public officials for alleged complicity in human trafficking-related offenses. During the year, authorities provided specialized training on trafficking for law enforcement officials, social workers, and other government officials, often in partnership with NGOs and international organizations. NGOs reported that some government agencies responsible for providing victim assistance lacked adequate training. Law enforcement officials collaborated on transnational trafficking investigations with other governments.

Protection

The Chilean government strengthened protection efforts during the year through opening a dedicated shelter for adult female victims, but NGOs reported a need for more specialized services, and authorities lacked guidelines for proactive victim identification and assistance. The government did not employ systematic procedures to proactively identify trafficking victims among vulnerable populations or to refer them to services, though some agencies reported use of guidelines for victim identification. Prosecutors reported identifying 95 trafficking victims during the year. It is likely that many child sex trafficking victims were identified as victims of different crimes, as officials reported assisting 1,209 children in commercial sexual exploitation in 2012.

Chilean law mandates the provision of medical care, psychological counseling, and witness protection services to adult victims of trafficking who assist in trafficking investigations, and authorities reported providing these services in 2012. It was unclear what services the 95 identified victims received, though prosecutors reported spending the equivalent of approximately $8,000 to assist trafficking victims. Authorities drafted a victim assistance protocol during the year. In August 2012, authorities opened a dedicated shelter for female adult victims of trafficking; the government funded a NGO-administered shelter housing 15 foreign victims during the reporting period, including two forced labor victims. This open shelter facilitated health, migration, and employment services, and the government spent the equivalent of approximately $68,000 for the shelter in 2012 and received additional funding from a private company. The National Service for Minors (SENAME) provided services to child victims of sex trafficking through its national network of 16 walk-in centers for children subjected to commercial sexual exploitation—including boys—and reported spending the equivalent to approximately $2.8 million in 2012 for these NGO-administered programs. SENAME also funded one residential shelter exclusively for child sex trafficking victims. Some NGOs reported that funding from SENAME was inadequate to provide all of these services and to conduct outreach to vulnerable youth. Specialized assistance for male victims was limited, and NGOs reported a lack of adequate services for some trafficking victims.

Chilean authorities encouraged victims to assist in the investigation and prosecution of trafficking offenders. Foreign victims who reported the crime to authorities were eligible for temporary residency with the right to work for a minimum six-month period, and five victims received this residency in 2012. NGOs reported that extensive wait time for these temporary visas impeded some foreign victims' access to service. The law also establishes foreign victims' rights to take steps toward regularizing their legal status in Chile. There were no reports that the government punished trafficking victims for unlawful acts they committed as a direct result of their being subjected to human trafficking.

Prevention

The government sustained awareness efforts during the reporting period and conducted an internal evaluation of its capacity to address trafficking. The anti-trafficking interagency working group met three times in 2012 and released a national assessment of anti-trafficking efforts, highlighting priority areas for action and forming the basis of a draft national action plan. SENAME continued to raise awareness about child prostitution through awareness campaigns. Authorities provided anti-trafficking training to Chilean troops prior to their deployment abroad for international peacekeeping missions. The government prosecuted individuals for soliciting sexual services from children but did not report efforts targeting the demand for forced labor.

CHINA (Tier 3*)

China is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Women and children from neighboring Asian countries, including Burma, Vietnam, Laos, Singapore, Mongolia, and the Democratic People's Republic of Korea (DPRK), as well as from Russia, Europe, Africa, and the Americas, are reportedly trafficked to China for commercial sexual exploitation and forced labor. While the majority of

trafficking occurs within China's borders, there are reports that Chinese men, women, and children may be subjected to conditions of forced prostitution and forced labor in numerous other countries. Low- and medium-skilled Chinese workers migrate voluntarily to other countries for jobs in coal mines, beauty parlors, construction, and residences, but some subsequently face conditions indicative of forced labor, such as withholding of passports and other restrictions on movement, non-payment of wages, physical or sexual abuse, and threats. High recruitment fees, sometimes as much as the equivalent of approximately $70,000, compound Chinese migrants' vulnerability to debt bondage.

Trafficking is pronounced among China's internal migrant population, estimated to exceed 236 million. Forced labor remains a problem, including in brick kilns, coal mines, and factories, some of which operate illegally and take advantage of lax labor supervision. Forced labor, including forced begging by adults and children, took place throughout China in 2012. Some evidence of child labor has been reported by media outlets, but the government has publicized only limited data on the subject. During the reporting period, some children in "work-study programs" supported by local governments were forced to work in farms and factories. In 2012, instances of schools forcing students to work in factories were reported. In November 2012, police rescued 11 mentally disabled men from a car wash in Tianjin, where the men had been beaten and not paid. Girls from the Tibet Autonomous Region are reportedly trafficked to other parts of China for domestic servitude and forced marriage.

State-sponsored forced labor is part of a systematic form of repression known as "re-education through labor." The government reportedly profits from this forced labor, and many prisoners and detainees in at least 320 of these facilities were required to work, often with no remuneration. The prisoners were sometimes beaten for failing to complete work quotas. NGO reports state that forced labor is also a problem in government drug detention centers. Chinese authorities continue to detain and forcibly deport North Korean trafficking victims, who may face severe punishment, including death, upon their return to the DPRK for crimes that were sometimes a direct result of being trafficked.

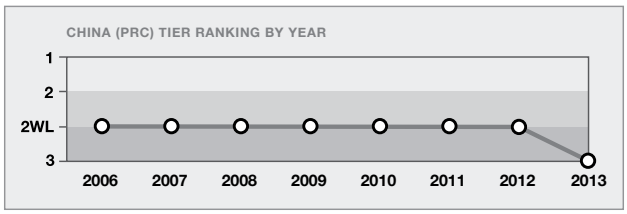
Chinese women and girls are subjected to sex trafficking within China; they are often recruited from rural areas and transported to urban centers. China is also a destination for women and girls, largely from neighboring countries, who are sometimes subjected to forced marriage and forced prostitution upon arrival. Well-organized international criminal syndicates and local gangs play key roles in both the outbound trafficking of Chinese women and girls and the inbound trafficking of foreign women and girls into China. Media sources have reported on the prevalence of underage girls in the sex trade in cities throughout China. In July 2012, eight girls under the age of 14 were kidnapped and forced into prostitution. Local government officials and businessmen were among the five people arrested for the girls' commercial sexual exploitation.

The Chinese government's birth limitation policy and a cultural preference for sons, create a skewed sex ratio of 118 boys to 100 girls in China, which served as a key source of demand for the trafficking of foreign women as brides for Chinese men and for forced prostitution. Women from Burma, Malaysia, Vietnam, and Mongolia are transported to China after being recruited through marriages brokers or fraudulent employment offers, where they are subsequently subjected to forced prostitution or forced labor. Chinese men and women are subjected to forced labor in many countries around the world. There have been reports of forced labor in service sectors, such as restaurants and shops, in overseas Chinese communities. A study in the Netherlands revealed that Chinese men were found at marijuana cultivation sites, while women were forced to work in beauty salons and offer sexual services. In addition, there have been reports of Chinese men abused in coal and copper mines in Africa.

China remains a significant source of girls and women subjected to forced prostitution throughout the world. During the year, Chinese sex trafficking victims were reported on all of the inhabited continents. Traffickers recruited girls and young women, often from rural areas of China, using a combination of fraudulent job offers, imposition of large travel fees, and threats of physical or financial harm, to obtain and maintain their service in prostitution. Locations of sex trafficking of Chinese women and girls abroad vary widely, and sometimes are collocated with concentrations of Chinese migrant workers in factories, and mining and logging camps.

The Government of the People's Republic of China does not fully comply with the minimum standards for the elimination of trafficking, and has been placed on Tier 2 Watch List for the last nine consecutive years. In the 2011 and 2012 TIP Reports, China was granted consecutive waivers from an otherwise required downgrade to Tier 3 on the basis of a written plan to bring itself into compliance with the minimum standards for the elimination of trafficking. The Trafficking Victims Protection Act (TVPA) authorizes a maximum of two consecutive waivers; a waiver is no longer available to China, which is therefore deemed not to be making significant efforts to comply with the minimum standards and is placed on Tier 3.

During the reporting period, the Chinese government released a new national plan of action that sets forth ways in which the government will increase its efforts in victim protection and cooperation with international organizations. The government also demonstrated increased cooperation with foreign governments in extraditing alleged traffickers and repatriating victims. Through the government's use of social media, national public awareness of human trafficking has increased over previous years. However, despite these modest signs of interest in anti-trafficking reforms, the Chinese government did not demonstrate significant efforts to comprehensively prohibit and punish all forms of trafficking and to prosecute traffickers. The government continued to perpetuate human trafficking in at least 320 state-run institutions, while helping victims of human trafficking in only seven. The government also did not report providing comprehensive victim protection services to domestic or foreign, male or female victims of trafficking. In addition, as the government provides little information about arrests or prosecutions, it is difficult to determine if the government takes adequate steps to punish government officials complicit in trafficking.



Recommendations for China: Continue to update the legal framework to further refine the definitions of trafficking-related crimes per the 2000 UN TIP Protocol, separating out crimes such as abduction, illegal adoption, and smuggling; provide more disaggregated data on efforts to criminally investigate and prosecute sex trafficking of adults and children; provide data on the number of criminal investigations and prosecutions of cases identified as involving forced labor, including of recruiters and employers who facilitate forced labor and debt bondage, both within China and abroad; investigate, prosecute, and impose prison sentences on government officials who facilitate or are complicit in trafficking; expand efforts to institute proactive, formal procedures to systematically identify victims of trafficking, including labor trafficking victims and Chinese victims trafficked abroad, and among vulnerable groups such as migrant workers and foreign and local women and children arrested for prostitution, to ensure that they are not punished for acts committed as a direct result of being trafficked; cease detention, punishment, and forcible repatriation of North Korean trafficking victims; continue to expand victim protection services, including comprehensive counseling, medical, reintegration, and other rehabilitative assistance for male and female victims of sex and labor trafficking; end the "re-education through labor" system; continue to increase the transparency of government efforts to combat trafficking; and, provide legal alternatives to foreign victims' removal to countries where they would face hardship or retribution.

Prosecution

The government of China demonstrated moderate law enforcement efforts during this reporting year. Although the government claims otherwise, Chinese law remains inadequate to combat all forms of trafficking. Article 240 of China's criminal code prohibits "abducting and trafficking of women or children," but does not define these concepts. Article 358 prohibits forced prostitution, which is punishable by five to 10 years' imprisonment. Prescribed penalties under these statutes range from five years' imprisonment to death sentences, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, including rape. Article 244 of the Chinese Criminal Code prohibits "forcing workers to labor," punishable by three to 10 years' imprisonment and a fine, and expands culpability to those who also recruit, transport, or assist in "forcing others to labor." However, it remains unclear whether, under Chinese law, children under the age of 18 in prostitution are considered victims of trafficking regardless of whether force is involved.

In addition, it remains unclear whether these laws have prohibited the use of common non-physical forms of coercion, such as threats of financial or reputational harm, or whether acts such as recruiting, providing, or obtaining persons for compelled prostitution are covered. While trafficking crimes could perhaps be prosecuted under general statutes related to fraud and deprivation of liberty, authorities did not report using these specific provisions to prosecute and punish trafficking offenders. The government reported law enforcement statistics that included incarceration of sex and labor trafficking offenders involving women and children victims. The government reported that police cracked down on 10,000 alleged human trafficking organized crime groups and placed over 80,000 alleged suspects in criminal detention. However, due to the government's continued conflation of human smuggling, child abduction, and fraudulent adoptions with trafficking offenses and its lack of judicial due process and transparency, it is difficult to ascertain how many trafficking cases the government actually investigated and prosecuted during the reporting period. It therefore was difficult to accurately assess Chinese anti-trafficking law enforcement efforts, including the government's statistics on trafficking-related investigations, prosecutions, and convictions. The government, however, reported cooperation with the governments of the United States, Vietnam, Colombia, Angola, the Philippines, Uganda, Russia, and Malaysia on trafficking investigations during the reporting period, which led to the arrest and extradition of suspected traffickers. For example, the Philippines extradited a human trafficker to China. The Ministry of Public Security also collaborated with Angolan police on a case resulting in the deportation from Angola of 37 Chinese nationals suspected of human trafficking. The cases with Vietnam, Colombia, and Uganda have led to the repatriation of both suspected trafficking offenders. A case involving the suspected trafficking of Chinese women to the United States for forced prostitution remains under investigation.

There were multiple media reports of anti-trafficking law enforcement activities. For example, Chinese authorities arrested five offenders for trafficking 200 Burmese victims to metal and paper factories in Guangdong province in December 2012. The fate of these traffickers or victims, however, remains unclear because the government did not release this information. A man who confined six female victims in his basement and subjected them to forced prostitution received the death penalty, while three female victims were prosecuted for the murder of two other victims. The Supreme People's Court holds both semi-annual and annual training courses on human trafficking and anti-trafficking in provinces in China where there is a higher prevalence of human trafficking. In July 2012, an anti-trafficking training course was held in Yunnan province attended by over 300 judges.

Protection

The Government of China's efforts to protect trafficked victims remained inadequate during the reporting period. During the reporting period, the Chinese government claimed that out of the 1,400 shelters serving a wide variety of people, including victims of crime and the homeless, five were dedicated to care for victims of human trafficking; victims also had access to basic services at China's general-purpose shelter network. The government also reported that two additional shelters were established in Yunnan and Guangxi provinces to protect and assist foreign trafficking victims. However, the government did not report the number of victims assisted or the services provided to the victims. The government's lack of transparency prevents an accurate assessment of its efforts; it has never provided any data on the number of victims it has identified or assisted. Law enforcement and judicial officials reported they continued to punish forced prostitution victims and expel foreign victims in violation of immigration law. The Chinese government reported it had four nationwide hotlines to report suspected cases of trafficking or access referral services for victims.

Chinese law also provides human trafficking victims the right to claim financial compensation by filing civil lawsuits and request criminal prosecution of traffickers. Chinese authorities continued to forcibly repatriate North Korean refugees. The government continued to treat North Koreans

found in China as illegal economic migrants, despite credible independent reporting that many North Korean female refugees in China are trafficking victims. The government detained and deported such refugees to North Korea, where they may face severe punishment, even death, including in North Korean forced labor camps. The Chinese government did not provide North Korean trafficking victims with legal alternatives to repatriation. Chinese authorities sometimes prosecuted citizens who assisted North Korean refugees and trafficking victims, as well as those who facilitated illegal border crossings. The government continued to bar UNHCR access to North Koreans in northeast China. The lack of access to UNHCR assistance and the issue of forced repatriation by Chinese authorities leave North Koreans vulnerable to human traffickers.

