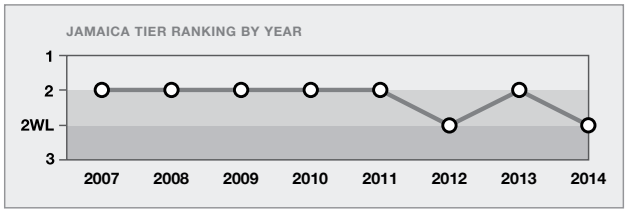
to victims. The government regularly updated a manual for law enforcement officers on trafficking laws and best practices for assisting victims. The government coordinated an interagency working group to generate guidelines and procedures for victim identification and referral, as part of the creation of the national plan. The government postponed publication of the plan until 2014 due to limited funds available for assistance in 2013. The government worked with NGOs to coordinate and implement anti-trafficking initiatives, but, unlike in prior years, did not conduct any evaluations in 2013. In cooperation with municipalities, police, social services, and NGOs carried out local education campaigns aimed at reducing the demand for prostitution. The ministry of foreign affairs implemented regular training programs for diplomatic officers deployed abroad and included modules on the prevention of trafficking in persons. The government did not publish a systematic evaluation of its anti-trafficking efforts. In 2013, Italian authorities investigated 281 illegal labor recruiters; unscrupulous labor recruiting can facilitate human trafficking. The government did not report any convictions for child sex tourism. The Italian armed forces continued to provide anti-trafficking training to civilians and military personnel before their deployment abroad on international peacekeeping missions.

JAMAICA (Tier 2 Watch List)

Jamaica is a source, transit, and destination country for adults and children subjected to sex trafficking and forced labor. Jamaican children subjected to sex trafficking in Jamaica's sex trade remains a serious problem. Sex trafficking of children and adults occurs on streets and in night clubs, bars, and private homes throughout Jamaica, including in resort towns. Traffickers in massage parlors in Jamaica lure women into prostitution under the false pretense of employment as massage therapists and then withhold their wages and restrict their movement. People living in Jamaica's poverty-stricken garrison communities, territories ruled by criminal "dons" effectively outside of the government's control, are especially at risk. NGOs express concern that children from poor families sent to wealthier families or local "dons" with the intent of a chance at a better life are highly vulnerable to prostitution and forced labor, including domestic servitude. Other at-risk children include those working in the informal sector, such as on farms or in street vending, begging, markets, and shops. An alarmingly high number of children are reported missing in Jamaica; some of these children are likely subjected to forced labor or sex trafficking. Foreign nationals are subjected to forced labor in Jamaica and aboard foreign-flagged fishing vessels operating in Jamaican waters. Numerous sources report that Jamaican citizens have been subjected to sex trafficking or forced labor abroad, including throughout the Caribbean, Canada, the United States, and the United Kingdom.

The Government of Jamaica does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In 2013, the government implemented amendments to strengthen Jamaica's anti-trafficking law. Despite these efforts, the government did not demonstrate evidence of overall increasing efforts to address human trafficking over the previous reporting period; therefore, Jamaica is placed on Tier 2 Watch List. For a fifth consecutive year, the government did not convict trafficking offenders or officials complicit in human trafficking and took insufficient action to address reports of official complicity. The government identified few Jamaican trafficking victims and failed to provide many of them with adequate assistance.



RECOMMENDATIONS FOR JAMAICA:

Vigorously prosecute, convict, and punish trafficking offenders, including officials complicit in forced labor or sex trafficking; identify and assist more victims of forced labor and sex trafficking, including prostituted Jamaican children; implement government-wide standard operating procedures to guide police, labor inspectors, child welfare officials, and health workers in the proactive identification of local, as well as foreign, victims of forced labor and sex trafficking—including children under age 18 in prostitution in night clubs, bars, and massage parlors; implement procedures to refer victims to adequate service providers; train officials on the fundamental principles of international human trafficking law, including that movement of a victim is not necessary for trafficking to occur; and use the government shelter in cooperation with NGOs to provide a safe and welcoming place for Jamaican children under 18 subjected to prostitution and other trafficking victims that need protection.

PROSECUTION

The government made progress on strengthening Jamaica's anti-trafficking law, but this development was eclipsed by a continued lack of trafficking convictions and serious concerns about official complicity. The government prohibits all forms of trafficking through its comprehensive Trafficking in Persons (Prevention, Suppression and Punishment) Act, which went into effect in 2007. In August 2013, the government enacted amendments to the act to increase the maximum sentence for trafficking crimes from 10 to 30 years' imprisonment. These penalties are sufficiently stringent and appear to be commensurate with penalties prescribed for other serious crimes. The amendments contain other positive elements, including a requirement that convicted trafficking offenders pay restitution to victims.

While Jamaica's legal structure against human trafficking was sufficient, there continued to be no results; the government did not convict any trafficking offenders in this reporting period or in the previous five years. Authorities reportedly arrested seven individuals for suspected human trafficking crimes and initiated four prosecutions in 2013, compared with two prosecutions initiated in 2012. The government continued four prosecutions of human trafficking offenses carried over from previous reporting periods. No government officials were prosecuted or convicted for alleged complicity in trafficking-related offenses, though allegations persisted from previous reporting periods that some Jamaican police officers were complicit in prostitution rings, some of which were suspected of recruiting children under 18 and coercing adults into the sex trade.

Beginning in 2014, police funded an anti-trafficking module—designed and implemented by the police's lead human trafficking investigator—as part of the basic curriculum for all new recruits. In January 2014, the Justice Ministry ran a three-day anti-trafficking training seminar for 88 prosecutors, justices of the

peace, and judges. The government also provided in-kind support to IOM-led capacity building and technical skills training workshops for government officials.

PROTECTION

The government made minimal efforts to protect trafficking victims. Authorities identified 14 confirmed and suspected victims including at least two suspected forced labor victims and eight sex trafficking victims, compared with 23 suspected victims of trafficking in the previous reporting period. The government's trafficking shelter, which could house 12 people, assisted only one person—a child forced labor victim—during the reporting period. The child did not attend school, but was provided guided instruction through a web-based curriculum commonly used in Jamaican schools. Government agencies and NGOs that did not receive government funding assisted the other victims. Jamaican anti-trafficking police reportedly had a protocol to refer suspected victims to services, but the small number of trafficking victims identified and referred to care raised concerns that many front-line responders, such as other law enforcement officers, child protection officials, labor officials, and health workers, did not adhere to standard operating procedures for the proactive identification of human trafficking victims and their referral for assistance.

In alignment with Jamaica's anti-trafficking law, the government provided formal guidance for immigration officials not to deport foreign victims. The government provided temporary immigration relief to one foreign victim, compared with 21 foreign victims during the reporting period. Jamaican officials reportedly encouraged trafficking victims to participate in the prosecutions of trafficking offenders, and the Trafficking in Persons (Prevention, Suppression and Punishment) Act guaranteed that trafficking victims were immune from prosecution for immigration or prostitution violations committed as a direct result of their being trafficked. There were no allegations of victims being punished for crimes committed as a direct result of being subjected to human trafficking during the reporting period.

PREVENTION

The government did not demonstrate efforts to prevent human trafficking. The government did not conduct any sex trafficking or forced labor awareness raising campaigns. Jamaica has a national anti-trafficking plan through 2015. A government-operated general crime victim hotline continued to provide specialized assistance to persons reporting human trafficking; it fielded an unknown number of calls related to human trafficking during the past year. The government did not report any child sex tourism investigations or efforts to reduce the demand for commercial sex acts, child sex tourism, or forced labor.

JAPAN (Tier 2)

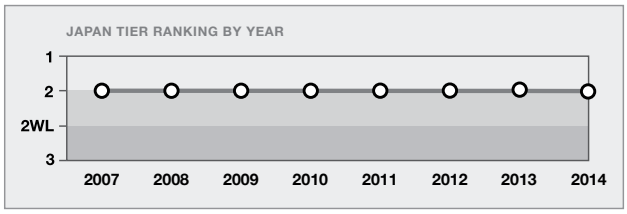
Japan is a destination, source, and transit country for men and women subjected to forced labor and sex trafficking, and for children subjected to sex trafficking. Male and female migrant workers from China, Indonesia, the Philippines, Vietnam, Nepal, other Asian countries, Uzbekistan, and Poland are subjected to conditions of forced labor, sometimes through the government's Industrial Trainee and Technical Internship Program (TTIP). Some women and children from East Asia, Southeast Asia (mainly the Philippines and Thailand), South America, Eastern Europe, Russia, and Central America travel to Japan for employment or fraudulent marriage and are subsequently forced into prostitution. Traffickers continued to use fraudulent marriages between foreign women and Japanese men to facilitate the entry of these women into Japan for forced prostitution in bars, clubs, brothels, and massage parlors. Traffickers strictly control the movement of victims using debt bondage, threats of violence or deportation, blackmail, and other coercive psychological methods. Victims of forced prostitution sometimes face debts upon commencement of their contracts; most are required to pay employers fees for living expenses, medical care, and other necessities, leaving them predisposed to debt bondage. "Fines" for alleged misbehavior are added to victims' original debt, and the process brothel operators use to calculate these debts is typically not transparent. Trafficking victims transit Japan between East Asia and North America.

Japanese nationals, particularly runaway teenage girls and foreign-born children of Japanese citizens who acquired nationality, are also subjected to sex trafficking. The phenomenon of *enjo kosai*, also known as "compensated dating," continues to facilitate the prostitution of Japanese children. In a recent trend called *joshi-kosei osanpo*, also known as "high school walking," girls are offered money to accompany men on walks, in cafes, or to hotels, and engage in commercial sex. Sophisticated and organized prostitution networks target vulnerable Japanese women and girls in public areas such as subways, popular youth hangouts, schools, and online; some of these women and girls become trafficking victims. Japanese men continue to be a significant source of demand for child sex tourism in Southeast Asia and, to a lesser extent, Mongolia.

The Government of Japan has not, through practices or policy, ended the use of forced labor within the TTIP, a government-run program that was originally designed to foster basic industrial skills and techniques among foreign workers, but has instead become a guest worker program. The majority of technical interns are Chinese and Vietnamese nationals, some of whom pay up to the equivalent of approximately $7,300 for jobs and are employed under contracts that mandate forfeiture of the equivalent of thousands of dollars if workers try to leave. Reports continue of excessive fees, deposits, and "punishment" contracts under this program. Some companies confiscated trainees' passports and other personal identification documents and controlled the movements of interns to prevent their escape or communication. During the "internship," migrant workers are placed in jobs that do not teach or develop technical skills—the original intention of the TTIP; some of these workers experience under- or non-payment of wages, have their contracts withheld, and are charged exorbitant rents for cramped, poorly insulated housing that keeps them in debt.

The Government of Japan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government convicted 31 traffickers, compared to 30 in 2012. The National Police Agency (NPA) continued to host its annual gathering for national and prefectural police officers to share trafficking investigation stories and their anti- trafficking efforts. The Japanese government, however, did not develop or enact legislation that would fill key gaps in the law and thereby facilitate prosecutions of trafficking crimes. It failed to develop specific protection and assistance measures for trafficking victims, such as establishing a nationwide network of shelters exclusively for trafficking victims, apart from the existing network of shelters

for victims of domestic violence. The TTIP continued to lack effective oversight or means to protect participants from abuse; despite some reforms, NGOs and media reported recruitment practices and working conditions did not improve for interns. The government did not prosecute or convict forced labor perpetrators despite allegations of labor trafficking in the TTIP. The number of identified victims, especially foreign trafficking victims, decreased with no evidence of a diminution in the overall scale of the problem, and the government identified no male victims of either forced labor or forced prostitution.



RECOMMENDATIONS FOR JAPAN:

Draft and enact a comprehensive anti-trafficking law prohibiting all forms of trafficking consistent with the 2000 UN TIP Protocol; significantly increase efforts to investigate and prosecute forced labor cases and punish convicted traffickers with jail time; increase enforcement of bans on excessive deposits, "punishment" agreements, withholding of passports, and other practices that contribute to forced labor in the TTIP; establish a third, neutral, non-government entity to conduct a management audit of the TTIP; establish an oversight mechanism to promote accountability in the TTIP to hold perpetrators of forced labor responsible for their crimes; expand and implement formal victim identification procedures for front-line officers to recognize both male and female victims of forced labor or forced prostitution; enhance screening of victims to ensure potential victims of trafficking are not detained or forcibly deported for unlawful acts committed as a direct result of being trafficked; train front-line police officers to not arrest children in prostitution, but to treat them as victims of trafficking; provide specialized care and assistance to victims of trafficking; establish assistance and protection services that respect foreign victims' cultural practices, such as religious observance and diet; provide permanent residency as an incentive for victims to participate in trafficking trials; increase the number of labor inspectors that are inspecting TTIP sending and receiving organizations, and establish a new mandate for labor inspectors to report on labor trafficking violations; establish mechanisms for foreign migrant workers to seek redress when abused in the TTIP, and disseminate this information to TTIP workers; aggressively investigate, prosecute, and punish Japanese nationals who engage in child sex tourism; and accede to the 2000 UN Transnational Organized Crime Convention and the TIP Protocol.

PROSECUTION

The Government of Japan maintained anti-trafficking law enforcement efforts. Japan's criminal code does not prohibit all forms of trafficking in persons as required by international law. A variety of laws, including Article 7 and 12 of the Prostitution Prevention Law, Article 5 of the Labor Standards Act, and Article 63 of the Employment Security Law, cover some elements of human trafficking. Articles 226 and 227 of the penal code prohibit kidnapping, transporting, and the "buying and selling of persons." Japanese laws do not cover all forms of child sex trafficking (particularly the recruitment, transport, transfer, or receipt of a child for the purpose of prostitution), labor trafficking (with regard to transport, transfer, or receipt of a person for forced labor), or sex trafficking (particularly the recruitment, transfer, transport, or receipt of individuals for the purpose of forced prostitution). As a result, prosecutors must bring charges under statutes that do not capture all the elements of the trafficking crime or equate the crime with a lesser offense, which carries lesser penalties. Some of these laws, such as Articles 226 and 227 of the penal code, which prohibit "buying and selling" of persons, and the laws pertaining to kidnapping, prescribe punishments ranging from one to 10 years' imprisonment, which are sufficiently stringent and generally commensurate with penalties prescribed for other serious crimes, such as rape. Other laws, namely Article 7 of the Prostitution Prevention Law, assign a penalty of three years' imprisonment, which is not sufficiently stringent.