Prevention

The Government of China increased its efforts to prevent trafficking in persons during the reporting period. The government in early 2013 released a new eight-year national plan of action, which includes measures to improve interagency and other internal coordination among anti-trafficking stakeholders and improve victim protection. The new plan reaffirms the importance of international cooperation in handling trafficking cases but also focuses on the importance of strengthening domestic anti-trafficking efforts. The plan also shifts its previous focus away from women and children as the only victims of trafficking.

Chinese domestic media carried public service announcements from the Ministry of Public Security (MPS) highlighting the serious problem posed by human trafficking and calling for "every citizen to be mobilized" to report trafficking crimes. During the reporting period, popular social media platforms, such as Weibo micro blogs, permitted the government to raise awareness and receive information from the public to report suspected trafficking cases. The MPS also coordinated the anti-trafficking interagency process, which met semi-annually to review progress from each ministry with regard to the national action plan and budgetary concerns.

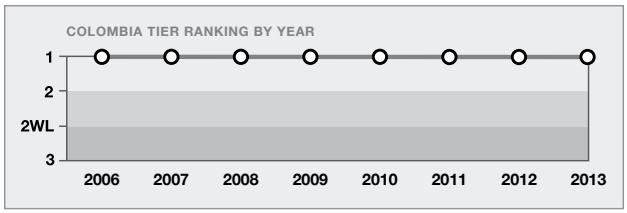
The government did not address the effects its birth limitation policy had in creating a gender imbalance and fueling trafficking, particularly through bride trafficking and forced marriage. "Punishment clauses" within the Labor Contract Law allowed Chinese companies to impose steep fines or require substantial deposits from Chinese workers, rendering them vulnerable to forced labor. Another important contributing factor to the problem of human trafficking continues to be the government *hukou* (household registration) system, which contributes to the vulnerability of internal migrants to trafficking. Individuals from a rural area who migrate for work to an urban area usually cannot register and live there legally. Unregistered urban residents are therefore vulnerable to abusive employers who can use threats of arrest as a form of coercion.

Chinese forces participating in peacekeeping initiatives abroad receive no anti-trafficking training from the Chinese government independent of the training provided by the UN prior to deployment. The government did not take any measures to reduce the demand for commercial sex acts. Despite reports that Chinese nationals engaged in child sex tourism, the government made no efforts to prevent Chinese citizens from engaging in child sex tourism while abroad during the reporting period.

COLOMBIA (Tier 1)

Colombia is a source country for women and children subjected to sex trafficking around the world, particularly in Latin America, the Caribbean, Asia, and Western Europe, as well as a source, transit, and destination country for men, women, and children subjected to forced labor. Within the country, Colombian victims are found in conditions of forced labor in mining, agriculture, and domestic service, and the sex trafficking of Colombian women and children remains a significant problem. Groups at high risk for internal trafficking include internally displaced persons, Afro-Colombians, indigenous communities, and relatives of members of criminal organizations. Ecuadorian children are subjected to forced labor and sex trafficking in Colombia, and Colombian children are exploited in forced begging in urban areas. Illegal armed groups forcibly recruit children to serve as combatants, to cultivate illegal narcotics, or to be exploited in prostitution. Members of gangs and organized criminal networks force vulnerable Colombians, including displaced persons, into sex trafficking and forced labor, particularly in the sale and transportation of illegal narcotics. Colombia is a destination for foreign child sex tourists from the United States, Europe, and other South American countries.

The Government of Colombia fully complies with the minimum standards for the elimination of trafficking. Authorities continued to undertake awareness campaigns and law enforcement efforts, prosecuting transnational sex trafficking cases and opening a significant number of investigations. Identified victims of trafficking were provided with assistance from the government, including repatriation assistance, in cooperation with international organizations and NGOs. For the second consecutive year, however, the government did not report convicting any forced labor offenders. The pending victim protection decree, required by the 2005 anti-trafficking law, was not enacted during the reporting period, impeding more robust victim protection, though the government continued to provide limited funding to civil society organizations that provided some victim services. Authorities reported identifying five victims of forced labor and one victim of internal trafficking during the year, and it was difficult to assess government efforts to assist sex trafficking victims within the country, as it appeared that the majority of internal sex trafficking victims were not identified as such.



Recommendations for Colombia: Enact the victim assistance decree and designate funding for its implementation; ensure that all trafficking victims are provided access to protection and specialized services by continuing to increase funding for shelter and reintegration assistance; increase the

proactive identification, investigation, and prosecution of forced labor and internal sex trafficking cases, in part through enhancing coordination between labor officials, police, and social workers; continue to prosecute transnational sex trafficking offenses; create formal mechanisms to identify trafficking victims among vulnerable populations within the country, including displaced Colombians, and implement these measures; and strengthen the interagency trafficking center's ability to collect accurate data on all forms of trafficking and to coordinate national anti-trafficking efforts in partnership with civil society.

Prosecution

The Government of Colombia conducted law enforcement efforts against sex trafficking during the year, but efforts against forced labor remained inadequate. Colombian law prohibits all forms of trafficking and prescribes punishments of 13 to 23 years' imprisonment plus fines, which are sufficiently stringent and commensurate with punishments prescribed for other serious crimes, such as rape. While Colombia law penalizes all forms of trafficking, governmental structures failed to reflect this comprehensive approach. As in previous years, one specialized prosecutor handled all transnational trafficking cases and faced a significant caseload. There were no prosecutors assigned to oversee cases of internal trafficking. Instead, internal cases of trafficking were investigated by local prosecutors, including sex crimes units, some having only limited expertise. As a result, cases of internal child sex trafficking were often investigated as commercial sexual exploitation of minors. Officials reported that efforts to investigate trafficking crimes were limited by lack of dedicated resources. The Constitutional Court issued a ruling directing government entities to increase efforts against forced labor and domestic servitude. Authorities operated an interagency center which was intended to coordinate and track criminal investigations and prosecutions, collect nationwide statistics about trafficking crimes, and refer victims to providers of protective services. Data collection remained uneven and focused almost exclusively on law enforcement efforts against transnational trafficking.

In 2012, Colombian authorities reported 128 new trafficking investigations; the majority of the cases involved Colombian women in forced prostitution abroad, with two reported investigations of alleged forced labor crimes. Authorities reported initiating 18 trafficking prosecutions and convicting 10 transnational sex trafficking offenders in 2012. Sentences ranged from six to 10 years' imprisonment, with at least one convicted trafficker serving her sentence under house arrest, as well as fines. In comparison, authorities convicted 16 transnational sex trafficking offenders and achieved no convictions for internal trafficking in 2011. There were no reported convictions of forced labor offenses for a second consecutive year. In March 2013, the Constitutional Court ordered members of a family that kept a child in domestic servitude from 1963 to 1975 to pay the victim compensation for physical and psychological damages. Authorities conducted three joint transnational trafficking investigations with other governments in 2012.

Through partnerships with two international organizations, hundreds of prosecutors, judicial officials, police, and other government officials received training during the year on how to investigate trafficking cases and identify victims. The government did not report investigating, prosecuting, or convicting any public officials for trafficking-related offenses.

Protection

The Government of Colombia provided some services to trafficking victims, but its continued failure to enact a victim protection decree required in the 2005 anti-trafficking law hampered increased protection efforts. However, authorities provided funds for an NGO to open an emergency shelter for adult trafficking victims during the year. The government did not employ formal procedures to identify trafficking victims among vulnerable populations within the country, such as displaced persons or people in prostitution. The interagency anti-trafficking center reported identifying 38 trafficking victims in 2012, only five of which were subjected to forced labor, and only one of which was subjected to internal trafficking; most of these victims were Colombian women subjected to forced prostitution in other countries. Police also identified six women and six children in internal sex trafficking during the year. Civil society organizations were critical of the government's ability to identify and assist trafficking victims within the country, particularly children. The Colombian Child Welfare Institute (ICBF), a government institution, reported identifying 415 children in prostitution through September 2012.

Officials noted that the lack of legal guidelines for the care and protection of victims remained a significant challenge. A victim protection decree to assign responsibility formally for victim services and to allocate specific funding is required by the 2005 trafficking law and was first drafted in 2008; however, it has yet to be enacted. Without this decree, the government lacked both a budget for victim services at the local level and clear guidance for victim identification and assistance. Some local officials noted that in the absence of this decree, they did not have the legal mandate for dedicated trafficking victim services and could not include it in their budgets.

The majority of specialized victim services in Colombia were funded by international organizations and NGOs. In November 2012, an NGO opened a dedicated emergency shelter for adult male and female trafficking victims in the capital, and the Colombian government provided the equivalent of approximately $22,000 in funding to support the shelter, which assisted 11 victims referred by officials during the year. The government reported providing an international organization with the approximate equivalent of an additional $20,000 in funding for emergency victim services, to be dispersed through Colombian NGOs. Authorities reported following a national trafficking victim assistance plan to refer 38 identified victims to services and stated that they met all of these victims' needs. However, NGOs, as well as some local officials and trafficking victims, asserted that government-funded victim assistance was cursory and argued that at times authorities put victims' security at risk due to bureaucratic delays in the provision of assistance. Local governments responsible for providing services beyond emergency care reported that they had no dedicated resources to do so. Reintegration services, including employment assistance, were virtually nonexistent. Services for male victims were very limited. The ICBF operated centers that provided psycho-social, medical, and legal services to child victims of sexual violence and reported that through August 2012 it assisted 415 children in prostitution , although it did not report how many of these victims received government-funded shelter during the year. In partnership with an international

organization, the government assisted at least 483 children recruited by illegal armed groups and provided them with protection, health, psychological, and education services. Colombian consular officials assisted Colombian trafficking victims overseas during the reporting period, though in the past some victims were critical of assistance they had received from consular staff.

The government encouraged victims to assist in trafficking investigations and prosecutions and 21 victims did so in 2012. Some victims, however, were reluctant to testify against their traffickers due to fear of reprisals or lack of trust in the government. There was a limited program to provide protection to victims of crimes who testify and 21 trafficking victims participated during the year. There were no reports of victims being jailed or otherwise penalized for unlawful acts committed as a direct result of being trafficked. There was no specialized legal mechanism whereby the government offered a visa or temporary residence status to foreign trafficking victims. Authorities reported that they could provide foreign trafficking victims with temporary permission to remain in the country during the investigative process on a case-by-case basis; however, authorities did not identify any foreign trafficking victims in 2012.

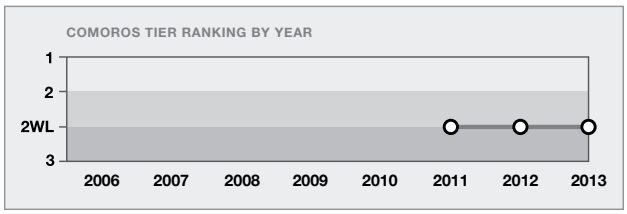
Prevention

The government maintained prevention efforts during the year. The interagency anti-trafficking committee continued to coordinate government efforts and held several workshops for government officials to draft policies. In partnership with an international organization, all 32 departments had anti-trafficking committees, although they maintained varying degrees of activity and civil society actors noted that some existed in name only. Throughout the year 27 departments developed local action plans against trafficking in persons with the assistance and guidance of the Ministry of Interior. The government continued to fund a trafficking hotline operated by the Ministry of Interior. Authorities reported conducting anti-trafficking awareness and training activities with and providing the equivalent of hundreds of thousands of dollars in funding for international organizations. The government developed a national strategy for the prevention of sexual exploitation of children in the context of travel and tourism and worked with civil society to certify hotels and tourism establishments committed to combating sexual exploitation of children. It did not, however, report any investigations, prosecutions, or convictions of child sex tourism offenders during the year.

COMOROS (Tier 2 Watch List)

The Comoros is a source country for children subjected to forced labor and reportedly sex trafficking. Comoran children are subjected to forced labor within the country, mostly on the island of Anjouan, in domestic service, roadside and market vending, baking, and agriculture. On the islands of Anjouan and Moheli, it is commonplace for poor rural families to place their children with wealthier relatives or acquaintances in urban areas for access to schooling and other benefits; however, some of these children become victims of domestic servitude. Most Comoran boys and girls aged three to seven (but on occasion up to age 14) study at Koranic schools headed by private instructors, and some are exploited for a few hours a week in forced labor as field hands or domestic servants in payment for instruction. These Koranic students are sometimes subjected to physical and sexual abuse. Additionally, children from Anjouan are reportedly coerced into criminal activities such as drug trafficking. According to one unconfirmed report, girls are exploited in prostitution in the Comoros, and tourists from Mayotte were among the clients of children in prostitution in Anjouan. Comoran tourists visiting Madagascar also reportedly engaged in child sex tourism there. There are no reports of any organized recruiting or trafficking networks in the Comoros. The Comoros may be particularly vulnerable to transnational trafficking due to a lack of adequate border controls, corruption within the administration, and the existence of international criminal networks involved in human smuggling.

The Government of the Comoros does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these measures, the government did not demonstrate evidence of overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, the Comoros is placed on Tier 2 Watch List for a third consecutive year. The Comoros was granted a waiver from an otherwise required downgrade to Tier 3 because its government has a written plan that, if implemented, would constitute making significant efforts to meet the minimum standards for the elimination of trafficking and is devoting sufficient resources to implement that plan. The government did not collect and thus failed to provide data on any trafficking prosecutions or convictions; however, the Morals and Minors Brigade investigated 92 cases of child abuse and exploitation, the majority of which were prosecuted and may have involved trafficking. Although the government provided some funding to UNICEF-supported NGO-run centers, victim protection provisions remained extremely modest. The government relied on donor funding and international organization partners for the majority of its anti-trafficking efforts during the year. Corruption in the justice system and inadequate support for victim protection efforts continued to hinder anti-trafficking progress in the Comoros. During the year, the government made efforts to improve its labor laws and increase its capacity to combat human trafficking. The National Assembly passed a new labor code, which prohibits child trafficking, and the Ministry of Justice revised the penal code to include prohibitions against and penalties for human trafficking, which awaits parliamentary adoption.



Recommendations for the Comoros: Enact anti-trafficking legislation; increase the capacity of the Morals and Minors Brigade to identify and respond to trafficking, including through investigation and prosecution of these crimes; develop procedures for the identification and referral of trafficking victims to care; establish services and provide support for the care of trafficking victims, including counseling and psychological care, possibly within facilities already in existence for victims of other crimes; work with international

partners to conduct a study on the forms and extent of the trafficking problem in the Comoros; continue anti-trafficking public awareness campaigns on each of the islands; and accede to the 2000 UN TIP Protocol.

Prosecution

The government worked to improve its capacity to investigate and prosecute trafficking crimes by incorporating anti-trafficking provisions into the labor code and the draft penal code during the reporting period. Comoran law does not prohibit all forms of human trafficking. Article 323 of the penal code prohibits child prostitution, prescribing sufficiently stringent punishments of two to five years' imprisonment and fines of between the equivalent to approximately $460 and $6,150; however, these penalties are not commensurate with those for other serious crimes, such as rape. Although prostitution is illegal in the Comoros, existing laws do not criminalize the forced prostitution of adults. Article 2 of the labor code prohibits forced and bonded labor, prescribing insufficiently stringent penalties of from three months' to three years' imprisonment or fines from the equivalent of approximately $310 to $1,540. Article 333 of the penal code prohibits illegal restraint and prescribes penalties of 10 to 20 years' imprisonment; these penalties are sufficiently stringent and commensurate with penalties for other serious crimes, such as rape. In September 2012, the National Assembly passed a new comprehensive labor code which prohibits but does not prescribe penalties for child trafficking; this law is in effect but the enhanced penalties await the parliamentary passage of the draft penal code. The Ministry of Justice, in partnership with the ILO, reviewed amendments to the penal code and incorporated penalties for human trafficking into its draft.

The Morals and Minors Brigade of the national police investigated 92 cases of child abuse or exploitation, some of which may have included trafficking crimes. The government reported its prosecution of the majority of these cases, though it failed to provide detailed information on the status of the court proceedings. Social stigma sometimes inhibited referral to law enforcement of cases involving child abuse or exploitation, and alleged perpetrators were sometimes released without prosecution after out-of-court settlements with victims' families. In such cases, staff from NGO-run centers visit the affected family to convince them to pursue prosecution—most often successfully. The *gendarmerie*, prosecutors, and local authorities were influenced by important or wealthy members of Comoran society, including one reported case leading to the release of an offender before completion of his sentence. Corruption remained endemic throughout the Comoros and hindered law enforcement efforts, including efforts to address trafficking. The government did not make proactive efforts to investigate official complicity in trafficking crimes. The government failed to train its law enforcement officials on trafficking during the year. In addition, the police generally lacked technical, logistical, and financial support, which stymied investigation of child abuse and exploitation cases. Although the Morals and Minors Brigade is supposed to investigate cases of child abuse and exploitation nationwide, it has no presence on the islands of Moheli or Anjouan, where the majority of trafficking crimes reportedly occurred. The regular police have the responsibility for investigating and prosecuting these cases on the two islands.

Protection

The government made limited efforts to protect victims of human trafficking, and its provision of care remained extremely modest during the year. In 2012 the government provided the equivalent of approximately $12,000 to three UNICEF-supported NGO-run centers for abused children; one government employee coordinated efforts among each of these three centers, which provided immediate medical care to an unknown number of child trafficking victims during the year. The centers received a total of 760 cases of child abuse and violence, which may have included child trafficking victims. The government failed to provide psycho-social services for victims and provided minimal support to NGOs doing so. In May 2012, in partnership with UNICEF, it built its first child-friendly courtroom in Moroni. Nonetheless, law enforcement's failure to fully protect children remained a concern; the Morals and Minors Brigade lacked adequate facilities to shelter child victims, even temporarily, and its staff remained without training for interviewing child victims of crime. To assist in the identification of victims of child abuse and exploitation, in March 2013 the government began funding a new toll-free emergency line for reporting crimes to staff at the UNICEF-supported NGO-run centers. The government did not, however, develop or employ systematic procedures for identifying trafficking victims or for referring them to the limited care available. As government officials lacked the ability to identify trafficking victims, some victims may have been penalized for crimes committed as a result of being trafficked.

Prevention

The Comoran government maintained minimal efforts to prevent trafficking during the reporting period. It did not establish a national coordinating body to guide its efforts to combat trafficking. The government continued its partnership with the ILO on the implementation of its 2010-2015 national action plan for the elimination of the worst forms of child labor, which includes activities to address child trafficking. As part of this plan, in August 2012 the cabinet adopted a list of the worst forms of child labor, including child trafficking, forced labor in Koranic schools, and domestic work. The ILO and UNICEF funded and ran all awareness-raising events in 2012, and government officials, including the minister of labor, played an active role in the events. The government did not make efforts to reduce the unconfirmed reported demand for commercial sex acts. Despite unconfirmed reports of child sex tourism on the island of Anjouan and the report of Comoran child sex tourists in Madagascar, the government did not make efforts to address this phenomenon. The Comoros is not a party to the 2000 UN TIP Protocol.

CONGO, DEMOCRATIC REPUBLIC OF THE (Tier 3)

The Democratic Republic of the Congo (DRC) is a source, destination, and possibly a transit country for men, women, and children subjected to forced labor and sex trafficking. The majority of this trafficking is internal, and while much of it is perpetrated by armed groups and rogue elements of government forces outside government control in the country's unstable eastern provinces, incidents of trafficking likely occurred throughout all 11 provinces. A significant number

of men and boys working as unlicensed Congolese artisanal miners are reported to be exploited in situations of debt bondage by businesspeople and supply dealers from whom they acquire cash advances, tools, food, and other provisions at inflated prices and to whom they must sell mined minerals at prices below the market value. The miners are forced to continue working to pay off constantly accumulating debts that are virtually impossible to repay. Throughout the year, in North Kivu, South Kivu, and Katanga provinces, armed groups such as the Democratic Forces for the Liberation of Rwanda (FDLR) as well as elements of the Congolese national army (FARDC) routinely used threats and coercion to force men and children to mine for minerals, turn over their mineral production, pay illegal "taxes," or carry looted goods from mining villages.

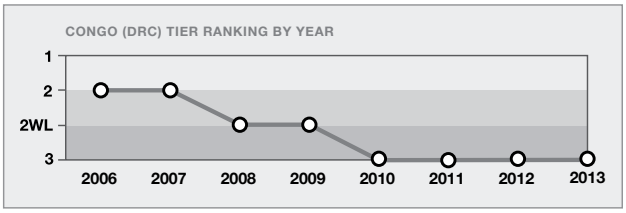
Some Congolese girls are forcibly prostituted in brothels or informal camps, including in markets and mining areas, by loosely organized networks, gangs, and brothel operators. Some girls in Bas-Congo province are reportedly coerced into prostitution by family members or transported to Angola and placed into the sex trade. Congolese women and children have been exploited within the country in conditions of domestic servitude, and some migrate to Angola, South Africa, Republic of the Congo, and South Sudan, as well as East Africa, the Middle East, and Europe, where they are exploited in sex trafficking, domestic servitude, or forced labor in agriculture and diamond mines. There were reports that some Congolese youth in Bandundu and Bas-Congo provinces were lured to Angola by the promise of employment; however, they were subjected upon arrival to forced labor in diamond mines or forced into prostitution. Children from the Republic of the Congo may transit through the DRC *en route* to Angola or South Africa, where they are subjected to domestic servitude. Local observers suspect that some homeless children known as *chegués* who act as beggars and thieves on the streets of Kinshasa are controlled by a third party. Children working in the informal sector—particularly in agriculture, street vending, water selling, mines, stone quarries, bars, and restaurants—were vulnerable to trafficking, and girls living on the streets were vulnerable to sex trafficking. In previous years, Chinese women and girls in Kinshasa were reportedly subjected to sex trafficking in Chinese-owned massage facilities. Some members of Batwa, or pygmy groups, are subjected to conditions of forced labor in agriculture, mining, mechanics, and domestic service in remote areas of the DRC. A representative from a local NGO reported that Batwa are exploited in Equateur province in a form of hereditary slavery through which a non-Batwa family maintains control over a Batwa family for generations; the victims are forced to work in timber or agriculture or to hunt for the family for little or no compensation.

The UN reported that indigenous and foreign armed groups, notably the FDLR, Coalition of Patriots in the Congolese Resistance, various local self-defense militias (Mai-Mai), Nyatura, the Patriotic Force of Resistance in Ituri/Popular Front for Justice in Congo, the Allied Democratic Forces/National Army for the Liberation of Uganda, and the Lord's Resistance Army (LRA), continued to abduct and forcibly recruit Congolese men, women, and children to bolster their ranks and serve as bodyguards, laborers, porters, domestic workers, combatants, and sex slaves. Some children were also forced to commit crimes for their captors, such as looting. In one case, members of a rebel group forced a child to kill another child. The LRA continued to abduct Congolese citizens, including children, in and near Orientale province; some of these abductees were later taken to Sudan, South Sudan, and the Central African Republic. Likewise, abducted South Sudanese, Ugandan, and Central African Republic citizens experienced conditions of forced labor and sexual servitude at the hands of the LRA after being forcibly taken to the DRC. Some FARDC commanders recruited, at times through force, men and child soldiers as young as nine years old for use as combatants, escorts, and porters. During the year, the UN noted the continued presence of some children in FARDC training centers. In April 2012, the security situation in eastern DRC deteriorated rapidly when several hundred former members of the militia group National Congress for the Defense of the People who had been loosely integrated into the FARDC mutinied and formed the M23, an armed group backed by Rwanda. Among the mutineers were some of the worst offenders of trafficking crimes within the FARDC, including Bosco Ntaganda. The government's re-allocation of security personnel and resources toward fighting M23 rebels in North and South Kivu created a security vacuum in the areas from which the FARDC was forced to withdraw; the resulting increase in activity of other armed groups—such as the LRA and the FDLR—increased the vulnerability of men, women, and children to trafficking in the regions where these groups operated. The M23 forcibly recruited adults and children in North Kivu province and in Rwanda. Due to the heightened conflict, an additional 500,000 people were displaced in eastern DRC, and displaced persons in North Kivu were particularly vulnerable to abduction, forced conscription, sexual violence, and illegal taxation by armed groups and government forces. The FARDC launched a recruitment campaign during the year targeting those aged 18 to 25. The low rates of birth registration throughout the country posed challenges for standardized screening mechanisms in identifying children among applicants. Children may have been coerced by their parents to join the military.

The UN Organization Stabilization Mission in the DRC (MONUSCO) documented 587 cases of children who were both recruited and separated from armed groups in 2012; 21 of these children were from the FARDC, 66 were from M23, and the remainder—including 228 from various Mai-Mai groups—were from other Congolese and foreign armed groups. FARDC elements reportedly pressed men, women, and children, including internally displaced persons and prisoners, into forced labor to carry ammunition, supplies, and looted goods, fetch water and firewood, serve as guides and domestic laborers, mine for minerals, or construct military facilities and temporary huts. There were reports that police, Congolese military officers, and members of armed groups in eastern DRC arrested people arbitrarily to extort money from them; those who could not pay were forced to work until they had "earned" their freedom.

The Government of the Democratic Republic of the Congo does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. During the year, the government signed a UN-backed action plan to end abuses against children by its armed forces, including the recruitment and use of child soldiers. It established a working group to oversee implementation of the action plan. It did not, however, apply legal sanctions against those who recruit and use child soldiers and did not report any law enforcement efforts to combat any other forms of trafficking. It continued to cooperate with international organizations in the demobilization of children from armed

forces and improved access to military units for international monitors and child protection officers, but at times it detained and interrogated children apprehended from armed groups. Despite evidence of a multifaceted human trafficking problem throughout the country's 11 provinces, the government did not identify victims of other forms of trafficking, and it did not provide protective services or referrals to NGO-operated facilities to victims of other forms of forced labor or sex trafficking.



Recommendations for the Democratic Republic of the Congo: Investigate and prosecute military and law enforcement personnel—to the extent possible using existing legislation and irrespective of their rank—accused of unlawful recruitment or use of child soldiers, as called for in the UN-sponsored action plan on child soldiers, or of using local populations to perform forced labor, including in the mining of minerals, and punish convicted offenders; in partnership with local or international NGOs, provide training to law enforcement and judicial officials on the laws available to prosecute trafficking cases; increase efforts to prosecute and punish non-military trafficking offenders who utilize forced labor or control women and children in prostitution; end the FARDC's unlawful recruitment and use of child soldiers, and demobilize all children from its ranks; adopt the implementing regulations to effectively apply the previously passed Child Protection Code; continue to ensure any armed groups integrated into the FARDC are vetted for the presence of child soldiers and all associated children are removed and demobilized; ensure perpetrators of trafficking crimes within armed groups are not integrated into government forces and are held accountable; continue allowing unfettered access to military installations for all UN observers and child protection officers; develop a legislative proposal to comprehensively address all forms of human trafficking, including labor trafficking; ensure the provision of short-term protective services in partnership with civil society to victims of forced labor and sex trafficking; and take steps to raise awareness about all forms of human trafficking among the general population.

Prosecution

While legal structures were largely adequate, the government made no discernible progress in undertaking law enforcement efforts to combat human trafficking during the reporting period. The government's ability to enforce its laws does not extend to many areas of the country in which human trafficking occurs, and its civilian and military justice institutions experienced a critical shortage of judges and prosecutors. Judges, prosecutors, and investigators often lacked adequate training and resources for conducting investigations, and some did not have access to the country's legal codes. Existing laws do not prohibit all forms of labor trafficking. The July 2006 sexual violence statute (Law 6/018) specifically prohibits sexual slavery, sex trafficking, child and forced prostitution, and pimping, prescribing penalties for these offenses ranging from three months' to 20 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government has not reported applying this law to suspected trafficking cases. The Child Protection Code (Law 09/001) also prohibits and prescribes penalties of 10 to 20 years' imprisonment for sexual slavery, child trafficking, child commercial sexual exploitation, and the enlistment of children into the armed forces; however, it cannot be fully implemented, because necessary decrees from several ministries reportedly continue to be lacking.

The government did not report investigating or prosecuting any trafficking cases during the year or convicting any offenders of trafficking on related crimes. Bedi Mubuli Engangela (also known as Colonel 106), a former Mai-Mai commander suspected of insurrection and war crimes including the conscription of children, remained in detention for a fifth year; a date for his trial was not set before the close of the reporting period. Impunity for the commission of trafficking crimes by the security forces remained acute; the government did not report taking disciplinary action against members of the security forces suspected of exploiting civilians in forced labor or unlawfully recruiting and using child soldiers. Lieutenant Colonel Jean-Pierre Biyoyo, formerly of the Mudundu-40 armed group and the first person convicted by Congolese courts of conscripting children, escaped from prison in 2006 and was not re-incarcerated by the close of the reporting period. "Captain Gaston," an armed group commander allegedly responsible for the 2006 murder of an NGO child protection advocate attempting to identify and remove child soldiers, remained at large during the reporting period; his 2007 arrest warrant has not been executed and, after being promoted by the FARDC to the rank of major, he is leading a FARDC battalion. In April 2012, the government called for the arrest and domestic prosecution of Bosco Ntaganda, a military commander who is the subject of two arrest warrants by the International Criminal Court for crimes against humanity and war crimes, including the recruitment and use of children under the age of 15 and sexual slavery. Prior to his defection from the FARDC earlier in the same month, he had been a commander in the government's armed forces, where he operated for years with impunity. In March 2013, Ntaganda surrendered to the U.S. embassy in Rwanda without involvement of the Congolese government and was transferred to the International Criminal Court. During the year, the government trained approximately 700 police and FARDC officers on civilian-military operations including preventing sexual violence and child soldiering, but it did not provide specialized training to officials on combating other forms of trafficking.