In 2013, the government reported one prosecution and conviction under the trafficking provisions of its criminal code; otherwise it utilized other non-trafficking provisions to prosecute possible trafficking crimes. The government reported 28 investigations for offenses related to human trafficking in 2013, a decrease from 44 in 2012. These investigations resulted in convictions of 31 traffickers, compared to 30 convictions in 2012. Of the 31 convicted defendants, only five served prison sentences; 26 defendants received fines or suspended sentences. One forced labor investigation involved Chinese interns in the TTIP in Kawakami Village, Nagano Prefecture. Despite numerous reports and allegations of possible labor trafficking offenses under the TTIP in Kawakami Village, including confiscation of passports, imposition of exorbitant fines, and arbitrary deduction of salaries resulting from non-contractual infractions, the government did not prosecute or convict trafficking offenders involved in the use of TTIP labor or bar the involved organizations from participating in the program. The government claimed to lack jurisdiction over the activities of sending organizations in source countries and did not take any action for deceptive recruitment practices. An investigation involving three individuals suspected of violating the Immigration Control Act in connection with allegations of forced labor in the TTIP, discussed in the 2013 *TIP Report*, did not result in a trafficking prosecution. The government reported investigating 3,913 individuals for child prostitution, compared to 695 in 2012; 709 resulted in prosecutions, compared to 579 in 2012. 297 offenders were convicted for child prostitution in 2013, sentencing information for these offenders was not available.

The NPA, Ministry of Justice, Bureau of Immigration, and Public Prosecutor's office continued to conduct an annual anti-trafficking training for senior investigators and police officers from 47 prefectural and municipal police departments, prosecutors, judges, and immigration bureau officers on identifying trafficking victims and investigating trafficking cases. The Japan Coast Guard gave a series of lectures to 61 officers to raise awareness of trafficking issues. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking.

PROTECTION

The Government of Japan decreased protection efforts, hampered by a narrow definition of human trafficking. The government has never identified a forced labor victim in the TTIP, despite substantial evidence of trafficking indicators, including debt bondage, passport confiscation, and confinement. A steep decline in victim identification continued in 2013. NPA officials identified 21 female sex trafficking victims in 2013, a decrease

from 27 in 2012 and 45 in 2011; only eight of the victims were foreign nationals. Two of the 13 Japanese nationals identified were children. The police reported identifying 462 victims of child prostitution, compared to 471 in 2012. The government reported providing psychological counseling and medical care to victims of child prostitution. NPA officials used an IOM-developed handbook to identify victims of trafficking and the Inter-Ministerial Liaison Committee's manual to refer victims to available services.

The government continued to lack trafficking victim-specific services, but funded Japan's Women's Consulting Center shelters (WCCs) and domestic violence shelters, which assisted 13 Japanese trafficking victims. Victims in WCC shelters were provided food, basic needs, psychological care, and coverage of medical expenses. It is unclear whether any foreign trafficking victims received such services prior to repatriation. Victims were able to leave the facilities when accompanied by facility personnel. Although the 2009 Japanese action plan calls for male victim protection policies, Japan did not have dedicated shelters or clearly defined resources for male victims. No assistance to victims of forced labor or abused "interns" in the TTIP was reported, as the government did not screen for or identify victims among these vulnerable populations. At least 13 prostituted children in *joshi-kosei osanpo* were taken into protective custody.

Some victims were reluctant to seek government assistance due to the perception of a lack of protective services available to identified trafficking victims. The government-funded Legal Support Center provided *pro bono* legal services to destitute victims of crime for both criminal and civil cases; for the second consecutive year, it was unclear whether any trafficking victims applied for or received such services. Foreign victims could not work during the investigation or trial period unless they obtained a different visa status, a disincentive to participation; the government reported providing three victims with a special activities status to work, but most chose to be repatriated before the trials of their alleged traffickers began. Although permanent residency benefits were legally available to trafficking victims who feared returning to their home country, no trafficking victims received such benefits for at least the thirteenth consecutive year; one victim continued to receive a one-year visa for the fourth consecutive year. Victims had the right to seek compensation from their traffickers, but no victim has ever sought restitution to date.

PREVENTION

The Government of Japan maintained modest efforts to prevent trafficking. It began negotiating memoranda of understanding on trafficking prevention with several Southeast Asian countries. Japanese consular officials were educated to identify potential victims during the visa application process; this screening has not yet resulted in identifying trafficking victims. The Inter-Ministerial Liaison Committee on Trafficking increased consultations with NGOs that work on trafficking issues from one per year to six, but no policy changes have occurred as a result of these consultations. The NPA and the Immigration Bureau continued to distribute leaflets on multilingual emergency contact mechanisms with a hotline number to local immigration offices and governments of source countries, conducted an online trafficking awareness campaign, and publicized trafficking arrests to raise awareness.

The government reported increasing outreach to TTIP employers and immigration and labor inspections at TTIP companies and requiring that copies of all contracts be provided to MOJ to allow for closer scrutiny to ensure they did not include deposits or "punishment" clauses. Observers reported these efforts instead led to the emergence of an additional layer of brokers to circumvent the system. The Ministry of Health, Labor, and Welfare (MHLW), which oversees the country's labor inspectors, did not have the mandate to report on trafficking abuses, and was not able to inspect all the TTIP organizations in a timely manner. The Japan International Trade Cooperation Organization (JITCO), a government entity designated to monitor the TTIP, lacked enforcement powers and TTIP organizations were allowed to self-audit. On May 2013, JITCO published the fourth edition of its handbook for TTIP workers, which contains contact information for reporting complaints.

In an effort to reduce demand for commercial sex, the Cabinet Office continued to distribute posters, leaflets, and passport inserts nationwide that contained warning messages to potential consumers of sexual services. Japan serves as a source of demand for child sex tourism, with Japanese men traveling and engaging in commercial sexual exploitation of children in other Asian countries—particularly Thailand, Indonesia, Cambodia, the Philippines, and, to a lesser extent, Mongolia; the government did not investigate or prosecute anyone for child sex tourism. The NPA hosted a conference on commercial sexual exploitation of children in Southeast Asia in November 2013, during which officials shared case details with Thai, Cambodian, Philippine, and Indonesian police counterparts. Japan is the only G-8 country that is not a party to the 2000 UN TIP Protocol.

JORDAN (Tier 2)

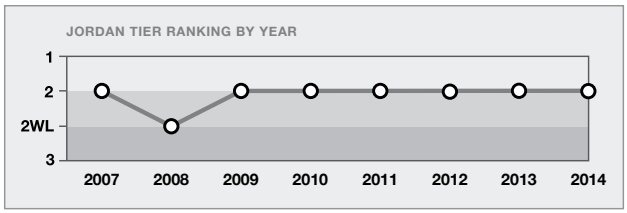
Jordan is a destination and transit country for adults and children subjected to forced labor and, to a lesser extent, sex trafficking. Women from Sri Lanka, Bangladesh, Indonesia, and the Philippines voluntarily migrate to Jordan for employment as domestic workers. Some are subjected to conditions of forced labor after arrival, including through unlawful withholding of passports, restrictions on movement, nonpayment of wages, threats of imprisonment, and physical or sexual abuse. Although the government has instituted many policies to facilitate the repatriation of domestic workers, many are unable to return to their home countries due to pending criminal charges against them, as well as their inability to pay government overstay penalties, other fees, or the cost of a return plane ticket. Migrant workers from Egypt—the largest source of foreign labor in Jordan—experience forced labor in the construction, building maintenance, and agricultural sectors; Syrian workers, including Syrian refugee children, also face forced labor in the agricultural sector. Sri Lankan, Indian, Chinese, Malagasy, Bangladeshi, Burmese, Nepali, Pakistani, and Vietnamese men and women, as well as nationals of Taiwan, migrate for work in factories in Jordan's garment industry; approximately 3,000 Burmese workers were recruited to work in the garment industry in 2012. Women account for 63 percent of the total labor force in the garment industry. Some of these workers encounter forced labor through unlawful withholding of passports, delayed payment of wages, long working hours, forced overtime, unsanitary living conditions, indebtedness to recruitment agencies in the workers' home countries, and verbal and physical abuse; female factory workers are also vulnerable to sexual harassment. Workers in the garment sector continue to protest forced labor conditions. Jordan's sponsorship system binds foreign workers to their designated employers without the ability to switch employers

and without adequate access to legal recourse when they face abuse, thereby placing a significant amount of power in the hands of employers and recruitment agencies. Migrant workers are further vulnerable to forced labor due to indebtedness to recruiters, negative societal attitudes toward foreign workers, high illiteracy rates, and legal requirements that foreign workers rely on employers to renew their work and residency permits.

Syrians continue to flee ongoing violence in Syria to neighboring countries including Jordan, and they are highly vulnerable to exploitation and trafficking. NGOs and government officials report that an increasing number of undocumented Syrian refugees—particularly women and children—are working illegally in the Jordanian economy, making them vulnerable to trafficking. The Jordanian Ministry of Labor estimates that 30,000 Syrian refugee children are working in Jordan.

Reporting suggests that Syrian refugee children peddle goods in Za'atri refugee camp and in Jordanian communities, and that there are increasing numbers of Syrian refugee children begging in Jordanian cities. Uncorroborated media reports suggest that Syrian refugee women are sold into "temporary marriages"—primarily for the purpose of sexual exploitation or prostitution; however, there were no known cases of such crimes. According to media reports, some Syrian refugee women and girls are reportedly forced into prostitution. An international organization reported a case of a Syrian woman whose Syrian husband forced her to work in prostitution in a nightclub in Jordan. Moroccan, Tunisian, Lebanese, Syrian, and Eastern European women are forced into prostitution after migrating to Jordan to work in restaurants and night clubs. Some out-of-status Indonesian, Filipina, Bangladeshi, and Sri Lankan domestic workers are reportedly forced into prostitution after running away from their employers. NGO reporting suggests that some Egyptian women receive marriage offers from Jordanian men as second wives, but are then subjected to forced labor, forced begging, or forced prostitution. Small numbers of Jordanian adults are subjected to forced labor as low-skilled workers in Qatar and Kuwait, while Jordanian children employed within the country as mechanics, agricultural laborers, and beggars may be exploited in situations of forced labor. There are reports of organized child begging rings involving Jordanian, Syrian, and Egyptian children. Some Jordanian girls are forced to drop out of school to perform domestic service in contravention of their constitutionally-protected right to complete their education; these "homebound girls" are confined to the home and vulnerable to domestic servitude.

The Government of Jordan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the year, the government prosecuted and convicted an increased number of trafficking offenders, and continued to identify and refer an increased number of trafficking victims to NGO-run shelter services. The government also improved prevention efforts by implementing public awareness campaigns. While the government officially designated a shelter to provide services to trafficking victims in February 2014, the government did not fund or provide adequate shelter services for victims of trafficking during the majority of the reporting period. Victims continued to face arrest, imprisonment, and punishment—particularly workers who ran away from abusive employers.



RECOMMENDATIONS FOR JORDAN:

Increase efforts to prosecute, convict, and punish trafficking offenses with jail time using the anti-trafficking statute; amend the forced labor statute to increase prescribed penalties for forced labor offenses; strengthen efforts to proactively identify victims of forced labor and forced prostitution, particularly among vulnerable populations such as detained foreign migrants and domestic workers; implement standardized referral procedures for law enforcement, social services, and labor officials to promptly refer identified victims to protection services, including the newly designated trafficking shelter; amend the shelter's victim referral procedures so that victims can receive assistance at the shelter regardless of whether their case has been filed with the public prosecutor; adequately train shelter staff to provide care for trafficking victims, as distinct from gender-based violence victims; ensure identified victims are not punished for unlawful acts committed as a direct result of being subjected to human trafficking, such as immigration or prostitution violations; issue regulations governing work in the agricultural sector; and continue to implement awareness campaigns to educate the general public and foreign migrant workers in all sectors on human trafficking, particularly forced labor and the proper treatment of domestic workers under Jordanian law.

PROSECUTION

The government increased law enforcement efforts. The 2009 anti-human trafficking law prohibits all forms of both sex and labor trafficking and prescribes penalties of six months' to 10 years' imprisonment for forced prostitution, child trafficking, and trafficking of women and girls; these penalties are sufficiently stringent, but not commensurate with those prescribed for other serious crimes, such as rape. Penalties prescribed for labor trafficking offenses are not sufficiently stringent and do not reflect the heinous nature of this serious crime; cases against men that do not involve aggravating circumstances are limited to a minimum of six months' imprisonment and a fine. Jordan's labor law assigns administrative penalties for labor violations committed against Jordanian or foreign workers, yet these penalties also are not sufficiently stringent to deter the crime of human trafficking. The withholding of passports is a crime under Jordan's passport law and holds a penalty of six months' to three years' imprisonment; a September 2013 amendment increased the financial penalties for the withholding of a passport.

The government acknowledged that it had difficulty tracking human trafficking cases as they passed from the police and the labor inspectorate to the court system and social services; however, the Public Security Directorate (PSD) and Ministry of Labor (MOL) joint anti-trafficking unit, which was established in December 2012, continued to investigate potential cases of trafficking. In 2013, the PSD anti-trafficking unit reported investigating three cases of sexual exploitation, four forced labor cases, and 17 cases involving the exploitation of domestic workers; these investigations involved a total of 90 potential

victims of trafficking. In 2012, authorities investigated two cases of sex trafficking and 19 forced labor cases. The government referred 17 trafficking cases for prosecution in 2013 under the anti-trafficking law, an increase from the eight prosecutions referred in the previous reporting period; however, it was unclear whether these cases involved sex or labor trafficking. Two of these prosecutions resulted in convictions, an increase from no convictions in the previous reporting period, while one resulted in an acquittal. The PSD anti-trafficking unit also reported investigating 154 cases that involved the withholding of passports, restricted freedom, and labor violations. In September 2013, the Supreme Criminal Court investigated allegations that a company contracted to build the PSD headquarters was subjecting Egyptian and Indian workers to forced labor, including by withholding passports and salaries and threats of arrest if the workers left the workplace; at the end of the reporting period, the case was still under investigation. In addition, 34 individuals were prosecuted for withholding passports, but some employers who were convicted were reportedly not required to return the passports back to their employees as a part of their sentence. There was no evidence that any employers in the garment sector were investigated or prosecuted, despite reports that employers in at least five factories withheld passports. Factory owners sought to insulate themselves from liability by having workers sign over their passports; authorities seemed to be swayed by this defense rather than examine whether power imbalances undercut the workers' ability not to do as asked by their employers. Foreign embassy officials reported that the government preferred to settle potential trafficking cases out of court rather than refer them for prosecution; for example, one foreign embassy referred 30 potential cases of trafficking to the PSD anti-trafficking unit, half of which were settled out of court and the others remained pending at the end of the reporting period. The government did not report any investigations or prosecutions of government employees for complicity in trafficking-related offenses during the reporting period. The six-person committee of judges, which the Higher Judicial Council created in December 2012, continued to oversee judicial activities related to human trafficking. The PSD anti-trafficking unit conducted multiple anti-trafficking trainings for police, judicial, and labor officials—some of which were conducted in coordination with international organizations and NGOs—throughout the reporting period.

PROTECTION

The government made some progress protecting victims of trafficking during the reporting period. While it continued to identify and refer trafficking victims to donor-funded shelter services and officially designated a shelter facility to assist trafficking victims, it did not provide or directly fund any specialized services for victims during the majority of the reporting period. It also did not adequately ensure that identified victims were not penalized for unlawful acts committed as a direct result of being trafficked. In February 2014, the government officially designated a shelter for gender-based violence victims to also shelter and assist female trafficking victims. This shelter can house up to 50 female victims of violence and offered medical, psychosocial, educational, and legal assistance. Though the shelter's bylaws require a criminal case to be filed with the public prosecutor before trafficking victims can receive shelter services, authorities continued to informally refer trafficking victims to protection services. The government identified 90 potential victims of trafficking who were involved in trafficking prosecutions. Prior to the designation of the government-run shelter, the government informally referred victims to a local NGO-operated shelter, to which it referred 46 potential female trafficking victims, an increase from 30 in the previous reporting period. The government also identified and paid for six male trafficking victims to reside at a hotel. The inter-ministerial National Screening Team, which is responsible for identifying trafficking victims, reportedly identified 27 trafficking cases in 2013 and established a formal checklist for officials to proactively identify victims of trafficking. During the reporting period, the anti-trafficking unit began cooperating with the Ministry of Health to identify potential victims of trafficking and find evidence of sexual assault and sexually transmitted diseases. The PSD anti-trafficking unit's six female officers provided limited assistance to victims and only three of the officers were tasked with conducting interviews for the purpose of an investigation.

In the absence of government-provided protection services, foreign domestic workers continued to seek refuge at their respective embassies, which provided shelters for hundreds of female domestic workers who fled abusive employers and who, in the event that their employer did not keep their legal status current, could not leave Jordan without an exit permit and the payment of overstay fees. Many women who sought assistance at their embassies remained in the shelters waiting for the return of their passports, back pay for unpaid salaries, or resolution of labor disputes or criminal charges. To be able to address this issue more effectively, the PSD anti-trafficking unit established liaison officers to work with foreign embassies to identify victims of trafficking, refer cases to prosecution, and facilitate the repatriation of workers. In July 2013, the Ministry of Interior instructed the PSD to facilitate and coordinate with foreign embassies to repatriate foreign domestic workers who had been prevented from leaving Jordan because they did not have legal documents or could not pay fines accrued for overstaying their residency permits. As a result of this new directive, more than 1,200 domestic workers from Indonesia, the Philippines, Bangladesh, and Sri Lanka, as well as 17 children born to these women, were repatriated during the reporting period. NGOs reported that at least 345 of these workers were possible victims of forced labor. The anti-trafficking unit continued to assist NGOs to repatriate some trafficking victims, including those from Morocco, Egypt, Sri Lanka, Bangladesh, Indonesia, the Philippines, India, and Ethiopia.

Victims continued to be vulnerable to arrest and detention—sometimes for extended periods of time—if found without valid residency documents, and some foreign domestic workers fleeing abusive employers were incarcerated after their employers or recruitment agencies filed false claims of theft against them. The government made some efforts, alone and in cooperation with international organizations and foreign embassies, to identify trafficking victims among detained foreign domestic workers and out-of-status migrant workers; however, these efforts were not sufficient to address the problem. For example, NGOs reported that potential trafficking victims, particularly victims of forced labor, were jailed on charges such as theft, non-reimbursement of deployment fees to their employers, and working illegally. Some migrant workers reportedly opted to be jailed because there was no shelter in which they could receive services; the government did not take measures to refer these workers to NGO-run protection services, though the government repatriated some of them. The fining of foreign workers without valid residency documents—including identified trafficking victims—served as a strong disincentive for trafficking victims to remain in Jordan and pursue legal action against traffickers. The government did not actively encourage victims to participate in the investigation or prosecution of trafficking offenses committed against them.

The government did not provide foreign victims with legal alternatives to their removal to countries where they might face hardship or retribution; however, there have been no reported cases where the victim might have faced hardship or retribution. Labor regulations prevented the three-person labor inspectorate dedicated to addressing abuses against domestic workers from investigating abuses in private homes, which continued to isolate domestic workers and "homebound girls." Additionally, the government lacked specific regulations to govern the agriculture sector, which left labor abuses and trafficking victims in this sector largely undetected.

PREVENTION

The government's efforts to prevent trafficking improved during the reporting period. The government distributed anti-trafficking brochures to foreign migrants at border crossings, airports, and health clinics. The government also sponsored and participated in, but did not fund, two public awareness anti-trafficking campaigns. The anti-trafficking committee met three times, while its working-level technical committee separately met four times. The committee drafted a report documenting Jordan's anti-trafficking efforts during the year, but did not release it to the public. The government made minimal efforts to rectify weaknesses in the regulations that provide standards for employing domestic workers. However, the labor inspectorate enforced a directive that requires employers of domestic workers to deposit their salaries into bank accounts, and in November 2013, the government signed an agreement with the Recruiting Agencies Association requiring all sponsors of domestic workers to establish bank accounts for their employees so that the MOL would be able to closely monitor the payment of salaries to workers. The MOL Inspection Department continued to have only 120 labor inspectors for the entire country, which government officials and NGOs agreed was insufficient to fulfill its mandate. Nonetheless, in this reporting period, MOL conducted 70,364 labor inspections and found 19,809 labor violations. The MOL Inspection Department also investigated 66 recruitment agencies, recommended closing nine agencies, and ultimately closed 10; one recruiter was convicted of fraud and operating an unlicensed recruitment agency. The government established a trafficking hotline, which was linked to the MOL-operated hotline that received labor complaints and included interpretation services available in some source-country languages; the trafficking hotline identified two potential cases of sexual exploitation and four potential forced labor cases involving domestic workers. The government did not report taking measures to reduce the demand for commercial sex acts or forced labor during the reporting period. The government provided an optional anti-trafficking training for its nationals being deployed abroad for peacekeeping operations.

KAZAKHSTAN (Tier 2)

Kazakhstan is a destination and, to a lesser extent, a source and transit country for men, women, and children subjected to sex trafficking and forced labor. There is also a large domestic trafficking problem. Kazakhstani women and girls are subjected to sex trafficking in the United Arab Emirates, Russia, Uzbekistan, Cyprus, Luxembourg, Sweden, and Turkey. Women and girls from Uzbekistan, Kyrgyzstan, Tajikistan, and rural areas in Kazakhstan, as well as Russia, Moldova, and Ukraine, are subjected to sex trafficking in Kazakhstan. The relative economic prosperity in the government capital Astana, the financial capital Almaty, and the western oil cities Aktau and Atyrau, has attracted large numbers of Kazakhstanis from rural villages, some of whom become victims of labor trafficking as construction workers and domestic servants, or victims of sexual exploitation in brothels. Sex trafficking occurs in small hotels in big cities and resort areas, and in rented apartments and multi-business establishments (such as a single facility that operates as a restaurant, hotel, and gas station). In most cases of trafficking for purposes of sexual exploitation, traffickers targeted young girls and women aged 15 to 35, primarily from rural areas, luring them with comparatively lucrative employment as waitresses, models, or nannies in large cities. Kazakhstani men, women, and children are subjected to conditions of forced labor in Russia and South Korea. Kazakhstani men, women, and children as well as men and children from Uzbekistan, Kyrgyzstan, Tajikistan, Russia, and the Philippines are subjected to conditions of forced labor in domestic service, construction, agriculture, private households, and small businesses in Kazakhstan, reportedly being subjected to physical violence, resulting in injuries such as broken limbs. Investigations revealed children of migrant workers from Kyrgyzstan work up to 75 hours per week in cotton fields in the Almaty province. Some children are forced to beg and others may be coerced into criminal behavior or pornography. Small organized criminal groups, in some cases led by former convicts, facilitated trafficking in Kazakhstan. Traffickers included women formerly in prostitution, career criminals, independent business people, taxi drivers, sauna owners or administrators, and farm owners. Many victims indicated that they were lured through fraud and deceit, sometimes by friends or acquaintances.

The Government of Kazakhstan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated its commitment to combating trafficking in persons by improving its anti-trafficking legislation and increasing training for law enforcement officials. The government increased its law enforcement efforts against human trafficking and funding of awareness campaigns and continued to protect identified victims. Government officials' complicity in trafficking remained a serious but unaddressed problem. The government identified an increased number of victims, but struggled to identify victims proactively, despite substantial law enforcement training. The government did not use a victim-centered approach when investigating and prosecuting potential crimes, and longer-term shelter and assistance to victims remained insufficient.

RECOMMENDATIONS FOR KAZAKHSTAN:

Continue to improve efforts to identify trafficking victims—particularly foreign forced labor victims—among vulnerable populations and refer these victims for assistance; develop a unified trafficking law; increase efforts to vigorously investigate and prosecute suspected trafficking cases, respecting due process; provide clear instructions to all police on victim identification and referral of victims to protective services; treat persons subjected to trafficking as victims before questioning them as witnesses; refrain from deporting victims; offer temporary legal status to foreign victims and provide legal alternatives to forced

repatriation; train the Labor Inspectorate to better identify victims of forced labor and report potential trafficking cases to the police; investigate and prosecute police officers suspected of corruption, particularly those complicit in trafficking-related offenses; develop the mechanism to provide longer-term shelter and rehabilitation to victims of trafficking outside of the government-funded shelter in Astana as established by the "Special Social Services" law; assign the chair role of the Trafficking in Persons Work Group to an upper-level agency; continue to increase the number of victims who receive government-funded assistance by funding additional trafficking shelters; maintain robust trafficking investigations with foreign law enforcement agencies once a victim has been repatriated from Kazakhstan; and strengthen the capacity of police, prosecutors, and judges to investigate trafficking cases.

PROSECUTION

The Government of Kazakhstan maintained progress in anti-trafficking law enforcement efforts, but did not address the large problem of official complicity in trafficking, particularly among low-ranking police officials, and did not employ a victim-centered approach. Kazakhstan prohibits all forms of both sex and labor trafficking through Articles 128, 133, 125(3b), 126(3b), 270, and 132-1 of its penal code, which prescribe penalties of up to 15 years' imprisonment—penalties sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In December 2012, the Kazakhstan Supreme Court issued a decree to clarify and unify judicial interpretation of trafficking in persons under the law. In July 2013, the anti-trafficking legislation was extensively amended, including to clarify the definition of significant terms used in the penal code, including "exploitation of a person," which is defined to include forced labor and forced begging, and to explicitly state that a victim's consent "shall not be taken into account" if means of coercion or force are used in a trafficking case and "other transactions." The labor code was similarly amended and now prohibits previously convicted traffickers from working with minors.

Police investigated 138 trafficking cases in 2013, compared with 89 trafficking cases in 2012. Authorities prosecuted 56 cases in 2013, compared to 70 cases in 2012. Kazakhstani authorities convicted 43 trafficking offenders in 2013, an increase from 37 offenders convicted the previous year. The government convicted 34 offenders for sex trafficking offenses who received sentences that ranged from one year of probation to 13 years' imprisonment. The nine individuals convicted of forced labor offenses in 2013 received sentences ranging from one to 14 years' imprisonment. The government continued to provide a variety of specialized training courses in the recognition, investigation, and prosecution of trafficking crimes for police, prosecutors, and judges and funded police participation in international anti-trafficking events. For example, in 2013, the judicial institute conducted nine training sessions for 450 judges on the protection of trafficking victims during the criminal process. The Ministry of Internal Affairs conducted seven in-service training courses on victim identification and investigative techniques for 118 police officers from specialized anti-trafficking units, the migration police, community police, and investigation units. During the reporting period, Kazakhstan jointly investigated 10 cases related to human trafficking with other countries, including Uzbekistan, Kyrgyzstan, Russia, and Belarus. In 2013, the Ministry of Internal Affairs investigated some police officers who were allegedly complicit in human trafficking. In one case, a police officer from an anti-trafficking unit was investigated for protecting traffickers, but the case was dropped after investigation. In another case, two police officers were accused of abusing professional functions and protecting an organized criminal group that ran brothels in Almaty and Almaty Oblast. Some local police are in close contact with employers who use forced labor, particularly when the employer is a family member of a local government leader. Experts noted a steep decrease in the number of trafficking cases initiated related to pimping and brothel maintenance after July 2013, when the maximum penalty for this crime increased to 10 years' imprisonment; experts believe pimps are bribing low-ranking police officials to avoid such charges.