Protection

Elements of the governmental security forces continued to victimize, rather than protect, local populations during the reporting period. Although the government assisted in the identification and demobilization of some child soldiers, it did not offer specific protections to other types of trafficking victims; besides child soldiers, it did not report identifying any other victims of forced labor or sex trafficking. NGOs continued to provide the vast majority of the limited shelter, legal, medical, and psychological services available to trafficking victims. The government lacked procedures for proactively identifying victims of trafficking among vulnerable groups and for referring victims to protective services, and there were reports that victims traveling within the country without proper documentation were sometimes detained. The

FARDC detained and sometimes mistreated children formerly associated with armed groups in order to gain intelligence. Security forces reportedly performed regular sweeps to round up *chegués* in Kinshasa and expel them outside the city center. The government did not show evidence of encouraging victims to assist in investigations against their traffickers. While trafficking victims could file cases against their traffickers in civil courts, there is no evidence that any have done so; the public widely viewed civil courts as corrupt and believed outcomes were determined based on the relative financial means of the parties to the lawsuit. The government offered no legal alternatives to the removal of foreign victims to countries in which they may face hardship or retribution; however, there were few foreign trafficking victims identified within the DRC in 2012, and the government has consistently allowed for the safe repatriation of foreign child soldiers in cooperation with MONUSCO.

Under the National Disarmament, Demobilization, and Reintegration Plan, all ex-combatants, including child soldiers, pass through a common process during which they disarm and receive information about military and civilian reintegration options. During this process, the National Demobilization Agency, in cooperation with MONUSCO and UNICEF, continued to separate and transport any identified children to NGO-run centers for temporary housing and vocational training. In October 2012, elements of the armed group Nyatura were integrated into the FARDC; the government and the UN jointly screened Nyatura elements prior to assimilation, resulting in the identification and separation of 49 children. Reintegrated child soldiers remain vulnerable to re-recruitment, as adequate rehabilitation services do not exist for children suffering the most severe psychological trauma. While the FARDC high command remained supportive of MONUSCO's efforts to remove children from its forces during the reporting period, it lacked sufficient command and control to compel some FARDC commanders to comply with standing orders to release their child soldiers or to prevent ground troops from recruiting additional children or subjecting local populations to forced labor. UN monitors and civil society partners reported child protection workers were granted improved, if imperfect, access to military installations. The significant decrease in the number of children identified among FARDC ranks is likely the result of the mutiny of the most egregious violators of laws prohibiting child soldiering.

Prevention

The government made modest efforts to prevent human trafficking during the reporting period. While the country has inter-ministerial bodies focused on human rights and child protection, no similar coordinating mechanism existed to address human trafficking. A government coordinating body existed for the identification, verification, and release of child soldiers, but in practice these efforts were led by non-governmental partners. In October 2012, the government signed a UN-backed action plan to end recruitment and use of child soldiers, sexual violence, and other grave child rights violations in the armed forces. The plan commits the government to the following tasks, *inter alia*: to establish an inter-ministerial committee to monitor implementation, to end underage recruitment and sexual violence against children and ensure reintegration of victims, to provide unimpeded access to UN personnel for verification, to combat impunity of perpetrators of child rights violations, and to regularly report on progress in implementing the plan. The Ministry of Defense, which in previous years did not publicly recognize the existence of child soldiers within the FARDC, demonstrated significant progress by signing and taking initial steps to implement the action plan. The vice prime minister and the minister of defense issued a letter in November 2012 asking relevant ministries to designate a focal point for the technical working group for the implementation of the plan; subsequently, the group was formally established and began meeting regularly. Prior to launching its national military recruitment campaign, the government did not have adequate systems in place to ensure children were not registered, though it sought assistance from the UN and other child protection actors to screen for children. As a result of this collaboration, more than 240 underage applicants were identified and prevented from joining the FARDC.

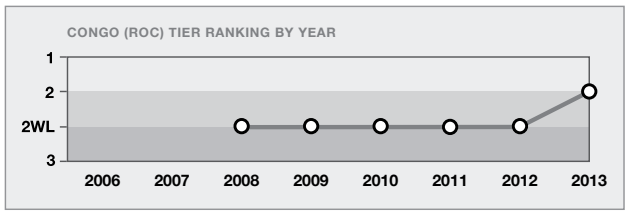
The government did not increase efforts to establish the identity of local populations, and low rates of birth registration continued to contribute to individuals' vulnerability to trafficking. Although the National Ministry of Labor remained responsible for inspecting worksites for child labor, the ministry did not identify any cases of forced child labor in 2012. Inspectors had limited presence outside Kinshasa and often lacked means of transportation or resources to carry out their work. The government took no discernible measures during the reporting period to reduce the demand for forced labor or commercial sex acts.

CONGO, REPUBLIC OF THE (Tier 2)

The Republic of the Congo is a source and destination country for children, men, and women subjected to forced labor and sex trafficking. The majority of children trafficked within the country migrate from rural to urban areas to serve as domestic workers for relatives or family friends. Some child trafficking victims are also subjected to forced labor in stone quarries, bakeries, and the fishing and agricultural sectors, including in cocoa fields in the Sangha Department. According to a study released by IOM in 2013, most trafficking victims in the Congo originate from Benin, the Democratic Republic of the Congo (DRC), Central African Republic (CAR), Senegal, Cameroon, and Gabon, and are subjected to forced domestic service and market vending by other nationals of the West African community, as well as by Congolese nationals. Source countries for adult victims include the DRC, CAR, Cameroon, Benin, and Mali. During the year, the government identified Beninese, Togolese, Nigerian, and Malian trafficking victims, including 23 Beninese adults. Both adults and children are victims of sex trafficking in the Congo, with the majority of victims originating from the DRC and exploited in Brazzaville. Nationals of the Congo are among both traffickers and victims, with 43 percent of traffickers, 28 percent of adult victims, and 14 percent of child victims reported as Congolese. Internal trafficking involves recruitment from rural areas for exploitation in cities. The Congo's indigenous population is especially vulnerable to forced labor in the agricultural sector.

The Government of the Republic of the Congo does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Over the last year, the government made substantial anti-trafficking progress and demonstrated increased political will at the highest levels, including from the president, to

combat trafficking. Specifically, the government addressed systemic weaknesses by beginning to draft comprehensive anti-trafficking legislation, developing institutional trainings at its *gendarme* and police academies, and removing an official for alleged complicity in trafficking crimes. The government continued strong victim protection efforts, identifying 50 victims and providing support to NGOs and foster families that offered care to trafficked children. In addition, the minister of social affairs instructed officials to seek the criminal prosecution of offenders and the minister of justice designated two prosecutors to oversee trafficking cases. Still, the government has not yet convicted a trafficking offender, which remains a critical concern. The lack of a national coordinating body hindered country-wide progress to address internal trafficking and sex trafficking from the DRC, which is significant in Brazzaville.



Recommendations for the Republic of the Congo: Finalize and enact comprehensive anti-trafficking legislation, including provisions prohibiting the trafficking of adults; greatly increase efforts to investigate and prosecute trafficking offenses and to convict and punish trafficking offenders under the 2010 Child Protection Code; file ratification documents for the 2000 UN TIP Protocol with the United Nations; increase outreach, victim identification, and law enforcement efforts on sex trafficking and internal trafficking, including the trafficking of adults; develop formal procedures to identify trafficking victims among child laborers, illegal immigrants, and women and girls in prostitution; continue care to trafficking victims via government-funded programs, including medical, psychological, and legal services; conduct government-led training for social workers and law enforcement officials on the use of identification and referral procedures; consider establishment of a national body that includes all relevant ministries to increase coordination of country-wide anti-trafficking efforts; increase anti-trafficking law enforcement cooperation with other governments in the region, especially Benin and the DRC; and continue anti-trafficking awareness campaigns.

Prosecution

The Government of the Republic of the Congo increased its law enforcement efforts during the reporting period. It drafted comprehensive anti-trafficking legislation, trained *gendarme* officers, and removed an official for alleged complicity. Nevertheless, despite its arrest of several suspected traffickers, the government failed to convict any offenders during the year. Article 60, Chapter 2, of the 2010 Child Protection Code prohibits the trafficking, sale, trading, and exploitation of children, for which Article 115 prescribes penalties of hard labor for an undefined period and fines. Article 68 prohibits the worst forms of child labor, including the forced labor and prostitution of children, for which Article 122 prescribes penalties of three months' to one year's imprisonment or fines of between the equivalent of approximately $110 and $1,080. Article 4 of the country's labor code prohibits forced or compulsory labor, imposing fines the equivalent of approximately $1,300 to $1,900. None of these penalties are sufficiently stringent and the penalties prescribed for sex trafficking are not commensurate with penalties prescribed for other serious crimes, such as rape. The penal code, which prohibits forced prostitution, may be used to prosecute sex trafficking offenses involving adults. Although Congolese law prohibits some forms of trafficking of adults, currently the country does not outlaw bonded labor or the recruitment, harboring, transport, or provision of a person for the purposes of forced labor. In January 2013, the government formed a legislative drafting committee and, in partnership with UNODC, reviewed its draft comprehensive anti-trafficking legislation prepared during the year—which when enacted should be a significant improvement over current law, which inadequately defines, prohibits, and penalizes trafficking crimes. In addition, in September 2012, the Ministry of Justice appointed two special prosecutors—one each in Brazzaville and Pointe-Noire—to oversee the prosecution of suspected traffickers.

In January 2013, the government apprehended 10 alleged trafficking offenders, charged with "trafficking and exploitation" under the Child Protection Code by the local office of the Ministry of Social Affairs (MSA). The offenders remain in jail awaiting prosecution for the alleged labor trafficking of 14 children. In December 2012, the Juvenile Court of Pointe-Noire suspended its hearing of a civil case against eight alleged labor trafficking offenders. In February 2013, the magistrate of the juvenile court sent the case to the prosecutor overseeing trafficking cases, with the expectation that the government will file criminal charges in this case. These efforts follow the minister of social affairs' instruction to officials in January 2013 to file criminal charges in all potential trafficking cases, replacing the former *modus operandi* of addressing these offenses as civil cases, with mediation to negotiate restitution to the victim. Nonetheless, the government failed to complete prosecutions of 13 trafficking offenders, which remained pending from the previous reporting period. One of these suspects—arrested during a July 2011 operation and conditionally released pending trial—reportedly is again harboring children in domestic servitude. The ministry of labor did not report investigating or otherwise addressing any cases of forced child labor in 2012.

Limited understanding of the child anti-trafficking law among law enforcement officials, judges, and labor inspectors hindered the prosecution of trafficking crimes. During the reporting period, the police and *gendarme* academies instituted new training modules on trafficking; 56 senior *gendarmerie* officers received this training in 2012. This was an improvement from the government's failure to independently train officials in 2011. The chiefs of immigration at Brazzaville and Pointe-Noire airports developed an anti-trafficking training and trained more than 40 officials during the year. The government also reassigned an official following allegations of his complicity in trafficking crimes, although it failed to carry out criminal investigations into, or prosecutions of, this and other alleged cases of complicity reported during the year, including by a national intelligence service lieutenant and a prosecutor suspected of attempting to interfere with trafficking investigations and intimidate anti-trafficking activists. During the reporting period, the minister of social affairs and her judicial advisor intervened to protect anti-trafficking activists from harassment by some government officials.

Protection

The Congolese government continued to ensure that trafficking victims in Pointe-Noire received access to care during the reporting period, primarily through partnerships with NGOs and foster families. The government, in partnership with an NGO, identified 50 foreign trafficking victims in Pointe-Noire in 2012, a slight decrease from 57 identified in 2011. Of these 50 victims, 11 were repatriated to their countries of origin and 22 remain in the Congo pending repatriation. Adult victims or victims who had reached the age of 18 while in the custody of the government were given the option of repatriation at the government's expense or local reinsertion. For foreign victims choosing local reinsertion, the government paid for three months' rent and provided assistance in finding an apprenticeship or job. At the end of 2012, eight victims received, and nine awaited, such assistance. Social workers temporarily placed 18 child trafficking victims with foster families during the year until they could be repatriated or reinserted. The MSA supported additional victim care through NGOs and foster families and coordinated with other government agencies to repatriate victims. The government allocated foster families the equivalent of approximately $10 per child per day to ensure the victims' basic needs were met. It also provided medical care on a case-by-case basis by partnering with local hospitals to subsidize these costs. Although the government offered foreign trafficking victims the same access to accommodation in foster homes offered to Congolese victims, and it did not deport rescued foreign victims, it did not provide temporary or permanent residency status to foreign victims during the year.

The government continued to fail to identify and assist victims outside of Pointe-Noire. In addition, though the DRC and the Republic of the Congo are the source of many child and adult victims, the government did not identify nationals from either country as victims—evidence of its failure to increase efforts to address the trafficking of adults, sex trafficking, or internal trafficking. Law enforcement, immigration, and social services personnel did not employ systematic procedures proactively to identify victims among vulnerable groups, relying instead on NGOs and UNICEF to identify victims; however, the government began to train its staff on victim identification in 2012. The government claimed that it encouraged victims to assist in the investigation and prosecution of their traffickers, though it presented no evidence of having done so during the year. Although the Congolese government repatriated at least 10 Beninese trafficking victims as part of its bilateral agreement with the Government of Benin, it failed in 2012 to carry out joint investigations or extraditions of charged trafficking offenders—a critical part of this agreement.

Prevention

The government made increased efforts to prevent trafficking during the year. In April 2012, the president urged his cabinet to end trafficking in the country. In 2012, the government launched trafficking awareness campaigns. In December 2012, for example, the local coordination committee— overseeing anti-trafficking efforts in Pointe-Noire as part of its project to combat child trafficking—held a three-day public information session on the identification and protection of trafficked children, with a follow-up session in January, which reached 60 participants and received national press coverage. In support of these campaigns, the MSA—the *de facto* lead entity overseeing national anti-trafficking efforts—produced awareness materials, including a video that was shown at the sessions and leaflets that were distributed as part of a door-to-door campaign in Pointe-Noire. The MSA continued its oversight of the implementation of the 2011-2013 Action Plan to Fight Child Trafficking and began drafting a plan covering 2013 to 2015. The government more than doubled its anti-trafficking budget from the approximate equivalent of $180,000 in 2011-2012 to $428,000 in 2012-2013; a portion of this funding was allocated to implement the 2011-2013 action plan. The government failed to establish a national coordinating body to guide its efforts to combat trafficking, which hindered its progress in addressing trafficking outside of Pointe-Noire. In 2012, the MSA and Ministry of the Interior, in partnership with IOM, conducted a study of trafficking in the Republic of the Congo covering nine of its 12 regions. The government did not take measures to reduce the domestic and transnational demand for commercial sex acts during the reporting period. The parliament ratified the 2000 UN TIP Protocol in May 2012, although the Congolese mission to the United Nations has not yet submitted the ratification papers.