PROTECTION

The Government of Kazakhstan made efforts to protect Kazakhstani trafficking victims, but continued to lack sufficient standard operating procedures for foreign trafficking victims who needed assistance. In 2013, the government identified 122 victims of trafficking, an increase from 84 victims identified in the previous year. Of those 122 victims, 86 were victims of sex trafficking and 36 were victims of labor trafficking. All 11 of the foreign victims were from Uzbekistan, 15 Kazakhstanis were victims of labor trafficking in Russia, and 96 victims from rural areas were subjected to internal trafficking. NGOs noted an improvement in the victim referral process in 2013, with an anti-trafficking unit assigned to each region. Kazakhstan has four NGO-operated trafficking-specific shelters; the government continued to fully fund one NGO-run shelter for trafficking victims in Astana, which assisted 24 victims in 2013. However, the government has not yet developed a mechanism to provide long-term assistance beyond the one government-funded trafficking-specific shelter in Astana. All four of Kazakhstan's shelters are equally accessible to female and male trafficking victims, including children, regardless of citizenship. They provide a range of legal, psychological, and medical assistance. However, NGOs report that foreign victims sometimes experience difficulties in accessing local medical facilities because they lack health insurance or residency permits. Adult trafficking victims were permitted to enter and leave the shelters freely. The government encouraged victims to participate in investigations and prosecutions by providing witness protection during court proceedings and access to pre-trial shelter services, and victims were permitted to receive mandatory rehabilitation and compensation under the new amendments. Foreign victims who agreed to cooperate with law enforcement were requested to remain in Kazakhstan for the duration of the criminal investigation, but were not permitted to work. The government did not offer legal alternatives to foreign victims' removal to countries where they faced retribution or hardship; all victims were forcibly repatriated, either after a short recuperation period or after their service as a witness was completed.

The government reportedly allocated at least the equivalent of approximately $25,500 for direct victim assistance in 2013, including the equivalent of approximately $17,500 for shelter assistance and the equivalent of approximately $8,000 for victim assistance during investigations. In 2013, civil society groups and government-funded programs assisted a total of 100 victims of trafficking, a decrease from 153 the previous year. Of the total number of victims of trafficking assisted, 64 were Kazakhstani citizens and 36 were foreigners; 40 were victims of sexual exploitation and 60 of forced labor; 54 were female and 46 male.

In 2013, the Ministry of Internal Affairs allocated the equivalent of approximately $8,000 to 22 victims of trafficking, including five foreign victims, for temporary lodging, food, clothing, and miscellaneous expenses during the course of investigations. The government does not yet have a mechanism to provide longer-term shelter and rehabilitation assistance to victims of trafficking outside of the government-funded shelter in Astana, even though the "Special Social Services" law establishes this. NGOs continued to provide rehabilitation and reintegration services to victims of trafficking. In 2013, the Association of Trafficking in Persons in Central Asia, through its NGO network, provided longer-term rehabilitation assistance, including vocational training, to 20 victims of trafficking. In almost all of these cases, victims of trafficking were referred for assistance to local NGOs by anti-trafficking units who were investigating trafficking cases. The new legal amendments also introduced rules exempting trafficking victims from any administrative liability; there was no report of victims being criminally punished in 2013.

PREVENTION

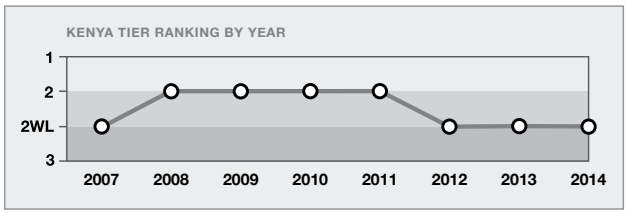
The government continued prevention efforts, including efforts to educate migrants on potential dangers of human trafficking. The interagency Trafficking in Persons Working Group held only one of its four planned meetings in 2013 and did not fulfill any of the recommendations outlined at that meeting. The government continued to fund anti-trafficking information and education campaigns that targeted potential victims of trafficking, including children. The Ministry of Culture and Information funded radio and television programs in 2013, as well as the publication of newspaper articles, designed to prevent trafficking by raising public awareness. The Ministry of Internal Affairs advertised, but did not allocate funding for, the operation of a trafficking hotline. The government allocated the equivalent of approximately $84,400 to NGOs for prevention projects. In 2013, the government continued providing in-kind contributions to an IOM program on demand reduction for commercial sexual acts.

KENYA (Tier 2 Watch List)

Kenya is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Within the country, Kenyan children are forced to labor in domestic service, agriculture, fishing, cattle herding, street vending, and begging. Children—both girls and boys—are also exploited in prostitution throughout Kenya, including in the coastal sex tourism industry; at times, their prostitution is facilitated by women in prostitution, "beach boys," and sometimes their parents. Kenyan children are exploited in prostitution by those working in sectors such as *khat* (a mild narcotic) cultivation areas, near Nyanza's gold mines, along the coast by truck drivers transporting stones from quarries, and by fishermen on Lake Victoria. Kenyans voluntarily migrate to other East African nations, South Sudan, Europe, the United States, and the Middle East—particularly Saudi Arabia, but also to Qatar, Kuwait, the United Arab Emirates (UAE), Lebanon, and Oman—in search of employment, where at times they are exploited in domestic servitude, massage parlors and brothels, or forced manual labor. Gay and bisexual Kenyan men are lured from universities with promises of overseas jobs, only to be forced into prostitution and sex trafficking in Qatar and the UAE. Nairobi-based labor recruiters maintain networks in Uganda that recruit Rwandan and Ugandan workers through fraudulent offers of employment in the Middle East and Asia. Kenyan women are subjected to forced prostitution in Thailand by Ugandan and Nigerian traffickers.

Children from Burundi, Ethiopia, Somalia, South Sudan, Tanzania, and Uganda are subjected to forced labor and sex trafficking in Kenya; Kenyan children may endure similar exploitation in these countries. The security situation in Dadaab—Kenya's largest refugee camp complex that is host to hundreds of thousands of refugees and asylum seekers—did not allow for full humanitarian access, assistance, or protective services. Somali refugees living in the Dadaab complex have reported the presence of al-Shabaab recruiters; a 2012 survey by a local NGO found that fear of recruitment into this armed group, particularly among children, was a key concern in the camps. Some children in Kenya-based refugee camps, the majority of whom are Somali, may endure sex trafficking, while others are taken outside the camps and forced to work on tobacco farms. Trucks transporting goods from Kenya to Somalia returned to Kenya with young girls and women placed into brothels in Nairobi or Mombasa. Indian women recruited to work in *mujra* dance clubs in Nairobi face debt bondage, which they are forced to pay off by dancing and performing sex acts.

The Government of Kenya does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government has not shown evidence of increasing efforts to address human trafficking compared to the previous year; therefore, Kenya is placed on Tier 2 Watch List for a third consecutive year. Kenya 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 it has committed to devoting sufficient resources to implement that plan. During the reporting period, the government identified 47 victims in four of Kenya's 47 counties, as nationwide data was unavailable. In addition, the government reported prosecution of 30 trafficking cases and conviction of seven traffickers involved in the exploitation of children in forced begging and sex trafficking schemes. To better regulate overseas labor recruitment, the government conducted inspections of 389 of an estimated 500 active recruitment agencies before and after lifting a ban, in November 2013, on Kenyans departing to the Middle East as domestic workers. Nonetheless, the government failed to provide adequate protective services to adult victims trafficked within the country or identified in situations of forced labor or prostitution overseas. Although the Counter-Trafficking in Persons Act went into effect in October 2012, the government has not yet demonstrated sufficient political will to fully implement the act. In March 2014, the government nominated members to the Counter-Trafficking in Persons Advisory Committee—whose establishment is mandated by the Act—but the body has not yet met and failed to coordinate any government efforts in 2013. The Ministry of Foreign Affairs (MFA) and Department of Children's Services (DCS) engaged in public education outreach to sensitize the public—including labor recruitment agencies, potential labor migrants, children, parents, and school teachers—to human trafficking issues and awareness of the Counter-Trafficking Act. The police force remained without sufficient resources to enforce the anti-trafficking act. Law enforcement efforts and government funding remained inadequate in light of Kenya's significant trafficking problem.



RECOMMENDATIONS FOR KENYA:

Use the anti-trafficking law to investigate and prosecute trafficking offenses, and convict and punish trafficking offenders, including government officials suspected of complicity in human trafficking; continue to use the anti-trafficking law or Section 14 of the Sexual Offenses Act to prosecute and punish child sex tourists; provide additional training to all levels of the government, particularly first-line responders, on identifying and handling trafficking crimes; allocate adequate resources to police, labor, and social services staff to ensure implementation of the prosecution and protection mandates within the Counter-Trafficking in Persons Act of 2010; establish an official process for law enforcement officials to refer trafficking victims for assistance; continue to increase oversight of and accountability for overseas recruitment agencies; increase protective services available to adult trafficking victims, particularly those identified in and returned from the Middle East; organize routine meetings of the Counter-Trafficking in Persons Advisory Committee to ensure progress in the government's efforts to fully implement the Counter-Trafficking in Persons Act of 2010 and increase effective coordination; establish the board of trustees to oversee the National Assistance Trust Fund for Victims of Trafficking and allocate money to endow this fund; institute a unified system for collecting trafficking case data for use by all stakeholders; and launch and implement the national plan of action.

PROSECUTION

The government maintained modest anti-trafficking law enforcement efforts, though corruption and lack of understanding of human trafficking issues among police and other public officials continued to prevent trafficking offenders—including those involved in fraudulent recruitment for overseas employment—from being brought to justice. Section 1 of the Counter-Trafficking in Persons Act of 2010, which came into force in September 2012, prohibits all forms of trafficking and Section 3(5) prescribes a sufficiently stringent minimum punishment of 15 years' imprisonment, which is commensurate with that of other serious crimes, such as rape. Sections 14, 15, and 17 of the Sexual Offenses Act of 2006 prohibit the facilitation of child sex tourism, child prostitution, and forced prostitution, and prescribe penalties of six to 20 years' imprisonment—penalties that are sufficiently stringent and commensurate with those prescribed for other serious offenses. However, prosecutors rarely pursue cases under these provisions of the act.

The Kenyan Police Service's Department of Criminal Investigations did not track its efforts to investigate trafficking crimes in 2013. However, the Department of Public Prosecutions (DPP) provided partial data for five of Kenya's 47 counties, reporting prosecution of 30 cases of trafficking during the reporting period. In addition, press reports indicate the government convicted seven offenders in 2013. For example, six Tanzanians—convicted on charges of transporting to and facilitating the forced begging of nine Tanzanian children in Mombasa—were reportedly sentenced to two years' imprisonment after pleading guilty to human smuggling in November 2013; two Kenyan offenders, also arrested for involvement in this case, were released on bail pending trial. In December 2013, the government also sentenced a mother to three years' imprisonment for neglect and benefitting from the prostitution of her 13-year-old daughter. The government did not provide information on the status of 15 child trafficking prosecutions that remained pending at the close of the previous reporting period. In addition, it did not report on its efforts to hold accountable traffickers—including recruitment agencies—responsible for facilitating the exploitation of Kenyans abroad.

Corruption among law enforcement authorities and other public officials continued to stymie efforts to bring traffickers to justice. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking, including immigration and revenue authority officials who allowed Tanzanian children—later victimized in forced begging—to enter Kenya without proper identification. In 2013, Kenyan border officials cooperated with Ugandan officials to intercept potential trafficking victims attempting to leave Uganda. In July 2013, Kenyan police assisted in a UK police investigation of allegations that a UK national had engaged in child sex tourism in the town of Gilgil. The government provided anti-trafficking training to 120 police officers as part of the Kenyan Police Service's criminal investigative training on transnational organized crime in four sessions during 2013. In April 2013, the Ministry of Youth trained a limited number of labor, police, and judicial officials on the application of anti-trafficking and labor laws. In addition, in November 2013, the DPP and a local NGO co-sponsored and co-financed a training for 50 prosecutors, investigators, and immigration officials on anti-trafficking law and to principals to guide trafficking prosecutions. The MFA also continued to provide anti-trafficking training to diplomats assigned abroad as part of their pre-departure orientation. The training provided during the year remained inadequate in light of Kenya's considerable human trafficking problem. In particular, inadequate training and human and financial resources continued to hamper the effectiveness of the police's anti-trafficking efforts.

PROTECTION

The government's protection efforts appeared to weaken, though a lack of nationwide data impaired evaluation of such efforts. Based on limited information provided by the government, there were fewer child trafficking victims identified and assisted, and minimal efforts targeted towards adult victims. In the absence of guidelines for implementing the victim protection provisions of the 2010 anti-trafficking act, the government continued to use *ad hoc* mechanisms for identifying victims of trafficking among vulnerable populations and subsequent referral to care. Children's officers in four of Kenya's 47 counties provided counseling to 47 internal child trafficking victims—assisting some with reintegration into their home communities and referring others to the care of NGOs. Officials also provided counseling services and shelter to foreign victims; for example, children's officers in Mombasa partnered with the Tanzanian Embassy in Nairobi to assist in the repatriation of four Tanzanian children. Four additional Tanzanian child trafficking victims remained in an NGO shelter at the close of the reporting period. Neither DCS nor any other ministry received a specific budget allocation for protection activities. Nevertheless, DCS children's officers continued to participate in investigations, rescue child trafficking victims, and provide them with counseling and *ad hoc* referrals to service providers.

Despite a lack of funding, DCS and a local NGO continued to jointly operate a national 24-hour toll-free hotline for reporting cases of child trafficking, labor, and abuse. The hotline's main call center was located in a government-owned building in Nairobi and staffed, in part, by six children's officers who facilitated rescues and made referrals to appropriate district officials and health and legal aid organizations in other provinces. During the reporting period, the hotline received 25 reports of child trafficking and 276 reports of child labor—less than half of the numbers reported in each of these categories in the previous reporting period. DCS continued to operate four drop-in referral centers in Eldoret, Garissa, Malindi, and Mombasa that provided counseling, guidance, and referrals to other centers for an unknown number of victimized children, including trafficking victims, who could not return to their homes. Construction was completed on four additional referral centers in Siaya, Kakamega, Nairobi, and Nakuru, but they were not yet operational at the close of the reporting period. DCS also funded and operated rescue centers in Garissa, Malindi, Thika, and Machakos where child victims of violence, including trafficking victims, could stay for three months before returning home or being referred to NGO facilities; in 2013, the government completed construction on one additional rescue center in Kisumu, though it was not operational at the close of the reporting period. The government did not provide data on how many trafficking victims were assisted in these centers during the year.

While efforts to assist and care for child trafficking victims remained strong, the government provided relatively few, if any, services to trafficked adults identified within the country or abroad. Although new diplomats received anti-trafficking training from the Kenya Police Service and IOM before being posted overseas, most of Kenya's diplomatic missions failed to provide adequate assistance to Kenyan national trafficking victims. The Kenyan embassy in Riyadh assisted with the repatriation of 6,200 Kenyan migrant workers during 2013 and facilitated their repatriation by seeking exit visas and airline tickets from their employers, but lacked adequate shelter and assistance for the number of Kenyans who sought help. Kenyan media reported those waiting to be repatriated slept on the floor of the embassy or in a shipping container and were provided inadequate food. In 2013, the government concluded bilateral work agreements with the UAE and Saudi Arabia, which awaited signing at the close of the reporting period.

While the DPP reported that procedures are in place encouraging victims' cooperation in the investigation and prosecution of trafficking crimes, such procedures were not utilized during the year. There were no reports that victims were detained, fined, or jailed for unlawful acts committed as a direct result of being trafficked; however, as the government did not make systematic efforts to identify victims among vulnerable populations and remained without a mechanism for screening individuals in prostitution, victims likely remained unidentified in the law enforcement system. Under the 2010 anti-trafficking law, officials may grant permission for foreign trafficking victims to remain indefinitely in Kenya if it is believed they would face hardship or retribution upon repatriation; the government did not report using this provision during the year.

PREVENTION

The government made minimal efforts to prevent human trafficking. During the majority of the reporting period, the government was without an operational anti-trafficking coordinating body. In March 2014, the government nominated members to its Counter-Trafficking in Persons Advisory Committee under the leadership of the Ministry of Labor, Social Security, and Services; at the end of the reporting period, the nominees awaited publication in the official gazette, a step required before the Advisory Committee could meet. The government did not establish the National Assistance Trust Fund for Victims of Trafficking as mandated by the 2010 anti-trafficking act. The government continued partial implementation of the five-year national plan of action on human trafficking, including through the commissioning of a base-line study of trafficking in Kenya. During the year, children's officers in Mombasa engaged in a public campaign to raise trafficking awareness on the Day of the African Child in programs aimed at parents and teachers. Children's officers in Kilifi conducted public campaigns warning about the danger of child labor trafficking.

In November 2013, the MFA lifted a ban on labor recruitment agencies sending domestic workers to the Middle East, which was initially imposed in June 2012 with the stated goal of allowing for vetting of all such agencies. Intended to prevent Kenyans from experiencing abuse in the Middle East, the ban may have increased the vulnerabilities of Kenyan domestic workers abroad, as unscrupulous agencies illegally recruited Kenyan women and girls directly from villages, sending them to Saudi Arabia and other countries in the Middle East through Tanzania or Uganda. During the reporting period, the Ministry of Labor (MOL) reported its inspection of 389 labor recruitment agencies of a total estimated 500 active agencies. The MFA conducted public outreach via media interviews to sensitize Kenyans to the issue of trafficking and to ensure recruitment agencies were aware of their obligations under Kenya's anti-trafficking law. Bribery of government officials by recruitment agencies reportedly hindered efforts to stop fraudulent recruitment. In 2013, the Ministry of Devolution and State Planning provided the equivalent of approximately $10,500 in funding for required pre-departure trainings—which included skills training and cultural lessons on the Middle East—for all workers approved to go overseas, reaching 1,215 migrant workers in twenty sessions over the year. During these sessions, officials encouraged departing workers to register with the Kenyan embassies in their destination countries.

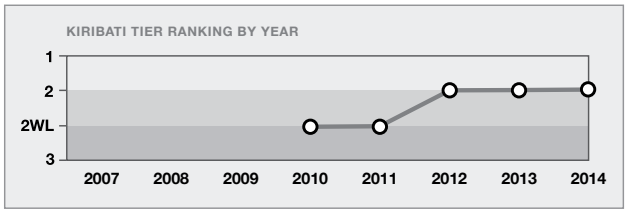
The government investigated alleged crimes perpetrated by at least three suspected foreign child sex tourists in 2013. A Court in Mombasa sentenced a Belgian national to 20 years' imprisonment for defilement of a 13-year-old girl. Out-of-court settlements were much more common, with tourists paying girls' families to avoid legal action. The government did not make efforts to reduce the demand for commercial sex acts. The MOL employed 95 labor officers to cover all labor issues—an inadequate number for the size of Kenya's working population. The Kenyan government's training for troops prior to their deployment abroad on international peacekeeping missions included a module on human rights that addressed human trafficking.

KIRIBATI (Tier 2)

Kiribati is a source country for girls subjected to sex trafficking within the country. Crew members, mainly South Korean men on foreign fishing vessels in Kiribati or in its territorial waters around Tarawa, exploit children. A local NGO has reported that as many as 50 I-Kiribati girls, some as young as 12, may be subjected to forced prostitution in local bars, hotels, and aboard vessels. Women and girls engaging in prostitution with foreign fishermen

at bars and on foreign fishing vessels are collectively referred to by the term *ainen matawa* and are stigmatized in I-Kiribati society. Some I-Kiribati—including family members of potential victims, older *ainen matawas*, hotel and bar workers, and owners of small boats—may facilitate trafficking by transporting girls to foreign vessels for the purpose of prostitution. Others fail to assist trafficking victims or alert authorities to situations of child prostitution. These girls generally received financial support, food, alcohol, or goods in exchange for sexual services.

The Government of Kiribati 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, government officials acknowledged the existence and severity of human trafficking, especially child sexual exploitation, and expressed their commitment to combating the crime. The government also passed the Children, Young People, and Family Welfare Act that would support children at risk for exploitation, and created the Ministry of Women, Youth and Social Affairs to implement the law's mandates. However, the government continued to fail to employ policies to proactively identify trafficking victims among women and girls in prostitution or adequately protect trafficking victims. The government did not prosecute cases against potential trafficking offenders or punish those who exploit or facilitate the commercial sexual exploitation of children.



RECOMMENDATIONS FOR KIRIBATI:

Investigate and prosecute potential trafficking cases and convict and punish foreign crew members for the commercial sexual exploitation of children; develop procedures for law enforcement officers and social service providers to interview those in vulnerable groups, such as *ainen matawas* intercepted *en route* or aboard international vessels or at bars and hotels, for evidence of trafficking; establish formal procedures to identify and refer trafficking victims to protective services; train front-line officers in victim identification techniques and procedures for referral to domestic violence and sexual violence officers; proactively identify and assist victims of trafficking, prioritizing establishment of a safe environment for victims and trust between victims and officers; hold parents and guardians accountable, as appropriate under I-Kiribati law—including the 2013 Children, Young People and Family Welfare Act—for the commercial sexual exploitation of children; and expand efforts to raise awareness about the dangers of human trafficking in places where trafficking victims interact with clients, with a specific focus on increasing public recognition that children in the commercial sex trade are victims rather than juvenile delinquents.

PROSECUTION

The Government of Kiribati maintained its law enforcement efforts to combat human trafficking. Kiribati's 2005 Measures to Combat Terrorism and Transnational Organised Crime Act, as amended in 2008, criminalizes certain forms of human trafficking and prescribes penalties of up to 15 years' imprisonment for the trafficking of adults, and 20 years' imprisonment for the trafficking of children. These penalties are sufficiently stringent, but not commensurate with those prescribed for other serious crimes, such as rape. The law's focus is limited to the international movement of people for exploitation, a form of trafficking not known to occur in Kiribati. Government officials claimed that internal trafficking could be prosecuted under this law, though there is no example to date to support this claim.

The government reported conducting two investigations involving foreign fishing vessels for the presence of girl *ainen matawas* onboard the vessels; one company was fined, but neither investigation resulted in prosecutions. In 2013, the Director of Public Prosecutions and the Assistant Commanding Officer of the Criminal Investigations Division of the Kiribati Police Service attended a foreign government-funded regional anti-trafficking training in Fiji; upon their return to Kiribati, they conducted an anti-trafficking training for 30 law enforcement officers. The government did not report any investigations or prosecutions of government officials for alleged complicity in trafficking-related offenses.

PROTECTION

The Government of Kiribati demonstrated no discernible progress in identifying or protecting trafficking victims. It did not actively identify or protect any victims of trafficking. The government had no procedures to proactively identify trafficking victims among vulnerable populations and did not identify any children subjected to prostitution in well-known meeting places, such as bars and hotels in Kiribati. Police may have identified women and girl trafficking victims aboard international fishing vessels; however, the government did not confirm their status as trafficking victims nor provide them with any protective services.

The government reported victims could be referred to religious organizations to access medical and psychological services on an *ad hoc* basis, but did not refer any victims to these services in 2013 or 2012. The Measures to Combat Terrorism and Transnational Organised Crime Act's victim protection provisions shield victims from prosecution for immigration crimes committed as a direct result of being trafficked; however, law enforcement efforts to combat prostitution potentially resulted in some trafficking victims being treated as law violators. Individuals detained for prostitution-related crimes were not screened to determine whether they were trafficking victims, and government officials did not verify their ages. The government did not develop or implement a referral process to transfer potential victims who are detained, arrested, or placed in protective custody by law enforcement authorities to institutions that provide short- or long-term care. The Kiribati Immigration Ordinance gives the principal immigration officer the option to make exceptions or extensions to standard immigration rules in exigent circumstances, such as trafficking; given the lack of identified foreign victims, there is no precedent for implementing this provision.

PREVENTION

The government demonstrated limited efforts to prevent human trafficking. The Ministry of Internal and Social Affairs, in partnership with an international organization, produced a radio show on child protection issues, including the commercial sexual exploitation of children. The same ministry, with support from an international organization, conducted workshops for community leaders and in schools on issues of child protection and the sexual exploitation of children. The Kiribati Police

Service's Domestic Violence and Sexual Offenses unit promoted and operated two 24-hour phone-line services for reporting exploitation and abuse, though no known allegations of human trafficking were reported to the hotlines. The Kiribati Police Force received child protection training from and worked with an international organization to develop a child-friendly community policing protocol that includes a referral and counseling program for youth. While foreign fishing license regulations hold ship captains accountable for the presence of unauthorized persons, such as girls and women, on their vessels, no prosecution of traffickers or protection of victims resulted from the enforcement of these regulations. The government failed to conduct educational or awareness campaigns in well-known meeting places of foreign crew members and children in prostitution. The government lacks a national plan of action or a coordinating government agency to combat trafficking. The Ministry of Labor reported reviewing the contracts of all I-Kiribati going overseas and conducting pre-departure briefings to ensure that workers are aware of their rights and can protect themselves from potential forced labor exploitation. The government did not take adequate measures to reduce the demand for commercial sex acts or to address child sex tourism in the country.

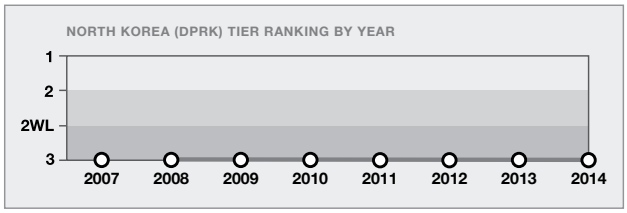
KOREA, DEMOCRATIC PEOPLE'S REPUBLIC OF (Tier 3)

The Democratic People's Republic of Korea (DPRK or North Korea) is a source country for men, women, and children who are subjected to forced labor and sex trafficking. Within North Korea, forced labor is part of an established system of political repression. The North Korean government subjects its nationals to forced labor in North Korean prison camps and through government-contracted labor in foreign countries. North Korea holds an estimated 80,000 to 120,000 prisoners in political prison camps in remote areas of the country; these prisoners have not been charged with a crime or prosecuted, convicted, or sentenced by a fair hearing. In prison camps, all prisoners, including children, are subject to forced labor, including logging, mining, or farming for long hours under harsh conditions. Political prisoners are subjected to unhygienic living conditions, beatings, a lack of medical care, and insufficient food; many do not survive. Furnaces and mass graves are used to dispose the bodies of those who die in these prison camps.

The North Korean government sends laborers to work abroad under bilateral contracts with foreign governments, including a significant number of laborers sent to Russia and China. DPRK contract workers also labor in Africa, Central Europe, the Middle East, Central Asia, and Mongolia. Credible reports show many North Korean workers under these contracts are subjected to forced labor. Their movement and communications are conducted under surveillance and restricted by North Korean government "minders." North Koreans sent overseas do not have a choice in the work the government assigns them and are not free to change jobs. These workers face threats of government reprisals against them or their relatives in North Korea if they attempt to escape or complain to outside parties. Workers' salaries are deposited into accounts controlled by the North Korean government, which keeps most of the money, claiming various "voluntary" contributions to government endeavors. Workers receive only a fraction of the money paid to the North Korean government for their work. Thousands of North Korean workers are estimated to be employed in logging, construction, and agriculture industries in Russia's far east, where they reportedly have only two days of rest per year and face punishments if they fail to meet production targets. Wages of some North Korean workers employed in Russia reportedly are withheld until the laborers return home.

The DPRK government system of harsh punishment through forced labor camps or the death penalty can fuel trafficking in neighboring China. Many of the estimated 10,000 North Korean women and girls who have migrated illegally to China to flee from abuse and human rights violations are particularly vulnerable to trafficking, and traffickers reportedly lure, drug, detain, or kidnap some North Korean women upon their arrival. Others offer jobs, but subsequently force the women into prostitution, domestic service, or agricultural work through forced marriages. These women are subjected to sexual slavery by Chinese or Korean-Chinese men, forced prostitution in brothels or through Internet sex sites, or compelled service as hostesses in nightclubs or karaoke bars. If found by Chinese authorities, victims are forcibly repatriated to North Korea where they are subject to harsh punishment, including forced labor in DPRK labor camps or the death penalty.

The North Korean government does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The government did not demonstrate any efforts to address human trafficking through prosecution, protection, or prevention measures. The government participated in human trafficking through its use of domestic forced labor camps and its provision of forced labor to foreign governments through bilateral contracts. It failed to protect victims of trafficking when they were forcibly repatriated from China or other countries.