COSTA RICA (Tier 2)

Costa Rica is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Costa Rican women and children are subjected to sex trafficking within the country, and residents of the north and central Pacific coast zones are particularly vulnerable to internal trafficking. Authorities noticed an increase in adults using children for drug trafficking. Women and girls from Nicaragua, the Dominican Republic, and other Latin American countries have been identified in Costa Rica as victims of sex trafficking and domestic servitude. Child sex tourism is a serious problem, particularly in the provinces of Guanacaste, Limon, Puntarenas, and San Jose. Child sex tourists arrive mostly from the United States and Europe. Men and children from other Central American countries and from Asian countries, including China, are subjected to conditions of forced labor in Costa Rica, particularly in the agriculture, construction, fishing, and commercial sectors. Indigenous Panamanians are also reportedly vulnerable to forced labor.

The Government of Costa Rica does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government convicted two labor trafficking offenders and enacted a new trafficking law that established increased victim protection measures and a fund to finance government anti-trafficking efforts. Authorities identified victims in both sex trafficking and forced labor, but the number of trafficking offenders prosecuted and convicted was low in light of the large number of victims identified, as authorities could not confirm any convictions for sex trafficking offenders. The government did not fund any specialized shelters or services for trafficking victims, and services remained inadequate through most of the country. The new law did not correct a problematic definition of human trafficking in the penal code, contributing to flawed data collection.

Recommendations for Costa Rica: Significantly intensify efforts to investigate and prosecute human trafficking offenses, including forced labor, and convict and punish trafficking offenders; fund specialized services for trafficking victims, including child sex trafficking victims, through the establishment of a shelter specifically for trafficking victims or through funding NGOs to provide services; strengthen dedicated prosecutorial and police units through increased resources and training, including for victim treatment; ensure that cases of trafficking not involving movement are investigated and prosecuted and that Costa Rican victims of human trafficking receive appropriate services; improve the efficacy and the implementation of the victim assistance protocol, particularly outside of the capital, and in partnership with civil society organizations; increase efforts to investigate and prosecute child sex tourism; and improve data collection for law enforcement and victim protection efforts.

Prosecution

The Government of Costa Rica continued to investigate potential trafficking cases and achieved the first convictions for forced labor, but efforts to prosecute and convict trafficking offenders were inadequate, as was data collection. In December 2012, the government enacted a new trafficking law which codified the responsibilities of government entities and created a fund to fight human trafficking and smuggling which will be financed by increasing the country departure tax by the equivalent of approximately one dollar per traveler. This law prohibits all forms of human trafficking and prescribes penalties of four to 20 years' imprisonment; these penalties are sufficiently stringent and commensurate with other serious crimes. Before December, different articles of the penal code prescribed penalties of four to 16 years' imprisonment for different forms of human trafficking. However, the new law did not address deficiencies in the penal code that made the definition both too narrow—continuing to require the displacement of the victim—and too broad—penalizing non-trafficking crimes such as illegal adoption, moving persons for the purpose of prostitution, and labor exploitation that does not rise to the level of forced labor.

Data collection on human trafficking remained problematic. Authorities reported investigating over 50 potential trafficking cases during the reporting period but did not report how many trafficking cases were prosecuted. The government convicted two labor trafficking offenders whose sentences were pending. Authorities did not report convicting any sex trafficking offenders under the anti-trafficking law during the reporting period, and while authorities reported using other statutes, such as those penalizing rape, to convict sex trafficking offenders during the year, they could not report how many offenders were convicted under these statutes. In comparison, there was one sex trafficking conviction in 2011. The dedicated anti-trafficking police unit investigated a significant number of forced labor and sex trafficking cases. The organized crime prosecutor's office was responsible for trafficking cases involving displacement, while local prosecutors were responsible for prosecuting cases of trafficking without movement, leading to jurisdiction issues and making it difficult to assess prosecution efforts. Police and prosecutors were limited by inadequate staffing and resources. Some officials conflated trafficking with smuggling. Government ministries provided training to prosecutors, police officers, and other public officials, often in partnership with civil society organizations. Prosecutors coordinated with the Government of Nicaragua on a child sex trafficking investigation. Authorities continued to investigate a mayor for possible trafficking crimes but did not report any prosecutions or convictions of public officials allegedly complicit in human trafficking offenses during the year.

Protection

The Costa Rican government maintained efforts to identify and assist foreign trafficking victims during the year, though access to specialized services, including shelters, remained inadequate, particularly in light of significant internal child sex trafficking. The government continued to implement its "immediate attention" protocol, which defines the steps for the different government institutions that compose the emergency response team to identify, protect, and provide integrated assistance to victims. NGOs and some officials asserted, however, that victim identification and referral mechanisms were not always implemented in an effective or timely manner, and that some officials were unaware of the protocol. Police reported identifying 22 trafficking victims in 2012, three of whom were Costa Rican. Of the 22 victims, five were exploited in forced prostitution, one in forced labor, and 15 were exploited for both in bars. One victim identified during the year had been forced to assist in the trafficking of illegal narcotics. Authorities also reported assisting 85 child victims of commercial sexual exploitation.

The government did not provide or fund specialized shelters or services for trafficking victims, and officials and NGOs alike noted the lack of dedicated housing for victims was a significant challenge. Authorities maintained emergency government shelters for female victims of domestic violence, but staff were reportedly reluctant to house trafficking victims in these shelters due to security concerns. Authorities reportedly sheltered 12 adult victims in hotels or rented houses on a temporary basis. The government also operated two emergency shelters for at-risk children that assisted three trafficking victims during the year, but these centers did not offer specialized services for trafficking victims, and one trafficking offender removed a child victim from one shelter during the year. Authorities did not report how many of the 85 child victims of commercial sexual exploitation identified in 2012 received shelter, but reported that all received psychological and social services. The government relied on NGOs and religious organizations to provide specialized care for trafficking victims and provided limited funding to two NGOs to provide some services to adults and children in prostitution. The Office for Care and Protection of Victims of Crime (OAPVD) provided emergency services as well as legal, psychological, and basic health assistance to victims of all crimes participating in the criminal process, including trafficking victims. OAPVD reported assisting 12 trafficking victims in 2012. Police and NGOs noted that victim services were virtually nonexistent outside of the capital.

The government granted temporary residency status, with permission to work, to eight foreign victims in 2012, and reported providing some employment assistance to foreign victims during the year. Costa Rican authorities encouraged victims to assist with the investigation and prosecution of trafficking offenders, and several victims did so during the reporting period, although other victims did not collaborate with investigations due to their lack of confidence in the judicial system. Some victims reportedly refused to cooperate in investigations after meeting with organized crime prosecutors and sensing a lack of sensitivity on the prosecutors' part. Funding for witness protection increased but remained limited. The government reportedly did not penalize identified victims for unlawful acts committed as a direct result of being subjected to human trafficking.

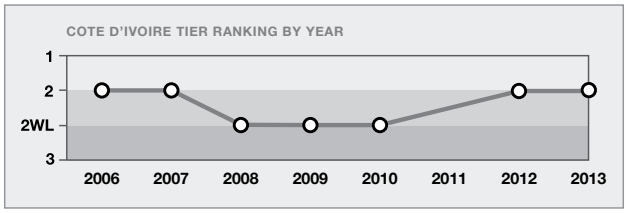
Prevention

The Government of Costa Rica increased prevention efforts during the reporting year. The government's anti-trafficking directorate, which coordinated the national anti-trafficking coalition, continued to lead government efforts and its responsibilities were further outlined in the new trafficking law. The coalition and its subcommittees met frequently during the year and continued to implement the country's national action plan on human trafficking. Authorities conducted awareness campaigns, often in partnership with civil society organizations, particularly targeting youth. In partnership with U.S. authorities, Costa Rican police deported four American citizens in 2012 for their involvement in child sex tourism. In an effort to reduce the demand for commercial sex, authorities continued to investigate and prosecute individuals that paid child trafficking victims for commercial sex, resulting in two convictions in 2012. Despite significant reports of child sex tourism, however, there were no reported local prosecutions or convictions of child sex tourists during the reporting period.

COTE D'IVOIRE (Tier 2)

Cote d'Ivoire is a source, transit, and destination country for women and children subjected to forced labor and sex trafficking. Trafficking within the country is more prevalent than transnational trafficking, and the majority of victims are children. Within Cote d'Ivoire, women and girls are subjected primarily to forced labor in domestic service and restaurants, as well as to forced prostitution. Ivoirian boys are subjected to forced labor within the country in the agriculture and service sectors. Boys from Ghana, Mali, Burkina Faso, Benin, and Togo are found in Cote d'Ivoire in forced agricultural labor, including on cocoa, coffee, pineapple, and rubber plantations; in the mining sector; and in carpentry and construction. Girls recruited from Ghana, Togo, and Benin work as domestic servants, and street vendors often are subjected to forced labor. Some women and girls who are recruited from Ghana and Nigeria to work as waitresses in restaurants and bars are subsequently subjected to forced prostitution. During the reporting period, an Ivorian girl in France was identified as a victim of forced labor in domestic service. Additionally, Ivoirian women were rescued while in transit to Saudi Arabia where they were promised jobs as domestic servants; they were believed to be victims of attempted trafficking.

The Government of Cote d'Ivoire does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government took a number of tangible steps towards addressing human trafficking, including increasing efforts to investigate and prosecute traffickers, resulting in eight prosecutions and two convictions; identifying 45 victims of trafficking; and formally launching and commencing the implementation of the 2012-2014 National Action Plan on Child Labor and Trafficking. Despite these efforts, the government failed to apply law enforcement measures to the trafficking of children in the cocoa industry, did not provide adequate assistance to trafficking victims, and failed to develop a national action plan focused on the trafficking of adults.



Recommendations for Cote d'Ivoire: Develop and enact legislation to criminalize all forms of adult trafficking, and use this and existing legislation to prosecute traffickers, particularly those who exploit women in prostitution and men in forced labor; train law enforcement officials to follow established procedures to identify potential trafficking victims and refer them to protective services; improve efforts to collect law enforcement data on trafficking offenses, including cases involving the trafficking of adults who are prosecuted under separate statutes in the penal code, and make this data available to other government agencies and the general public; establish a formal referral mechanism between the government, NGOs, and international organizations providing care to trafficking victims; increase efforts to provide victims with appropriate services, including the dedication of specific funding for such services and the development of government-run shelters; and finalize and begin implementation of a national action plan to address adult trafficking.

Prosecution

The Government of Cote d'Ivoire demonstrated some progress in its anti-trafficking law enforcement efforts during the reporting period. Law No. 2010-272 Pertaining to the Prohibition of Child Trafficking and the Worst Forms of Child Labor, enacted in September 2010, prescribes penalties for compelling children into or offering them for prostitution of five to 20 years' imprisonment and a fine; these penalties are sufficiently stringent, but not commensurate with penalties prescribed for other serious offenses, such as rape. The law's penalty for submitting a child to forced labor or situations akin to bondage or slavery is 10 to 20 years' imprisonment and a fine, punishments which are sufficiently stringent. Penal code Article 378 prohibits the forced labor of adults and children, prescribing a sufficiently stringent penalty of one to five years' imprisonment and a fine of the equivalent of approximately $800 to $2,200. Article 376 criminalizes entering into contracts that deny freedom to a third person, prescribing a punishment of five to 10 years' imprisonment and a fine. Pimping and exploitation of adults and children in prostitution by means of force, violence, or abuse are outlawed by Articles 335 and 336. In December 2011, the Labor Advisory Board received a draft decree prohibiting and prescribing punishments for

involuntary domestic servitude; it did not finalize or issue the decree during the reporting period.

During the reporting period, the Government of Cote d'Ivoire conducted 15 investigations, commenced eight prosecutions, and convicted two trafficking offenders, a significant increase from 2011, when the government prosecuted and convicted one trafficker. In August 2012, following a cooperative investigation by Ivorian police, INTERPOL, and NGOs in Nigeria and Cote d'Ivoire, an Abidjan court sentenced a trafficking offender to 10 years' imprisonment under Articles 335 and 336 for subjecting Nigerian girls and women to forced prostitution; the trafficker was also ordered to pay the equivalent of approximately $2,000 in restitution to each of the three victims from Nigeria. An Abidjan court convicted another trafficker of forced prostitution and sentenced him to 15 days' imprisonment and a fine of the equivalent of approximately $40. Four prosecutions remained pending at the end of the reporting period, involving Malian men accused of child labor and sex trafficking, and an investigation remained ongoing involving three men apprehended in Ghana while allegedly attempting to traffic nine Ivorian women from Cote d'Ivoire to Saudi Arabia. Despite these increased efforts, there remains a lack of knowledge of the child trafficking law, and efforts are hampered by a shortage of resources and training for officers to identify, investigate, and prosecute cases of forced child labor. In collaboration with the ILO, the ministry of justice provided a three-day training to 25 magistrates in November 2012, which covered a multitude of trafficking-related subjects, including Ivorian and international anti-trafficking laws, protective services available to child trafficking victims, and the implementation of the national action plan. The Ministry of Interior operated a five-person anti-trafficking unit within the national police, which was supplemented with an additional five officers in January 2013; nevertheless, the unit's lack of resources essentially limited its reach to the capital city of Abidjan. The government did not report any investigations or prosecutions of officials for alleged complicity in trafficking-related offenses during the year; however, reports indicate that corruption among police and *gendarme* forces facilitated trafficking in 2012.

Protection

The Ivoirian government demonstrated increased efforts to protect victims of trafficking during the year. It reported the identification of 54 trafficking victims in 2012, a dramatic increase from the three victims identified by the government in 2011. NGOs and international organizations in Cote d'Ivoire identified an additional 83 victims. Despite these significant efforts in victim identification, the government did not provide adequate care to victims of trafficking, providing only the equivalent of approximately $6,600 for victim care and relying almost exclusively on services provided by NGOs and international partners. The government does not operate any formal care centers exclusively for victims of trafficking, nor does it have a formalized referral mechanism in place between itself and local NGOs. During the reporting period, the Ministry of Solidarity, Family, Women, and Children identified, rescued, and provided care and repatriation assistance to four child trafficking victims from Benin and Burkina Faso. The government also repatriated nine Ivorian trafficking victims from Ghana and referred these victims to an NGO shelter for medical and psychological services; however, the government did not provide any financial support to the NGO shelter. The government and the NGO jointly conducted mediation sessions with the victims and their families prior to the victims' reunification. Additionally, the government identified a site in Abidjan on which to build a care facility for trafficking victims, but construction has not yet begun.