RECOMMENDATIONS FOR THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA:

End the use of forced labor in prison camps and among North Korean workers abroad; end the use of the death penalty for victims who are forcibly repatriated from destination countries; improve the social, political, economic, and human rights conditions that render North Koreans vulnerable to trafficking in North Korea and in neighboring countries; provide protective services to victims of forced labor currently in prison camps; criminalize human trafficking and recognize it as a distinct crime from human smuggling; investigate and prosecute trafficking cases, and convict trafficking offenders; provide assistance to trafficking victims in North Korea and to North Koreans repatriated from abroad; forge partnerships with international organizations and NGOs to combat human trafficking; work with the international community to allow North Koreans to receive fair wages and choose their form of work and leave their employment at will; establish transparent bilateral work contracts used to deploy North Korean laborers to neighboring countries; eliminate coercion tactics used to monitor the movements and communications of workers in forced labor; and become a party to the 2000 UN TIP Protocol.

PROSECUTION

The North Korean government made no anti-trafficking law enforcement efforts during the reporting period. DPRK laws do not prohibit all forms of trafficking in persons. Fair trials did not occur in North Korea and the government did not provide transparent law enforcement data during the reporting period. The government did not explain what provisions of DPRK law, if any, were used to prosecute trafficking offenses or protect victims.

During the reporting period, there were no known investigations or prosecutions of trafficking offenses, or convictions of trafficking offenders. The government did not report whether it provided any anti-trafficking training to its officials. The government did not report any investigations or prosecutions of government officials for alleged complicity in trafficking-related offenses.

PROTECTION

The North Korean government made no efforts to protect trafficking victims during the reporting period; it reported no efforts to identify or assist trafficking victims. Government authorities failed to provide protective services to trafficking victims and did not permit NGOs to operate freely in North Korea to provide these services. The government did not exempt victims from being penalized for unlawful acts committed as a direct result of being trafficked, and there was no screening of forcibly repatriated North Koreans to ascertain if they were trafficking victims.

North Koreans forcibly repatriated by Chinese authorities, including women believed to be trafficking victims, were sent to prison camps, where they were subjected to forced labor, and possible torture and sexual abuse by prison guards. North Korean defectors reported instances of the government executing forcibly repatriated trafficking victims from China. Article 30 of the Criminal Code partially suspends civil rights of prison camp inmates; government officials used this provision to validate abuses of trafficking victims in prison camps. The government may have subjected repatriated victims who were pregnant with a child of possible Chinese paternity to forced abortions and infanticide, and reports indicate that infants born to repatriated victims while in prison were killed. An estimated 20,000 to 30,000 children born to women from the DPRK living in China are unable to be registered upon birth, rendering them stateless and vulnerable to possible exploitation.

PREVENTION

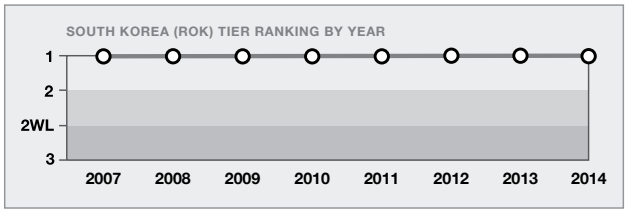
North Korean authorities made no efforts to prevent human trafficking during the reporting period. Government oppression in the DPRK prompted many North Koreans to flee the country in ways that made them vulnerable to human trafficking in destination countries. The DPRK made no efforts to raise awareness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

KOREA, REPUBLIC OF (Tier 1)

The Republic of Korea (ROK or South Korea) is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. South Korean women are subjected to forced prostitution in Korea and abroad, including in the United States, Canada, Japan, Australia, Hong Kong, Dubai, Taiwan, and Macau. Some women enter destination countries on tourist, work, or student visas, and are subsequently forced into prostitution in massage parlors, room salons, bars, restaurants, or through internet-advertised escort services. Many victims are coerced into prostitution by loan sharks, to whom the victims owe debts, and entertainment establishment owners, who work with loan sharks. Traffickers threaten victims with deportation, harm to family members, or seizure of passports. Hundreds of Korean men, some disabled, are forced to work in salt farms in South Korea, where they experience verbal and physical abuse, nonpayment of wages, long work hours, and poor working and living conditions. South Korean children are increasingly vulnerable to commercial sexual exploitation through online recruitment. Some 200,000 South Korean girls run away from home annually; in need of money for living expenses and shelter, some are subjected to prostitution. Family members or Korean criminal networks recruit children from Southeast Asian countries with false promises of employment and subsequently force them into prostitution in South Korea. South Korean men engage in child sex tourism in Vietnam, Cambodia, and the Philippines. Some Korean fishing crew members engage in commercial sex with children in Kiribati.

Some men and women from China, the Democratic People's Republic of Korea (North Korea), the Philippines, Mongolia, Japan, Vietnam, Cambodia, India, Indonesia, Nepal, Sri Lanka, Thailand, Colombia, Kazakhstan, Kyrgyzstan, Morocco, Pakistan, Russia, Timor-Leste, and Uzbekistan are subjected to forced labor in South Korea; some women from these countries are subjected to forced prostitution. Migrant workers who travel to the ROK, especially those from Vietnam, China, and Indonesia, can incur thousands of dollars in debts, contributing to their vulnerability to debt bondage. Approximately 700,000 low-skilled migrant workers, many employed under the ROK government's Employment Permit System (EPS), work in the fishing, agriculture, livestock, and manufacturing sectors. Some workers face conditions indicative of forced labor, including nonpayment of wages, withholding of passports, debt bondage, sexual abuse, dangerous living conditions, and work that differs from the job description offered to them in their country of origin. More than 2,500 foreign women face debt bondage in "juicy bars" near U.S. military bases. Some women from Mongolia, Laos, and Nepal are recruited for marriage to South Korean men through international marriage brokers and are subjected to forced prostitution or forced labor subsequent to their arrival. The ROK is a transit point for Southeast Asian fishermen subjected to forced labor on fishing ships bound for Fiji and other ports in the Pacific.

The Government of the Republic of Korea fully complies with the minimum standards for the elimination of trafficking. During the reporting period, the ROK prosecuted and convicted its first trafficking case under the revised criminal code, which was amended in 2013. The government also revised criminal procedures and sentencing guidelines for human trafficking crimes. The government released its first formal sex trafficking victim identification guidelines. The number of labor trafficking convictions decreased in 2013.



RECOMMENDATIONS FOR THE REPUBLIC OF KOREA:

Enhance efforts to investigate, prosecute, and convict trafficking offenders under the revised criminal code; formalize the government's legal definition of "trafficking" in the criminal code so that it comprehensively prohibits all forms of trafficking and protects victims; proactively investigate and prosecute South Koreans engaging in prostitution with children in Korea and in child sex tourism abroad; proactively identify trafficking victims among vulnerable populations, including individuals arrested for prostitution, disabled Korean men, and migrant workers, using the new formal victim identification guidelines; proactively investigate allegations of government complicity in trafficking and prosecute offenders who are complicit; standardize immigration officers' application of immigration regulations to potential trafficking victims; enhance consistency in judges' sentencing of trafficking offenders; continue to investigate and prosecute those who utilize forced labor on South Korean-flagged fishing vessels; decrease the rate of suspended sentences and out-of-court financial settlements in sex and labor trafficking cases; and become a party to the 2000 UN TIP Protocol.

PROSECUTION

The ROK government sustained its anti-trafficking law enforcement efforts. Chapter 31 of the criminal code, revised in 2013, prohibits all forms of trafficking, and prescribes up to 15 years' imprisonment for trafficking crimes; these penalties are sufficiently stringent and commensurate with those prescribed penalties for other serious crimes, such as rape. However, the government continued to use the less stringent 2004 Act on the Punishment of Acts of Arranging Sexual Traffic, the Labor Standards Act, and the Child and Youth Protect Act to prosecute and punish most trafficking offenses. In 2013, the government obtained its first trafficking conviction under the revised criminal code's trafficking provisions, in a case involving a Korean victim forced into prostitution in Ulsan. Six offenders were convicted; one was sentenced to 10 to 18 months' imprisonment and the others to two years of probation. Under other statutes, the government prosecuted 110 trafficking cases and obtained 61 sex trafficking convictions, compared with 30 during the prior reporting period, and 11 labor trafficking convictions, compared with 19 during the prior reporting period. There was an increase in prosecutions involving runaway teenagers forced into prostitution. The government continued to use the Child and Youth Protection Act to prosecute these cases, sentencing convicted traffickers to two to four years' imprisonment or two years of probation. In general, convicted sex trafficking offenders received sentences ranging from two to three years' imprisonment, with fines and community service, but many offenders received suspended sentences in practice. Prosecutors and police officers complained of inconsistent application of immigration regulations and actual time served by those convicted. In March 2014, the government began investigating allegations of forced labor on salt farms involving hundreds of Korean men, including some with disabilities; and the national police rescued these victims from forced labor in South Jeolla. Police actions led to the arrest of more than 26 people for labor violations, but the media alleged provincial police officers alerted salt mine owners to hide labor trafficking victims or destroy evidence in advance of police raids. A 2012 case of labor abuses on ROK-flagged fishing vessels remained pending at the end of the reporting period. The Ministry of Justice (MOJ) held a series of training courses and seminars for prosecutors, judges, and law enforcement officers on the revised criminal code. In 2013, the ROK government, NGOs, and media reported several trafficking cases involving alleged government complicity. In February 2014, workers from Zimbabwe and Burkina Faso, hired by the government-subsidized African Museum in Pocheon, reported debt bondage, underpayment of wages, confiscated passports, and dangerous living conditions; the museum owner and chairman, a leader in the National Assembly, paid the workers back wages and resigned from the museum, but the government did not pursue any charges. NGOs and media alleged officials from the Korean Media Rating Board (KMRB), part of the Ministry of Culture, Sports, and Tourism, granted women E-6 entertainment visas, knowing the women were at risk of being sexually exploited, forced into prostitution, and held under debt bondage. An NGO reported that the national government maintains a list of massage parlors that subject blind masseuses to forced prostitution, and allegedly enjoy official sanction or protection. Another NGO reported the municipal, provincial, and national governments owned land in the red light district of Yongjugol, Gyeonggi Province. Women in the red light districts are forced into prostitution through debt bondage and confinement, and they reported that police officers do not enforce anti-trafficking laws, but instead frequent brothels themselves.

PROTECTION

The ROK government sustained its efforts to protect and assist trafficking victims. Ministry of Gender Equality and Family (MOGEF), in partnership with an NGO, established formal sex trafficking victim identification guidelines in November 2013 and provided training to law enforcement officers, NGOs, and government officials. In 2013, the government identified and assisted 36 foreign national sex trafficking victims; statistics for Korean or foreign victims of labor trafficking were unavailable. MOGEF continued to operate 18 shelters for victims of sex trafficking, sexual assault, and domestic violence. In the specialized shelter for foreign victims of sex trafficking, MOGEF assisted 36 victims in 2013 compared to 35 in 2012. Ministry of Employment and Labor (MOEL) operated 34 Foreign Workforce Centers for Migrant Workers and one counseling center. At these centers, hundreds of labor trafficking victims received counseling, education, job training, and lodging. The government also continued to fund NGOs that offer shelter, counseling, training, and medical and legal assistance to trafficking victims. The National Police Agency (NPA) continued to work with social workers when screening women involved in prostitution to identify and assist potential victims of trafficking. However, women in prostitution caught during police raids were detained, fined, and required to attend training, without being screened for indicators of trafficking. The government maintained an extensive network of support centers for foreign-born spouses and runaway teenagers, two groups vulnerable to trafficking. The government offered foreign victims legal alternatives to their removal to countries in which they may face hardship or retribution. As an incentive to encourage victims to participate in investigations and prosecutions, the government issued G-1 visas to two foreign victims of sex trafficking, with permission to work in South Korea for up to one year.

PREVENTION

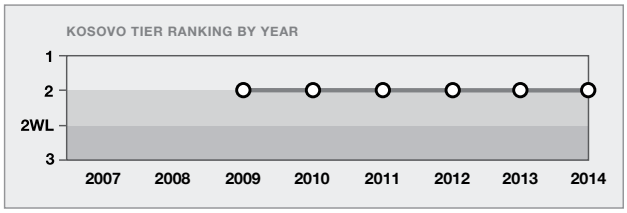
The government increased efforts to prevent human trafficking and conducted campaigns to raise awareness of sex trafficking in South Korea. MOGEF distributed leaflets on the prevention of child sex trafficking through NGOs, shelters, and online. The Women's Human Rights Commission of Korea conducted awareness campaigns on overseas sex trafficking and advertised a hotline for Korean sex trafficking victims in the United States. MOGEF continued to operate hotlines in 14 different languages for trafficking victims. The Ministry of Oceans and Fisheries continued to operate a hotline for foreign crew members; many calls dealt with nonpayment of wages, contract questions, and accident compensation. Hotline operators are conversant in Bahasa Indonesia, Chinese, and Vietnamese. The government provided sex trafficking preventive education programs to schools, government agencies, local governments, and state-run corporations. The government lacked a trafficking-specific national plan of action, but included plans to strengthen anti-trafficking efforts in the National Action Plan for the Promotion and Protection of Human Rights. In September 2013, MOEL surveyed foreign workers about issues related to labor trafficking; over five percent of respondents reported passport confiscation, threats, or physical assault. MOEL also conducted routine inspections for violations of labor trafficking throughout the year. In an effort to curb the demand for commercial sex acts, the government implemented laws to deny suspension of indictment for all offenders who were convicted of sex trafficking involving children (enacted in June 2013) or disabled persons (enacted in September 2013). In September 2013, the National Human Rights Commission of Korea and media reported that the state-run Korean Minting and Security Printing Corporation used Uzbekistan cotton yarn and pulp, products of forced child labor, in South Korean banknotes.

South Korean men remain a source of demand for child sex tourism in Southeast Asia and the Pacific Islands, traveling primarily on travel-agency-organized golf group tours or business trips. In 2013, the government revised its policies to further restrict issuance of passports to those prosecuted for engaging in sex tourism abroad. MOGEF held a symposium for Southeast Asian countries in July 2013 on the eradication of sex trafficking and child sex tourism involving Koreans. Between July and August 2013, the NPA conducted a crackdown on brokers and businesses that recruit Korean women for forced prostitution abroad or organize sex tourism trips for Korean men. The government continued to post child sex tourism warnings at airport and railroad stations and on the websites of South Korean embassies. However, the government has not prosecuted or convicted any Korean sex tourists during the past seven years. The government continued to provide anti-trafficking training to diplomats and troops prior to their deployment abroad on international peacekeeping missions. In December 2013, the Ministry of Foreign Affairs conducted a training seminar for all its employees on the definition of sex trafficking, the victim rescue process, and preventive measures. The ROK is not a party to the 2000 UN TIP Protocol.

KOSOVO (Tier 2)

Kosovo is a source and destination country for women, children, and some men subjected to sex trafficking and forced labor. Most sex trafficking victims in Kosovo are female citizens, though in previous years women from Moldova, Slovakia, Albania, Serbia, Turkey, and Poland also face forced prostitution by criminal groups in Kosovo. Children from Kosovo and neighboring countries, including Albania, were subjected to forced begging within the country. An increasing number of girls aged 14-17 were victims of sex trafficking. Women and girls are subjected to sex trafficking in private homes and apartments, night clubs, and massage parlors. Traffickers deceived victims by promising employment as dancers and singers in restaurants, and instead forcing them into sex trafficking in private apartments. Traffickers subject Kosovo citizens to forced prostitution and forced labor throughout Europe. Traffickers reportedly exploit the visa-free regime to bring victims into Europe.

The Government of Kosovo does not fully comply with the minimum standards for the elimination trafficking; however, it is making significant efforts to do so. The government opened a new shelter for victims, accommodating male trafficking victims for the first time, and increased funding for victim protection. A new law on victim protection established, among other innovations, a residency permit for foreign trafficking victims. Courts made progress in reducing the backlog of cases. However, the government struggled to hold trafficking offenders accountable. The government convicted fewer offenders and imposed lenient sentences on convicted traffickers. Several provisions of the new protection law were not yet implemented during the reporting period, including a victims' compensation fund and the new residency permit.



RECOMMENDATIONS FOR KOSOVO:

Prosecute trafficking offenses and convict and punish trafficking offenders; investigate and strengthen efforts to prosecute, convict, and sentence officials complicit in trafficking; provide advanced anti-trafficking training to judges, prosecutors, and law enforcement; enhance efforts to identify and assist child victims of trafficking in begging; ensure the new protection provisions established in the September 2013 law are fully implemented; implement screening for trafficking among migrants at risk; offer the new temporary residence permit to foreign victims of trafficking and witnesses in trafficking cases; ensure victims of trafficking have the freedom to come and go in all shelters; establish and fund a victim compensation fund, as provided by Kosovo law; and continue to enhance transparency through regular reporting.

PROSECUTION

The Government of Kosovo sustained anti-trafficking law enforcement efforts during the reporting period; prosecutions increased, but fewer offenders were convicted and sentences were inappropriately lenient. Article 171 of Kosovo's criminal code prohibits all forms of both sex and labor trafficking and prescribes punishments of five to 12 years' imprisonment and a fine. These punishments are sufficiently stringent and are commensurate with those prescribed for other serious crimes, such as rape. The police had a designated anti-trafficking force of 55 officers that investigated trafficking cases and other related offenses. Authorities initiated 91 new trafficking investigations during the reporting period compared with 104 in 2012.

There were no investigations for forced labor. Courts initiated prosecutions of 60 new cases in 2013, an increase from 31 cases in 2012. Courts convicted 25 trafficking offenders, including one public official in 2013, compared with 41 offenders in 2012. Courts acquitted three defendants, compared with nine in 2012, and 90 prosecutions remained ongoing at the end of the reporting period. Sentences ranged from four months' to six years' imprisonment and fines. One offender received a suspended sentence and fine. Prosecutors sometimes dropped trafficking charges or reduced trafficking charges to lesser, non-trafficking charges, and sentences of those convicted were frequently even lower than the limits set in the applicable law. There were no prosecutions or convictions for labor trafficking during the reporting period. Courts continued to reduce the backlog of cases. Corruption remained a problem within the police force. Kosovo authorities reportedly arrested and suspended one officer for alleged involvement of trafficking in persons; the investigation is ongoing. Prosecutors continued cases against two Ministry of Labor officials and two police officers arrested for trafficking in 2012. A police officer who subjected a female associate to sex trafficking was acquitted. The government trained law enforcement officers on trafficking victim identification, the criminal code and procedures, investigation of trafficking cases, and victim support and assistance during investigations. The police academy conducted 44 trainings for the anti-trafficking special police force. The government exchanged trafficking information with foreign countries on 18 trafficking cases, but did not engage in any joint investigations.

PROTECTION

The government improved efforts to protect victims of trafficking, opening a new facility for all trafficking victims, including males; increasing funding for victim assistance; and establishing a residency permit for trafficking victims. In September 2013, the Kosovo government passed a new law, "Preventing and Combating Trafficking in Human Beings and Protecting Victims of Trafficking," which established new protection measures. Police identified 51 victims of trafficking in 2013, compared with 54 in 2012; four were adult male victims and 12 were children, compared with 23 children and no adult male victims in 2013. Authorities formally identified no labor trafficking victims, despite the police identifying 66 children in begging. The government opened a new 24-hour high security shelter, replacing the older shelter. The shelter provided separate spaces for medium- and high-risk victims based on gender. The shelter provided support to 40 identified victims; the other 11 declined assistance. Adult victims were not allowed to leave the shelter unchaperoned. Victims were placed in the high security shelter until police conducted a risk assessment to determine if there was any direct threat towards the victim. If victims were determined to be at low risk, they were moved to NGO shelters. In 2013, the government began monitoring and issuing licenses for social workers and shelters. The government allocated a budget of the equivalent of approximately $110,000 for the government-run high security shelter, compared with the equivalent of approximately $84,600 in 2012. Six NGO shelters, including those serving domestic violence victims, and one victim assistance center, received the equivalent of approximately $239,000, compared with the equivalent of approximately $198,000 in 2012.

The new trafficking law regulates victim treatment during the investigation and prosecution of cases; for example, by limiting the number of times child victims are allowed to be interviewed, protecting the confidentiality of those victims, and ensuring social and psychological services are provided to them. Victim advocates or social workers were present when police interviewed potential victims of trafficking. Victim advocates assisted victims of trafficking with legal advice, and reintegration support. Social workers were present when interviewing potential child victims of trafficking. Child victims of trafficking were placed in child-only shelters or long-term foster care. During the reporting period, although the law was amended to provide residency status for foreign victims and witnesses in trafficking cases, no requests for residency status were received by the government. The new law also requires that victims be accorded a reflection period—time in which they can recover before deciding whether to cooperate with law enforcement. Although the new protection law required the government to pass legislation to establish and finance a victims' compensation fund, the government had not passed the law necessary to establish the victims' compensation fund by the end of the reporting period. There were no reports of the government punishing victims of trafficking for unlawful acts committed as a direct result of being trafficked. The September 2013 law introduced a new provision exempting trafficking victims from liability for crimes committed as a direct result of being trafficked.

PREVENTION

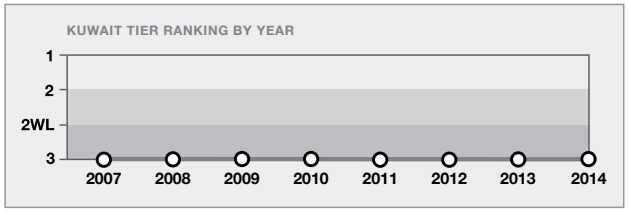
The government continued its diverse efforts to prevent human trafficking. In 2013, the government funded the anti-trafficking secretariat without the assistance of international donors. The government also conducted a campaign aimed at potential victims of trafficking, including students, children, and women, to raise awareness of human trafficking and victim identification. The campaign produced radio, television, and print messages in Albanian, Serbian, and the Roma language, and had a social media component as well. The anti-trafficking police participated in anti-trafficking debates, roundtables throughout municipalities, youth centers and universities, and in lectures in elementary and high schools. The national coordination group met monthly to monitor anti-trafficking activities and the protection and assistance of trafficking victims. The group comprises government officials, international organizations, and NGOs. In an effort to enhance transparency, the Kosovo police issued a thorough annual report on anti-trafficking law enforcement efforts. The government did not demonstrate efforts to reduce demand for commercial sex acts or forced labor.

KUWAIT (Tier 3)

Kuwait is a destination country for men and women who are subjected to forced labor and, to a lesser degree, forced prostitution. Men and women migrate from India, Egypt, Bangladesh, Syria, Pakistan, the Philippines, Sri Lanka, Indonesia, Nepal, Iran, Jordan, Ethiopia, Ghana, Iraq, Lebanon, and Kenya to work in Kuwait, mainly in the domestic service, construction, and sanitation sectors. In the last year, there was a reported increase in migrants from Ethiopia, Uganda, and Madagascar, while Filipino and Sri Lankan women represent a significant percentage of Kuwait's domestic worker population. Though most migrants enter Kuwait voluntarily, upon arrival some sponsors and labor recruitment firms subject some migrants to forced labor, including through nonpayment of wages, long working hours without rest, deprivation of food, threats, physical or sexual abuse, and restrictions on movement, such as confinement to the workplace and the withholding of passports. Many of the migrant workers arriving in Kuwait

have paid exorbitant fees to recruiters in their home countries or are coerced into paying labor broker fees in Kuwait that, by Kuwaiti law, should be paid by the employer—a practice that makes workers highly vulnerable to forced labor, including debt bondage, once in Kuwait. Kuwait's sponsorship law, which ties a migrant worker's legal residence and valid immigration status to an employer, restricts workers' movements and penalizes them for "running away" from abusive workplaces; as a result, domestic workers are particularly vulnerable to forced labor inside private homes. While Kuwait requires employers to use a standard contract for domestic workers delineating some basic rights, Kuwait lacks a domestic labor law to govern the relationship between domestic workers and sponsors; thus, many workers report work conditions that are substantially different from those described in the contract. Some workers never see the contract at all. In addition, sources report that runaway domestic workers fall prey to forced prostitution by agents or criminals who exploit their illegal status.

The Government of Kuwait does not fully comply with the minimum standards for the elimination of trafficking and is not making sufficient efforts to do so. The government did not demonstrate efforts to prosecute nor convict trafficking offenders using the 2013 anti-trafficking law or other laws that address trafficking crimes. Nascent efforts to help abused workers, such as by issuing exit and travel documents to those whose passports had been confiscated by their employers, were not accompanied by any enforcement activities against the employers from whom the workers had fled. The government's victim protection measures remained weak. The government did not proactively identify victims of trafficking among vulnerable populations, nor did it refer suspected victims to protection services; victims of trafficking continued to be arrested, detained, and deported. Though the government partially opened its high-capacity shelter for victims of trafficking, the shelter's referral procedures prevented some women from receiving assistance. The government increased efforts to prevent trafficking during the reporting period by investigating numerous recruitment firms and companies for fraudulent labor practices, as well as multiple government officials complicit in visa fraud; however, there was no lead national anti-trafficking coordinating body and the government did not systematically monitor its anti-trafficking efforts.



RECOMMENDATIONS FOR KUWAIT:

Enforce laws against sponsors and employers who illegally hold migrant workers' passports; implement the 2013 anti-trafficking law by investigating and prosecuting trafficking offenses, and convicting and punishing offenders, particularly sponsors who subject domestic workers to involuntary servitude; greatly increase law enforcement efforts, including investigations of trafficking offenses perpetrated by Kuwaiti citizens, and establish standard operating procedures for investigations and prosecutions of trafficking crimes; establish procedures to proactively identify and refer to protection services all victims of human trafficking, especially among the female domestic worker population; establish linkages between nascent victim care efforts and law enforcement activities; fully open and make operational the large-capacity shelter for all trafficking victims, to include providing health, psychosocial, and legal services, allow victims to leave the shelter at will, train shelter staff, and allow all suspected trafficking victims access to the shelter regardless of a referral from a foreign embassy; ensure the availability of shelter and services to male victims, victims of sex trafficking, and victims of labor trafficking outside of the domestic worker context; amend the sponsorship law to protect foreign workers, including domestic workers, from abuse; provide more anti-trafficking training to law enforcement and judicial officials; establish an inter-ministerial anti-trafficking committee; and continue to increase efforts to prevent trafficking.

PROSECUTION

The government made limited anti-trafficking law enforcement efforts. The government enacted anti-trafficking legislation in March 2013, which prohibits all forms of trafficking. The law prescribes penalties ranging from 15 years' to life imprisonment; these penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. During the reporting period, the government did not report any prosecutions, convictions, or sentences of trafficking offenders for either forced labor or sex trafficking. Although the withholding of workers' passports is prohibited under Kuwaiti law, this practice remains common among sponsors and employers of foreign workers, and the government demonstrated no efforts to enforce this prohibition. Almost none of the domestic workers who took refuge in their home-country embassy shelters had their passports in their possession. The government remained reluctant to prosecute Kuwaiti citizens for trafficking offenses. Kuwaiti law enforcement generally treated cases of forced labor as administrative labor infractions, for which punishment was limited to assessing fines, shutting down employment firms, issuing orders for employers to return withheld passports, or requiring employers to pay back-wages. In 2013, the Judicial Institute instituted a mandatory course on human trafficking for judicial officials. Additionally, the Ministry of Interior (MOI) began a training-of-trainers program to raise awareness of trafficking within the police ranks in this reporting period.

PROTECTION

The government made some progress to protect victims of trafficking by partially opening its large-capacity shelter for runaway domestic workers. However, the government failed to develop and implement formal procedures for the proactive identification of trafficking victims among vulnerable populations, such as foreign migrants, domestic workers, and women in prostitution, and the government did not develop or implement a referral mechanism to provide adequate protection services to victims. While Article 12 of the anti-trafficking law stipulates that the public prosecutors may refer a trafficking victim to an appropriate care facility during an ongoing trial until the time of repatriation, there was no indication that this occurred in practice during the reporting period. The 2013 anti-trafficking legislation did not stipulate providing protection from prosecution for victims who fled abusive employers, but none were reportedly prosecuted in practice. Furthermore, Kuwait's migrant sponsorship law effectively dissuades foreign workers from reporting abuses committed by their employers to government authorities. Workers who left their employer's residences without permission risked criminal penalties and arrest, detention, and deportation, even

if they were fleeing from an abusive sponsor. The threat of these consequences discouraged workers from appealing to police or other government authorities for protection and from obtaining adequate legal redress for their exploitation. Trafficking victims rarely filed cases against their employers, yet some victims who alleged nonpayment of wages reportedly received monetary compensation for wages owed from their employers. Moreover, the government did not systematically provide victims with access to legal aid or representation. Some foreign embassies reported that some personally motivated police officials helped to ensure that victims of trafficking were not subjected to unwarranted incarceration. Beginning in mid-April 2013, large-scale immigration sweeps resulted in the arrest and deportation of tens of thousands of the estimated 90,000 foreign workers illegally residing in Kuwait. There was no indication that the government took measures to identify trafficking victims among this population or provide protective services to migrants who may have experienced human trafficking.