Although the Government of Cote d'Ivoire does not have a formal policy in place to encourage victims' voluntary participation in investigations and prosecutions of their traffickers, some victims did testify against their traffickers during the reporting period. While the government lacks a formal policy for repatriating foreign victims, it typically cooperated with the victim's embassy, consulate, or local community leaders of the same nationality regarding repatriation. There were no reports that victims were detained, fined, or jailed for unlawful acts committed as a direct result of being trafficked.

Prevention

The Government of Cote d'Ivoire demonstrated sustained efforts to prevent trafficking during the reporting period. The National Monitoring Committee (NMC) and the Inter-Ministerial Committee (IMC), established in 2011, continue to serve as the national coordinating bodies on trafficking in persons issues within Cote d'Ivoire. Both committees continued to meet regularly and promote the issue of trafficking and child labor in an effort to secure the political will and resources necessary to implement the 2012-2014 National Action Plan on Child Labor and Trafficking, which was officially launched in March 2012. The government committed the equivalent of approximately $7,229,400 towards the implementation of this action plan in 2012.

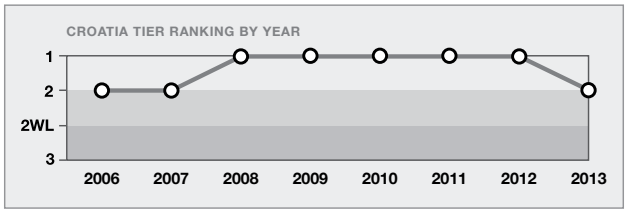
The NMC launched a nationwide awareness campaign in September 2012, which included TV and local radio information spots, 100 billboards, and the distribution of illustrated pamphlets in French and five local languages to explain the new child anti-trafficking law and to educate the public on how to take action against the worst forms of child labor. As part of the campaign, the government commemorated the International Day Against Child Labor in September 2012 with a series of events to raise community awareness. The government chose to hold these events in strategic locations known for a prevalence of child trafficking and forced labor. Additionally, the first ladies of Cote d'Ivoire and Burkina Faso signed a joint declaration in October 2012 that commits each country to finalize a bilateral cooperative agreement against cross-border child trafficking by early 2013.

The lack of comprehensive data remains an obstacle in Cote d'Ivoire. The government created a monitoring and evaluation system which is designed to collect and analyze statistical data on trafficking and worst forms of child labor, coordinate the efforts of different actors involved in the fight against child labor, and provide regular reports; however, the system has yet to be launched and does not address adult trafficking within Cote d'Ivoire. The government conducted three trainings during the reporting period for journalists, regional administrators, and NMC and IMC members on the national action plan, the definition of trafficking and child labor, and the framework of relevant Ivoirian and international laws. The government did not demonstrate efforts to address local demand for commercial sex acts during the reporting period.

CROATIA (Tier 2)

Croatia is a destination, source, and transit country for men, women, and children subjected to conditions of sex trafficking and forced labor. Croatian women and girls fall victim to sex trafficking within the country and throughout Europe. Women and girls from the United States, Serbia, Bosnia and Herzegovina, and other parts of Eastern Europe are subjected to sex trafficking in Croatia. Women and men reportedly are subjected to forced labor in agricultural sectors. Children are exploited in prostitution on the Adriatic Coast, particularly during the peak tourist season. The Council of Europe's GRETA Report and the European Commission concluded that the extent of trafficking in Croatia could be considerably higher than that identified by the government.

The Government of Croatia does not fully comply with the minimum standards for the elimination of trafficking, but is making significant efforts to do so. While the government has a formally adequate anti-trafficking structure, its efforts to implement that structure stagnated over the last year. The government sustained funding for victim protection and continued to investigate and prosecute trafficking cases and the National Committee for the Suppression of Trafficking met for the first time in approximately two years. Nevertheless, the government identified very few trafficking victims, despite clear trends that human trafficking is increasing. The European Commission, in its Monitoring Report on Croatia's accession preparations, concluded that the government's sentencing for trafficking offenses was too low to deter criminals from human trafficking and noted that the government urgently needed to take concrete and proactive measures to fight the crime, including by ensuring that the relevant officials were aware of human trafficking.



Recommendations for Croatia: Strengthen trafficking victim identification by establishing and implementing new screening procedures to identify trafficking victims among vulnerable populations, including the rapidly growing number of asylum seekers, unaccompanied children, Roma population, and children in prostitution; ensure that all children in prostitution with third-party involvement are identified as trafficking victims; consider establishing a more inclusive procedure for the official designation of trafficking victim status in a trafficking case by better integrating civil society actors or representatives of other agencies into the formal victim certification process; designate a lead official responsible for trafficking in persons inside the Ministry of Social Policy and Youth; train social workers employed by or coordinating with the Ministry of Social Policy and Youth in identifying trafficking victims and the proper referral of victims to care; regularly convene the government's National Committee for the Suppression of Trafficking; establish a national rapporteur to carry out assessments of trends in trafficking in human beings, reporting, and the measuring of results of governmental anti-trafficking initiatives; ensure that identified trafficking victims are not punished for committing unlawful acts as a direct result of being trafficked; adopt a policy and articulate that policy through prosecutorial guidance, ordinances, or manuals, to ensure that children in prostitution are not prosecuted for prostitution offenses; ensure that training of law enforcement officials, including non-specialist law enforcement officials, includes the principle of non-prosecution of trafficking victims, including children in prostitution; strengthen partnerships with NGOs to enlist their help in identifying victims during authorities' initial contact with potential victims among women and children detained for prostitution offenses; vigorously investigate, prosecute, and convict trafficking offenders; ensure that trafficking offenders are punished with sentences commensurate with the gravity of the crime committed; increase anti-trafficking prevention efforts.

Prosecution

The Government of Croatia demonstrated mixed anti-trafficking law enforcement efforts during the reporting period; the European Commission concluded that the government's sentencing for trafficking convictions was inadequate. Croatia prohibits all forms of trafficking in persons through two newly-revised laws: Slavery, Article 105; and Trafficking in Persons, Article 106, which prescribe penalties of one to 10 years' imprisonment for sex or labor trafficking and up to 15 years' imprisonment for the trafficking of a child. These penalties are sufficiently stringent and are commensurate with those prescribed for rape. During the year, the government investigated 30 trafficking suspects, in contrast to 37 in 2011, and prosecuted nine defendants in 2012, in contrast to 14 prosecuted in 2011. In the three cases prosecuted in 2012, seven defendants were charged in the same international sex trafficking case under a transnational prostitution statute rather than under a trafficking statute despite clear evidence that the female victims were forced or coerced into prostitution, including by physical means. The other two cases involved sex and labor trafficking within Croatia. Experts noted that trafficking offenders were frequently charged for less serious offenses under non-trafficking articles, such as those for pimping. The government convicted eight trafficking offenders, six under the international prostitution statute and two under the trafficking statute; in 2010, they convicted seven. The traffickers were sentenced to prison terms between nine months' imprisonment and 10 years' imprisonment, a slight increase from 2011, when the convicted traffickers received terms of imprisonment between one month and nine years' imprisonment.

The European Commission, in a monitoring report for Croatia's EU accession, noted that Croatia's sentencing for trafficking crimes remains lower than the sentencing for other organized crimes, was not dissuasive enough compared with the gravity of the crime, and urged increased training for judges, prosecutors, and civil servants on the identification of trafficking victims and investigation and prosecution of trafficking cases. The Government of Croatia sponsored a variety of anti-trafficking trainings for law enforcement during the reporting period. For example, the Ministry of Interior (MOI) and the Office of Human Rights and Rights of National Minorities conducted a train-the-trainer session for 81 police officers in May 2012; subsequent sessions from this training reached over 1,000 police officers. In October, Croatian authorities organized an anti-trafficking seminar designed to strengthen the Croatian judicial system's response

to trafficking cases; several high-level officials attended the conference, including two Supreme Court justices, four Municipal court justices, and a number of municipal and county state attorneys. Croatian law enforcement officials collaborated with Spanish and Romanian counterparts to investigate and prosecute transnational trafficking cases. The Government of Croatia did not report any investigations or prosecutions of public officials for alleged complicity in trafficking-related offenses during this reporting period.

Protection

The Croatian government sustained its victim protection efforts, but failed to screen vulnerable populations effectively for trafficking victims. The government funded two NGO-run trafficking shelters, one for adults and one for women and children. The government also provided three reception centers to provide victims with care before they could be transported to the shelters. Adult victims were allowed to leave shelters at will and without chaperones. The Croatian government provided the equivalent of approximately $70,000 to fund the shelters in 2012, level with the amount it provided for shelter care in 2011. Foreign victims were offered the same standard of care as domestic victims, including shelter, medical care, education, legal assistance, psychological care, and assistance finding employment. The government's Office for Human Rights and Rights of National Minorities provided the equivalent of approximately $47, 900 for victim assistance, professional training, and the anti-trafficking hotline. The Ministry of Interior spent an estimated equivalent of approximately $870,000 on victim assistance, investigations, and travel. Despite this funding, there were reports that actual assistance provided by the Croatian government to reintegrate trafficking victims back into society was inadequate due to a lack of available financial assets for sustained adult education. During the reporting period, the government identified 13 victims of trafficking, nine of whom were female sex trafficking victims and four were male labor trafficking victims. In 2011, the government identified 11 victims. Although the Croatian government did not automatically identify children in prostitution as trafficking victims, the government improved by identifying three children in prostitution as trafficking victims during the reporting period. Government-funded NGOs offered care to seven of these victims during the reporting period. Experts and government officials reported victim identification was inadequate in light of the suspected magnitude of the trafficking problem in Croatia. Although the number of migrants in Croatia has soared to the highest level in recent years, and many in this vulnerable migrant population are likely trafficking victims, there was no reported screening of any of these migrants for indicators of trafficking. Furthermore, experts reported that women in prostitution who have been subjected to coercion, including physical violence, were not always identified as trafficking victims. The government continued employing a national referral mechanism to mobilize care for victims, once they have been preliminarily identified by MOI officials; mobile teams with NGO participation were dispatched to assess and place trafficking victims for assistance. Observers reported that restricting the responsibility of provisional victim identification to MOI personnel impaired the government's overall victim identification efforts. The Croatian government has designated a social worker in each of Croatia's 21 counties to assist trafficking victims once identified. There were reports, however, that the Ministry of Social Policy and Youth had insufficiently trained or given direction to its social workers to enable them to care effectively for trafficking victims. The Croatian government offered a "reflection period" to suspected victims of trafficking for 60 days for adults, and 90 days for children. The government provided legal alternatives to the removal of foreign victims of trafficking to countries where they faced hardship or retribution through its temporary residency permits for victims—initially valid from six months to one year, and subject to extension by the government based on a subsequent needs assessment. The Government of Croatia encouraged victims to assist in the prosecution of trafficking offenders by providing victims with free legal aid; during the reporting period, six trafficking victims testified in trafficking cases. There were no reports of trafficking victims being punished for unlawful acts committed as part of their trafficking experience.

Prevention

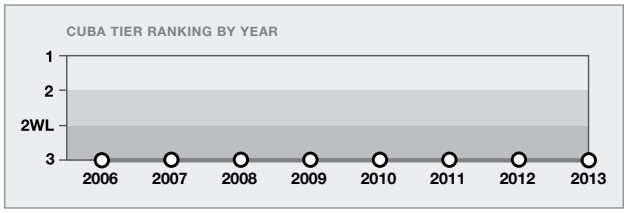
The Croatian government continued efforts to prevent trafficking in persons during the year. The Croatian government coordinated anti-trafficking activities through a number of mechanisms: a national coordinator housed in the Office for Human Rights; a cabinet-level National Committee; and an Operational Team composed of government officials and NGO representatives. The government's National Committee for the Suppression of Trafficking met for the first time in nearly two years in December 2012, although the Operational Team to Suppress Trafficking met monthly. The government continued to broadcast three anti-trafficking public service announcements on television. The government coordinated awareness-raising events around the annual EU Anti-Trafficking Day, including information booths, leaflets, and live anti-trafficking performances. To address demand for commercial sex acts, the Croatian government adopted a new law punishing the clients of prostitution. The Croatian government did not establish a national rapporteur to monitor its activities and make recommendations for progress. The European Commission concluded that the Government of Croatia urgently needed to take pro-active and concrete measures to address trafficking in human beings and raise awareness amongst the national authorities on this form of crime, including by launching an independent evaluation of the policy. The Croatian government provided anti-trafficking training to members of the Croatian armed forces prior to their deployment abroad on international peacekeeping missions.

CUBA (Tier 3)

Cuba is a source country for adults and children subjected to sex trafficking and forced labor. Child prostitution and child sex tourism reportedly occur within Cuba. Cuban citizens have been forced into prostitution outside of Cuba. There have been allegations of coerced labor, particularly with Cuban work missions abroad. Some Cubans working abroad have stated that postings are voluntary and well paid; however, others have claimed that Cuban authorities have withheld their passports and restricted their movements. The scope of trafficking involving Cuban citizens is particularly difficult to gauge because of the closed nature of the government and sparse non-governmental or independent reporting.

The Government of Cuba does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The government

did not respond to requests for data on prosecutions of sex trafficking and forced labor or on trafficking-specific victim protection and prevention efforts that occurred during the reporting period. Governments that do not provide such data, consistent with the capacity of governments to obtain such data, are presumed by the Trafficking Victims Protection Act not to have made significant efforts to address human trafficking. The Government of Cuba has taken steps to share information about its general approach to protection for children and youth, and showed willingness to cooperate with another government on a child sex tourism investigation during the reporting period.



Recommendations for Cuba: Prohibit sex trafficking of all persons under the age of 18; in partnership with trafficking victim specialists, ensure adults and children have access to specialized trafficking victim protection and assistance; take measures to ensure identified sex and labor trafficking victims are not punished for unlawful acts committed as a direct result of being subjected to sex trafficking or forced labor; recognize that human trafficking occurs in Cuba and publicize measures to address human trafficking, specifically forced labor and sex trafficking prosecution data, trafficking victim protection efforts, and trafficking prevention measures; ensure that coercion and other indicators of forced labor are not present in Cuban work-abroad missions; and accede to the 2000 UN TIP Protocol.

Prosecution

The Government of Cuba did not report on its efforts to prosecute trafficking offenses that occurred during the reporting period. The government maintained that unlike other countries, sex trafficking of children or other forms of child exploitation does not exist in Cuba. Cuba appears to prohibit most forms of human trafficking through various provisions of its penal code; however, the use of these provisions could not be verified, and prostitution of children age 16 and older is not prohibited, leaving those children particularly vulnerable to sex trafficking. The government did not share official data for the reporting period relating to Cuban investigations, prosecutions, and convictions of trafficking offenders, including any officials complicit in human trafficking. The government provided information on general legal protections for children and adolescents in Cuba but did not report any information about current efforts to address human trafficking within Cuba. The government did not report any specific anti-trafficking training provided to officials in 2012.

Protection

The government did not publicize official data on protection of trafficking victims during the reporting period. The government did not report any trafficking victim identifications or procedures in place to guide officials in proactively identifying trafficking victims among vulnerable groups—such as persons in prostitution—and referring them to available services. Reportedly, the government operated three well-regarded facilities for the treatment of children who have been sexually and physically abused. In addition, the government operated a nationwide network of shelters for victims of domestic violence or child abuse, but the government did not verify if trafficking victims received treatment in these centers. The government provided no evidence that it encouraged trafficking victims to assist in the investigation and prosecution of trafficking offenders. The government did not report on the existence of any policies to ensure that identified trafficking victims were not punished for crimes committed as a direct result of being subjected to human trafficking.

Prevention

The government did not report any specific anti-trafficking prevention efforts that occurred during the reporting period. The government was not known to have implemented any public awareness campaigns to prevent forced labor or forced prostitution, though the government reported that the prevention of human trafficking should be a priority for all countries. The government did not report the existence of an anti-trafficking taskforce, anti-trafficking action plan, or monitoring mechanism. Transparency was lacking in the government's trafficking-related policies and activities; it did not report publicly on its efforts. The government reported that sex tourism in Cuba is forbidden and the Ministry of Tourism's security and protection division has taken measures to combat child sex tourism, but did not report on the specifics of these measures. The government showed willingness to cooperate with another government on a child sex tourism investigation during the reporting period. Cuba is not a party to the 2000 UN TIP Protocol.

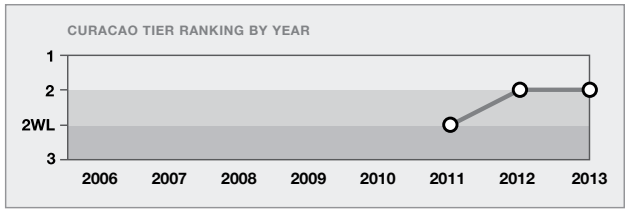
CURACAO (Tier 2)*

Curacao is a source, transit, and destination for women, children, and men who are subjected to sex trafficking and forced labor. There are indications that some of the hundreds of migrant women in Curacao's sex trade are victims of forced prostitution. It is unclear how the recruitment process works for Curacao's walled, legal brothel that offers "24/7 access to more than 120" foreign women in prostitution. Local authorities believe that migrant workers have also been subjected to forced domestic service and forced labor in construction, landscaping, and retail. Some migrants in restaurants and local businesses may be vulnerable to debt bondage. During the year, authorities reported Indian and Chinese nationals were vulnerable to forced labor in the country. Foreign trafficking victims originate predominantly from Colombia, the Dominican Republic, Haiti, and Asia. Organizations in Venezuela have also reported assisting trafficking victims who were exploited in Curacao. During the year, the government identified Haitian children

Curacao is a semi-autonomous entity within the Kingdom of the Netherlands. The Kingdom Charter divides responsibility among the co-equal parts of the Kingdom based on jurisdiction. For the purpose of this report, Curacao is not a "country" to which the minimum standards for the elimination of trafficking in the Trafficking Victims Protection Act apply. This narrative reflects how Curacao would be assessed if it were a separate, independent country.

transiting Curacao without their parents *en route* to Suriname who were potential trafficking victims.

The Government of Curacao does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government significantly improved its anti-trafficking law enforcement response in 2012 by initiating the prosecution of a sex trafficking case and identifying and referring trafficking victims for care. Nevertheless, the lack of standard operating procedures on victim identification for all front-line responders, including immigration officers and health workers, hindered the government's ability to identify additional trafficking victims and increased the risk of victims' inadvertent arrest and deportation.



Recommendations for Curacao: Make a robust and transparent effort to identify and assist potential victims of sex trafficking and forced labor by implementing formal proactive victim protection measures to guide officials, including health workers, on how to identify victims and how to assist victims of forced labor and sex trafficking in the legal and illegal sex trade; empower local officials to conduct outreach in local migrant communities throughout the island to uncover potential trafficking victims; integrate outreach via a Spanish-speaking victim advocate trained in human trafficking indicators into routine health inspections at the legal brothel to ensure the rights of women in the brothel are protected, and coordinate with law enforcement if signs of trafficking arise; continue to consult with the Dutch government on how it proactively identifies victims of labor trafficking and sex trafficking; vigorously prosecute, convict, and sentence trafficking offenders, including any government officials complicit in human trafficking; and implement a multilingual public awareness campaign directed at potential victims, the general public, and potential clients of the sex trade.

Prosecution

The government improved its anti-trafficking law enforcement response during the reporting period by investigating and initiating prosecution of one sex trafficking case. Curacao prohibits all forms of trafficking in persons through the November 2011 Article 2:239 of its criminal code, which prescribe penalties ranging from nine to 24 years' imprisonment. These penalties are sufficiently stringent and are commensurate with those prescribed for other serious crimes, such as rape. In January 2013, the government reported it arrested four alleged trafficking offenders for subjecting foreign women to sex trafficking in a club; the government reported one of the alleged trafficking offenders was a police officer and confirmed that two of the four alleged offenders, including the police officer, were in jail pending trial. The government reported it also investigated a potential labor trafficking case involving Haitian children during the reporting period, but could not confirm whether trafficking elements were present. The government did not offer law enforcement training to identify trafficking victims and offenses.

Protection

The Government of Curacao improved its efforts to identify and protect trafficking victims during the reporting period. The government reported it identified seven sex trafficking victims during the last year, compared with zero victims identified in 2011. Authorities reported the referral of all seven victims for care and facilitated their safe repatriation. Media reports indicated that authorities identified the majority of the victims after an operation involving a raid of a nightclub and various sites of illegal prostitution. The government demonstrated notable improvement by treating the discovery of vulnerable foreign women in prostitution in bars as potential trafficking victims and referring them for care rather than detaining and deporting them. However, such gains in victim identification did not extend to Curacao's walled, legal brothel, where health officials charged with regulating this brothel did not employ measures to identify human trafficking victims or refer suspected victims for assistance. During the year, the media reported the death of a foreign woman in prostitution within the brothel compound; unconfirmed media reports indicated she was strangled. In addition, in August 2012, brothel management filed a report of a foreign woman missing from the compound; the ad placed in the local newspaper indicated the women would be deported upon discovery. The government did not report the initiation of trafficking investigations in response to either of these cases. The government did not grant temporary or longer-term residency status to any foreign victims of trafficking during the year. Furthermore, it did not report having a policy to protect identified victims from being punished for crimes committed as a direct result of being in a trafficking situation. The lack of standard operating procedures on victim identification for all front-line responders, including immigration officers, hindered the government's ability to identify trafficking victims and increased the risk of their inadvertent arrest and deportation.

Prevention

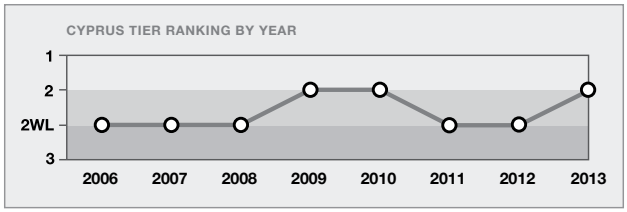
The government did not initiate any new trafficking awareness campaigns to educate the public or officials about trafficking in 2012. During the year, however, the government launched an official inquiry into the working conditions of Indian nationals on the island; as a result of their investigation, authorities identified this group as vulnerable to forced labor. The government did not have any awareness campaigns specifically targeting the demand for forced labor or potential clients of the sex trade in Curacao in an effort to reduce the demand for commercial sex acts. Curacao did not monitor and evaluate its anti-trafficking efforts. The government has not identified a problem of foreign child sex tourists in Curacao.

CYPRUS (Tier 2)

Cyprus is a source and destination country for men and women who are subjected to forced labor and sex trafficking. Victims of trafficking identified in Cyprus are from Cyprus, India, Romania, Bulgaria, Latvia, Bangladesh, the Philippines, Dominican Republic, Nigeria, Ukraine, Turkey, and Vietnam. Sex trafficking increasingly occurs in private apartments and hotels as well as within commercial sex trade outlets in Cyprus,

including bars, pubs, coffee shops, and cabarets. Foreign migrant workers and asylum seekers from Eastern Europe, Asia, and some countries in Africa are subjected to forced labor within construction, agriculture, and domestic work. Some migrant workers recruited by employment agencies and entering the country on short-term work permits are often subjected to debt bondage, threats, and withholding of pay and documents once the work permit expires. NGOs report that children of migrants and asylum seekers remain especially vulnerable to sex trafficking and forced labor.

The Government of Cyprus does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government significantly increased the numbers of trafficking investigations, prosecutions, and convictions. The government improved protection by allowing victims to remain in Cyprus on humanitarian grounds after trials. The government also expanded the anti-trafficking police unit and added a forensic psychologist to conduct victim-sensitive interviews. However, improvement in the initial stages of law enforcement activity are not yet fully reflected in prosecution and court proceedings. The vast majority of offenders continued to be convicted under statutes that prescribe penalties less stringent than those prescribed by the anti-trafficking law. The government has yet to convict an individual for the crime of human trafficking using its 2007 law.



Recommendations for Cyprus: Improve efforts to vigorously prosecute, convict, and sentence trafficking offenders, including officials who are complicit in trafficking; continue to train judges to ensure robust application of the anti-trafficking law and to encourage punishment commensurate with the seriousness of the crime; consider the use of expert witness testimony in prosecutions of trafficking offenders; formalize the national referral mechanism to provide a practical guide that clearly outlines the roles and responsibilities of frontline responders, respective ministries, and NGOs; continue to monitor visa regimes for performing artists, students, bar-maids, domestic and agricultural workers, and other categories that present potential misuse by traffickers and increase screening for trafficking victimization among visa holders in vulnerable sectors; increase efforts to provide specialized and systematic training to officials to improve identification of victims of labor trafficking; improve case management services for trafficking victims; ensure that victims of trafficking are adequately informed of their rights, protected against intimidation, and assisted during lengthy criminal proceedings; and leverage the existing network of health workers to identify possible victims of trafficking by providing specialized training.

Prosecution

The Government of Cyprus improved its efforts to investigate, prosecute, and convict trafficking offenders, though the punishments imposed on convicted trafficking offenders remained weak. Cyprus prohibits both sex and labor trafficking through its Law 87(I) of 2007, which also contains protection measures for victims. Prescribed penalties for sex trafficking are up to 15 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as abduction. The government investigated 47 new cases of suspected trafficking in persons in 2012, a significant increase compared to 18 investigations in 2011 and 29 investigations in 2010. Forty involved sex trafficking and seven involved labor trafficking. The government prosecuted 29 trafficking cases in 2012, involving 60 individual defendants. Twenty traffickers were convicted in 2012, an increase over the 10 prosecuted and convicted in 2011, though the majority of offenders in 2012 were ultimately convicted under non-trafficking statutes and received lenient sentences ranging from fines up to two years' imprisonment. NGOs and officials noted concerns of misapplication of the trafficking law in court; judges demanded corroborating evidence beyond what was required by the law. Observers reported that prosecutors failed to prepare victims adequately to testify, leaving victims subject to secondary victimization.

In 2012, the government co-funded specialized anti-trafficking training for approximately 15 public prosecutors, 30 social workers, and 20 judges from the Greek Cypriot and Turkish Cypriot communities regarding best practices in prosecution of human trafficking cases, use of expert witness testimony, and a focus on understanding of and sensitivity to the psychological state of victims. The government co-funded participation in a training organized by the Government of Moldova on international cooperation in combatting human trafficking. The Government of Cyprus did not report any investigations or prosecutions of public officials for alleged complicity in trafficking-related offenses during this reporting period, though a deputy chief of the Aliens and Immigration police unit who was acquitted in the last reporting period for alleged involvement in human trafficking and witness intimidation was dismissed from the force during this year. This special police constable was charged for sexual exploitation, procuration, and living on the earnings of prostitution. This case was pending trial at the end of the reporting period.

Protection

The government maintained efforts to protect victims of trafficking during the reporting period, though case management services to victims of trafficking needed improvement. The government identified 34 victims of trafficking in 2012 compared with 32 in 2011. Thirteen of the 34 victims identified during the reporting period were men; 18 of the 34 identified victims were subjected to labor trafficking. Authorities did not identify any child victims of trafficking in 2012. The government referred all of the identified victims to the social welfare office for assistance. Twenty-two victims stayed at the government-operated shelter for female trafficking victims in Nicosia. Victims were permitted to stay for up to one month in the shelter for a reflection period—time in which victims can recover before deciding whether to cooperate with law enforcement. The government spent the equivalent of approximately $353,700 in 2012 to operate the trafficking shelter, compared with $416,500 in 2011. The government provided the equivalent of approximately $318,600 in public assistance to victims of trafficking who chose to stay in private apartments and were entitled to a rent subsidy and monthly allowance. This was an increase from the equivalent of approximately $300,300 provided in 2011.

In practice, NGOs reported substantial delays in issuance of monthly public allowance checks to victims, which left victims indebted to landlords. Government case management services were inadequate, impeding victims' timely renewal of residency and work permits. The Government of Cyprus did not help victims identify appropriate, affordable housing or employment. Victims had the right to work, receive free medical, legal, and psychological care, receive police protection, use free interpretation services, and access vocational training but lack of directives on coordination between ministries and specific responsibilities of officials to identify and assist victims of trafficking led to gaps in the accessibility to and provision of these services.

The government gave all 34 victims who cooperated with law enforcement renewable temporary residence permits of six months, with the right to work in Cyprus. The government reported that although legislation stipulates that victims of trafficking be repatriated at the completion of legal proceedings, the police conducted a risk assessment for each victim prior to repatriation. Five victims of trafficking whose safety was assessed to be at risk were issued extensions of residence permits on humanitarian grounds and remained in Cyprus. One victim was granted permanent residence and one victim was granted refugee status. The government issued a manual and a pocket-sized operational guide on how to identify and assist victims of trafficking to police and immigration officers. The government encouraged victims of trafficking to assist in the investigation and prosecution of alleged traffickers. The anti-trafficking police unit added psychologists to its staff to conduct victim-sensitive interviews with potential witnesses before taking an official statement. All 34 victims identified in 2012 assisted law enforcement. Four victims visited their home countries and returned to Cyprus to testify in judicial proceedings during the reporting period. The government signed an agreement during the reporting period with the IOM to begin anti-trafficking projects and facilitate the safe repatriation of victims of trafficking. Undocumented workers who complained of a labor dispute or exploitation to the labor department reportedly faced a high risk of being deported by immigration authorities. An NGO reported a case in which a labor trafficking victim whose documents and wages were withheld by the employer was deported before a trafficking investigation could be initiated. There were no reports of victims being prosecuted for unlawful acts committed as a direct result of their being subjected to human trafficking in 2012.

Prevention

The Government of Cyprus continued modest efforts to prevent trafficking in 2012. Immigration officers at passport control continued to provide potential victims with an information card with basic information on trafficking and an emergency telephone number for assistance. In cooperation with NGOs, the government continued to conduct anti-trafficking presentations at high schools and army camps. Presentations for soldiers focused on sex trafficking and targeted potential clients of commercial sex acts. The Ministry of Education included human trafficking in its 2012-2013 curricula, made funding available to universities that wished to organize seminars on trafficking, distributed an information booklet, and organized several seminars to educate teachers on human trafficking. The multidisciplinary coordinating group to combat trafficking was responsible for overseeing the implementation of the government's 2010-2012 national action plan. The 2013-2015 national action plan was adopted in April 2013. The anti-trafficking law was amended during the reporting period to increase the number of NGOs participating in the group. The government allocated the equivalent of approximately $107,800 for the multidisciplinary group to cover the cost of information campaigns, participation in international trainings, hosting international experts in Cyprus, funding for NGOs, and implementation of some actions under the national action plan. During the reporting period, a law came into effect allowing the government to revoke the license of an employment agency if a person responsible for the agency, a director, or owner is convicted for any offense under the anti-trafficking law. The government did not make specific efforts to reduce the demand for forced labor. The government issued 176 "performing artists" work permits during the reporting period, including renewals, compared with 339 issued in 2011. The government issued 156 "bartender/barmaid" work permits compared with 246 in 2011. Fifty-two were issued to men and 98 were issued to women.

Area Administered by Turkish Cypriots

The northern area of Cyprus is administered by Turkish Cypriots; the area has declared itself the "Turkish Republic of Northern Cyprus" ("TRNC"). The United States does not recognize the "TRNC," nor does any other country except Turkey. The area administered by Turkish Cypriots continues to be a zone of impunity for human trafficking. The area is a destination for women increasingly from Central Asia, as well as Eastern Europe and Africa, who are subjected to forced prostitution in night clubs that are licensed and regulated by Turkish Cypriot authorities. Men and women are subjected to conditions of forced labor in industrial, construction, agriculture, restaurant, and retail sectors. Victims of labor trafficking are controlled through debt bondage, threats of deportation, restriction of movement, and inhumane living and working conditions. Women issued permits for domestic work are vulnerable to forced labor. A significant number of women from Turkey enter the "TRNC" on three-month tourist or student visas and enter prostitution in apartments in Nicosia, Kyrenia, and Famagusta. Migrants and refugees are also at risk for sexual exploitation.

In 2012, 40 night clubs and three pubs operated in the "TRNC" for which authorities issued 1,121 hostess and 24 barmaid six-month work permits. The majority of permit holders came from Moldova and Ukraine, as well as Morocco, Kenya, Uzbekistan, Turkmenistan, Belarus, Russia, Kyrgyzstan, Kazakhstan, Paraguay, Georgia, Tunisia, Romania, Nigeria, Latvia, Egypt, Armenia, and Tanzania. Women were not permitted to change location once under contract with a night club and authorities deported 389 women who curtailed their contracts without screening for trafficking. There was a reported increase in the number of websites advertising sexual services to tourists and posting reviews by clients of nightclubs. While prostitution is illegal, authorities were complicit in the industry and made no efforts to reduce demand for commercial sex acts. Police continued to retain passports upon arrival of women working in night clubs. The "law" that governs night clubs prohibits foreign women from living on-site at their place of employment, however, most women live in group dormitories adjacent to the night clubs, or in other accommodations arranged by the establishment owner. The night clubs operated as "legal" businesses that provided revenue to the "government."

There is no "law" that prohibits human trafficking in the "TRNC." An anti-trafficking amendment to the "criminal code" was pending approval by "parliament" at the end of the reporting period. The "TRNC" did not provide any specialized training for officials on how to identify or investigate human trafficking. Turkish Cypriot authorities did not keep statistics on law enforcement efforts against trafficking offenders. However, the "attorney general's office" reported it prosecuted a few trafficking-related cases involving falsified passports that resulted in penalties of 12 to 18 months' imprisonment. Sex trafficking offenders could be prosecuted under non-trafficking "statutes" for "living off the earnings of prostitution of women" or "encouraging prostitution of women." A misdemeanor offense of "compelling a person to labor against their will" is punishable by one year imprisonment. Authorities do not enforce the "law" stipulating that night clubs may only provide entertainment such as dance performances. Very few night club owners, pimps, or clients have been prosecuted for prostitution-related charges. Limited police raids on nightclubs result in arrests of low-level managers, waiters, and probable victims of trafficking. Authorities do not acknowledge the existence of forced labor. There is no "law" that punishes traffickers who confiscate workers' passports or documents, change contracts, or withhold wages to subject workers to servitude.

Turkish Cypriot authorities allocated no funding to anti-trafficking efforts. Police were not trained to identify victims of trafficking and authorities provided no protection to victims. The lack of anti-trafficking legislation and lack of efforts to identify and protect victims indicated that Turkish Cypriot authorities tolerated human trafficking. An NGO that runs a shelter for victims of domestic violence, with no financial support from the authorities, reported helping five potential trafficking victims during the reporting period. Turkish Cypriot authorities do not acknowledge a need for care or shelter for victims of trafficking because police immediately deport foreign women who wish to leave their employer. Foreign women arrested for prostitution were immediately detained and deported to Turkey within 24 hours, regardless of country of origin. Victims of trafficking serving as material witnesses against a former employer are not entitled to find new employment and reside in temporary accommodation arranged by the police. There is no specific shelter for trafficking victims. According to human rights NGOs, police have been placing material witnesses in other working nightclubs. Witnesses are not allowed to leave the "TRNC" pending trial and are deported at the conclusion of legal proceedings. Turkish Cypriot authorities did not conduct any anti-trafficking awareness activities during the reporting period. Turkish Cypriot authorities made no efforts to reduce demand for forced labor.

The "TRNC" does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. If the "TRNC" were assigned a formal ranking in this report, it would be Tier 3.

Recommendations for Turkish Cypriot authorities: Enact legislation prohibiting all forms of human trafficking; screen for human trafficking victims within nightclubs and pubs; increase transparency in the regulation of nightclubs and promote awareness among clients and the public about force, fraud, and coercion used to compel prostitution; provide alternatives to deportation for victims of trafficking; and acknowledge and take steps to address conditions of forced labor.

CZECH REPUBLIC (Tier 1)

The Czech Republic is a source, transit, and destination country for women who are subjected to forced prostitution, and a source, transit, and destination country for men and women subjected to forced labor. Women from many countries including the Czech Republic, Bulgaria, Moldova, Nigeria, the Philippines, Romania, Slovakia, Ukraine, and Vietnam are subjected to forced prostitution in the Czech Republic and also travel through the Czech Republic *en route* to Western European countries, including Germany and the United Kingdom, where they are subjected to forced prostitution. Men and women from the Czech Republic, Bulgaria, the Philippines, Poland, Romania, Slovakia, Sri Lanka, Ukraine, and Vietnam are subjected to forced labor in the construction, automotive, agricultural, and service sectors in the Czech Republic and also transit through the Czech Republic to other countries in the European Union. Roma women from the Czech Republic are subjected to forced prostitution and forced labor internally and in destination countries, including the United Kingdom. Men and women from the Czech Republic are subjected to trafficking in the United Kingdom, and women from the Czech Republic are subjected to forced labor in the United States. During the year, there were two cases of alleged domestic servitude in the houses of foreign diplomats working in the Czech Republic.

The Government of the Czech Republic fully complies with the minimum standards for the elimination of trafficking. The government issued the first final conviction of labor trafficking offenders and sentenced them to significant time in prison. The number of trafficking victims assisted through the government's program to protect victims assisting law enforcement dropped considerably. The government adopted its fourth national strategy to combat trafficking. However, authorities eliminated funding for new prevention activities in 2012, though it restored funding in 2013.

Recommendations for Czech Republic: Ensure trafficking victims are thoroughly explained their rights at the outset of identification and encouraged to cooperate with law enforcement; robustly implement new regulations to monitor and, as appropriate, investigate and prosecute labor agencies to ensure they do not exploit foreign workers through debt bondage or forced labor using deceptive labor agreements, the use of force, or threat of force; ensure workers are given written contracts they are able to understand, as required by new legislation; increase training opportunities for judges on anti-trafficking legislation; ensure existing trafficking identification criteria used by law enforcement authorities clearly incorporate indicators for forced labor; continue to train first responders, including labor inspectors, police, and

state contracting officers, on labor trafficking victim identification criteria and evolving trends in labor trafficking; ensure adequate shelter space is available for large-scale cases, including labor trafficking cases; ensure that presumed victims of trafficking are referred promptly to care; vigorously investigate and prosecute both sex and labor trafficking cases; strengthen bilateral coordination on trafficking with source countries, including neighboring EU countries; conduct large-scale public awareness-raising campaigns, particularly on labor trafficking; increase referrals to victims for assistance by law enforcement personnel; and accede to the 2000 UN TIP Protocol.

Prosecution

The Government of the Czech Republic demonstrated strengthened anti-trafficking law enforcement efforts during the reporting period, as it obtained its first labor trafficking convictions. The government prohibits all forms of trafficking in persons under Section 168 of its criminal code, revised in 2010, prescribing punishments of up to 15 years' imprisonment. These punishments are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government continued to prosecute some trafficking cases initiated before enactment of Section 168 under Sections 232a of the criminal code. During the reporting period, the police conducted 24 investigations of 22 offenders under Section 168, compared with 19 investigations of 29 offenders in 2011. In 2012, Czech authorities prosecuted 28 people under Section 168, and five individuals in cases brought under the old Section 232a. In contrast, Czech authorities in 2011 prosecuted 12 offenders previously investigated under Section 232a, and 21 offenders under Section 168. During 2012, Czech courts convicted five defendants under Section 168, a decrease from 10 convictions in 2011. Six defendants were convicted under Section 232a in 2012, compared with nine in 2011. Ten of the 11 defendants convicted in 2012 received prison terms ranging between four and eight and a half years' imprisonment; one received a conditional sentence. Czech judges more readily viewed forced labor cases as simple fraud rather than trafficking, in light of offenders' use of non-typical coercive practices. However, courts issued their first two post-appeal decisions on labor trafficking cases in 2012. In total, an appellate court affirmed the convictions of six offenders for labor trafficking; these offenders received prison sentences ranging from four to eight years.

The organized crime branch of the Czech police maintained a specialized anti-trafficking unit that offered trainings for investigators in different departments. During the year, the Czech judicial academy offered two anti-trafficking courses specifically for prosecutors and judges. Czech authorities collaborated on trafficking investigations during 2012 with foreign governments, including one coordinated by Eurojust. The government did not report any prosecutions of government employees for alleged complicity in trafficking-related offenses during the reporting period.

Protection

The Czech government demonstrated limited progress in its victim protection efforts during the reporting period. The Ministry of Labor and Social Affairs (MLSA) provided the equivalent of approximately $251,400 in 2012 to NGOs providing care for trafficking victims regardless of victims' participation with law enforcement. Government-funded NGOs provided shelter and care to approximately 55 victims of trafficking in 2012, of whom at least 22 were newly identified during the year. The government provided both foreign and Czech victims with a 60-day reflection period, in which victims received comprehensive care and determined whether to cooperate with law enforcement. The Ministry of Interior (MOI) continued to fund its witness support program, which provided funding to NGOs caring for victims willing to cooperate with law enforcement. However, there were only six victims in this program in 2012, compared with 17 in 2011. As a result, the MOI disbursed the equivalent of approximately only $30,000; this marked a decline from 2011, when the MOI allocated the equivalent of approximately $189,500 to NGOs for victim assistance and trafficking prevention projects. Police reported identifying an additional 52 victims of trafficking who did not enter the program. In 2012, the MOI also altered the program's funding mechanism; rather than granting funds to multiple NGOs to provide services, the ministry openly advertised a contract for one NGO to be the primary partner, with the ability to sub-contract out to other NGOs. The change has reportedly caused a breakdown in communication and cooperation among NGOs and a decline in the number of NGOs participating in the government's victim assistance program.

Law enforcement authorities continued to employ formal victim identification procedures and a victim referral mechanism, though experts suggested police could improve their identification and referral of victims. Foreign victims who cooperated with investigators received temporary residence, work visas, and support for the duration of the relevant legal proceedings. Upon conclusion of the court proceedings, victims could apply for permanent residency, although no victims did so in 2012. The MOI funded an NGO to assist the return of three Czech trafficking victims and the voluntary repatriation of one victim who was trafficked in the Czech Republic. NGOs did not report any victims of trafficking who were punished for unlawful acts committed as a direct result of their being trafficked.

Prevention

The Czech government demonstrated weakened prevention efforts in the reporting period. The MOI did not provide any NGO funding for new prevention activities in 2012, though the MOI recommenced funding in 2013. The Ministry of Foreign Affairs organized three anti-trafficking trainings for consular officers, reaching 70 attendees. Informational brochures for workers coming to the Czech Republic were available online in eight different languages and were distributed by consular officers. The MLSA inspected 113 licensed labor recruitment agencies and 42 companies that use recruitment agencies and found 66 in violation of contract compliance, such as hours and pay. The interior minister chaired the Inter-Ministerial Coordination Group for Combating Trafficking in Human Beings, which coordinated anti-trafficking efforts, compiled and analyzed data, and planned future strategies. The group presented the country's fourth national anti-trafficking strategy covering 2012 to 2015 that aimed to train more police, judges, and labor inspectors, as well as to research vulnerabilities in the Roma population and industries at risk for forced labor. A unit in the MOI served as the national rapporteur and prepared a comprehensive annual report on anti-trafficking patterns and programs, which it released publicly. The government continued to fund an NGO-run hotline to identify victims of trafficking; in 2012, the hotline received calls from 451 separate