In April 2013, the government partially opened its high-capacity shelter for runaway domestic workers and accepted a limited number of women, some of whom were trafficking victims though it was unclear whether sex trafficking victims could also access this shelter. The lack of adequate staffing prevented the shelter from being fully operational and providing in-house services. While the facility can hold up to 700 people, there were only 140 women residing in the shelter at the end of the reporting period. Victims were not able to leave the facility unescorted. The shelter assisted women to file grievances against employers and resolve labor disputes. Since the shelter opened, it assisted and provided shelter to 1,970 women, the majority of whom were repatriated, while others resolved labor disputes with current employers or found new employment. Victims must be referred to the shelter by a foreign embassy or international organization before being accepted, which prevented some women from countries with no diplomatic representation in Kuwait from receiving services. There continued to be no shelter or other protective services afforded for male victims of trafficking. Many domestic workers continued to seek assistance at their embassies; some source-country embassies reported providing shelter to at least 200 domestic workers who ran away from their employers. In 2013, the MOI issued approximately 1,000 emergency travel documents for the repatriation of laborers whose passports were confiscated by their employers; similarly, the MOI provided some source country embassies with funds to pay for the repatriation of trafficking victims. The government did not provide funding to domestic NGOs or international organizations that provide direct services to trafficking victims. The government did not encourage victims of trafficking to assist in the investigation and prosecution of trafficking cases, and it did not offer foreign trafficking victims legal alternatives to their removal to countries in which they may face hardship or retribution.

PREVENTION

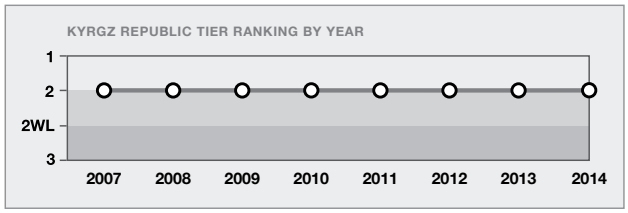
The government made some progress in preventing trafficking in persons. The government did not have a national coordinating body responsible solely for anti-trafficking efforts and the government did not conduct anti-trafficking public awareness campaigns. The National Assembly, however, prepared a report on visa trading and human trafficking, which was highly critical of the government, parliament, and employers for contributing to the country's trafficking problems; the report concluded with various recommendations for the Kuwaiti government, including elimination of the sponsorship system, enforcement of anti-trafficking laws, stiffening penalties for companies and employers that hire an excessive amount of foreign laborers, and implementing awareness campaigns for foreign workers on their legal rights. The Ministry of Information sponsored an event on the role of media in combatting human trafficking during which more than 50 participants discussed ways to portray trafficking in the media. The draft legislation to create a General Authority for Manpower, as required by the 2010 Private Sector Labor Law, was not enacted at the end of the reporting period. The government took actions to reduce the demand for commercial sex acts and forced labor. In 2013, the government initiated investigations of companies that allegedly brought large numbers of unskilled foreign workers into Kuwait under false promises of work and illegally selling work visas. As a result of these investigations, the government reportedly closed numerous labor recruitment firms, charged 700 companies with labor violations, and blocked approximately 1,000 employers from issuing new work visas. In December 2013, the media reported that the government was conducting ongoing visa fraud investigations of officials from the Ministry of Commerce, MOI, and including members of the ruling Al-Sabah family. These investigations were ongoing at the end of the reporting period, and an MOI official was reportedly referred for prosecution for illegally selling visas. The government did not report efforts to reduce the demand for international and domestic child sex tourism.

KYRGYZ REPUBLIC (Tier 2)

The Kyrgyz Republic (or Kyrgyzstan) is a source, transit, and destination country for men, women, and children subjected to forced labor, and for women and children subjected to sex trafficking. Kyrgyzstani men, women, and children are subjected to forced labor primarily in Russia and Kazakhstan, and to a lesser extent in Turkey and other Eastern European countries. They are also subjected to forced labor primarily within the country's agricultural, forestry, construction, and textile industries, as well as in domestic service and child care. In 2012, 26 Kyrgyzstani forced laborers were identified in Finland. Kyrgyzstani women are subjected to forced prostitution abroad, reportedly in Turkey, the United Arab Emirates (UAE), Russia, Kazakhstan, and within the country. Small numbers of women and children from Uzbekistan are subjected to sex trafficking in Kyrgyzstan. Some men and women from Uzbekistan, Tajikistan, and Turkmenistan transit the Kyrgyz Republic as they migrate to Russia, the UAE, and Turkey, where they subsequently become victims of sex and labor trafficking. Kyrgyzstani boys and girls are subjected to sex trafficking and forced labor, including the forced selling and distribution of drugs, within the country. NGOs continue to report that some schools in the south of the country cancel classes in the fall to send children to pick cotton, and other schools require children to harvest tobacco on school grounds. Street children who engage in begging and children engaged in domestic work (often in the homes of extended family members) are vulnerable to human trafficking.

The Government of the Kyrgyz Republic does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government provided in-kind contributions to assist NGOs and international organizations in training law enforcement officials, provided the premises used for protection of identified trafficking victims, and worked to raise awareness of the crime. However, the government's investigation of trafficking crimes decreased

and it did not report convicting any traffickers for the second consecutive year. The U.N. Special Rapporteur on the Sale of Children, Child Prostitution, and Child Pornography alleged the serious and endemic corruption of police officers, who allegedly participated themselves in the detention and rape of child sex trafficking victims. The Kyrgyzstani government took no action to investigate allegations of officials' complicity in trafficking crimes. It identified few victims and did not adequately protect child victims during the investigation and prosecution of their traffickers.



RECOMMENDATIONS FOR THE KYRGYZ REPUBLIC:

Increase efforts to investigate and prosecute suspected trafficking offenses, respecting due process, and convict and punish trafficking offenders, ensuring that the majority of those convicted of trafficking serve time in prison; vigorously investigate and prosecute government officials suspected of being complicit in trafficking or who engage in abuse and exploitation of trafficking victims, and convict and punish complicit government officials; increase efforts to proactively identify trafficking victims among vulnerable groups, such as street children, adult and child agricultural laborers, and Kyrgyzstani migrant workers, and refer those victims to protective services; enact legislation that is consistent with international law and ensure that sex trafficking of minors does not require force, fraud, or coercion and that the penalties for this crime are sufficiently stringent and commensurate with prescribed penalties for other serious crimes such as rape; develop and implement child-sensitive investigation and prosecution procedures for cases in which children may be victims of human trafficking; continue to provide the physical premises for NGO-run shelters; continue to contribute to efforts by international organizations to train police, prosecutors, and judges; ensure that identified victims of trafficking are not punished for unlawful acts committed as a direct result of being trafficked; and consider disaggregating anti-trafficking law enforcement data.

PROSECUTION

The Kyrgyzstani government made limited anti-trafficking law enforcement efforts. The 2005 Law on Prevention and Combating Trafficking in Persons, amended in 2011, criminalizes both sex and labor trafficking for adults, and covers a non-trafficking offense—"child adoption for commercial purposes." In addition, contrary to international law, in its definition of the crime of sex trafficking of children, Kyrgyz law requires the prosecutor to prove that the offender used force, blackmail, fraud, deception, or abduction. The law prescribes penalties of five to 20 years' imprisonment; these penalties are sufficiently stringent and commensurate with prescribed penalties for other serious crimes, such as rape. Article 157 of the criminal code makes it a crime to involve a minor in prostitution or begging and prescribes penalties of one to three years' imprisonment, with an aggravated sentence of up to eight years' imprisonment if the act is committed with the use or threat of physical violence. The non-aggravated penalty for child prostitution is neither sufficiently stringent nor commensurate with the penalties for other serious crimes, such as rape. Article 15 of the Code on Children prohibits forced child labor. The number of suspected trafficking investigations in 2013 was not reported; six cases were reported investigated in 2012. The government reported prosecuting three defendants for trafficking under the anti-trafficking law, but convicted none in 2013. The government reported that these ongoing cases included one labor trafficking case and two sex trafficking cases; the government also used the trafficking law to investigate seven non-trafficking cases involving adoption for commercial purposes. Some potential trafficking offenses were not investigated or prosecuted due to the lack of awareness of trafficking by law enforcement officials. In addition, corruption is a systemic issue in Kyrgyzstan; the Special Rapporteur on the Sale of Children, Child Prostitution, and Child Pornography documented allegations of law enforcement officials' complicity in human trafficking. According to the report, police officers allegedly threatened, extorted, and raped child sex trafficking victims. The Government of the Kyrgyz Republic did not report any investigations or prosecutions of government employees for alleged complicity in trafficking-related offenses during the reporting period. The government provided in-kind contributions, including building space and access to equipment, for a training program for 16 prosecutors from Bishkek and seven provinces. The training focused on identification of victims and investigation, prosecution, and adjudication of trafficking crimes and was organized by an international organization; subsequently, participants were required to conduct a training session for prosecutors in the field.

PROTECTION

The Kyrgyzstani government continued to ensure victims' access to protection services by continuing to provide the premises in which international organizations and NGOs protect and assist victims of trafficking; however, there were allegations that some police did not identify and protect victims of sex trafficking, but rather abused, sexually exploited, and extorted money from victimized children, including child sex trafficking victims. The government did not have formal written procedures to guide officials in proactive identification of trafficking victims among high-risk populations with whom they came into contact. In 2013, the government identified 11 victims, including 10 adults and one child—the same number of victims identified and referred in 2012—and referred all of them to protection services. Kyrgyzstani consular officials assisted a male labor trafficking victim in Russia by providing identity documents and funding for travel to Bishkek. IOM and NGOs assisted 52 victims, 44 of whom were subjected to forced labor in 2013; this is a decrease from 278 victims they identified and assisted in 2012. This decrease was primarily due to reduced donor funding. Although the government did not provide funding to any organization that provided victim assistance in 2013, it continued to provide in-kind assistance to anti-trafficking NGOs, including facilities for three NGO-run shelters that provided services for trafficking victims; 15 victims were supported in these shelters during the reporting period, a significant reduction from 95 assisted the preceding year. Adult victims were able to leave the shelters freely. The government operated, with funding from IOM, a shelter for child victims of trafficking. The shelter provided rehabilitative and social assistance services. The government did not encourage victims to participate in trafficking investigations and prosecutions and the Special Rapporteur reported that child trafficking victims are often not adequately protected; police do not use child-sensitive procedures when dealing with child victims during the investigation and courts do not use any safeguards to ensure their privacy and protection. Trafficking

victims were reportedly punished for crimes they were forced to commit as a direct result of being trafficked. According to the Special Rapporteur, police officers allegedly detained child sex trafficking victims, releasing them only after they performed sexual acts. Kyrgyzstani police extorted bribes from child sex trafficking victims through threats of arrest for prostitution, even though prostitution was neither illegal nor an administrative offense. Unidentified adult victims may have also been penalized when they were arrested following raids on brothels.

PREVENTION

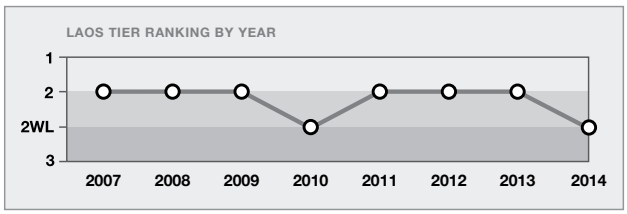
The Kyrgyzstani government sustained some progress in trafficking prevention efforts. In November 2013, the government established the Department for Combating Crimes against Public Morality and Human Trafficking. Despite its title, this entity focused on closing brothels rather than proactive anti-trafficking investigations and did so without having procedures in place for identification and protection of potential victims of sex trafficking. During the reporting period, the government transferred responsibility for the human trafficking portfolio from the Ministry of Foreign Affairs to the newly organized Ministry of Labor, Migration, and Youth. This new ministry monitored the government's implementation of programs under its 2013-2016 anti-trafficking action plan, provided information prepared by IOM to Kyrgyzstani consular officials and migrants abroad, and operated a center to inform Kyrgyzstani migrants of their labor rights in other countries. The Ministry of Education distributed information on human trafficking in public schools and at higher education institutions to raise awareness of human trafficking among students. The Border Service provided anti-trafficking information at border crossings. The government continued to provide a national toll-free telephone line to an NGO-run labor migration hotline that provided legal advice and assistance to potential victims of trafficking. The government continued its plan to digitize passport records and birth records, with the goal of fully computerizing the national citizen registration system; providing citizens with greater personal identification documentation contributes to the prevention of human trafficking. The government did not undertake efforts to reduce the demand for commercial sex acts or forced labor.

LAOS (Tier 2 Watch List)

Laos is a source, and to a lesser extent, a transit and destination country for women, children, and men who are subjected to sex trafficking and forced labor. Lao trafficking victims often are migrants seeking work outside the country—sometimes with the assistance of brokers who charge high fees—who encounter conditions of labor or sexual exploitation after arriving in destination countries, most often Thailand. Many victims, particularly women and girls, are exploited in Thailand's commercial sex trade and in forced labor in domestic service, factories, or agricultural industries. A small number of these girls are as young as 11 or 12-years-old. Lao men and boys are victims of forced labor in Thailand in the fishing, construction, and agricultural industries such as duck farms. NGOs report that individuals offering transportation services near the Thai border facilitate the placement of economic migrants into forced labor or sex trafficking in Thailand. Many trafficking victims may be among the more than 17,000 migrants deported or "pushed back" from Thailand without official notification, often sent back to Laos in boats across the Mekong River. Mini-van drivers sometimes intercept these migrants when they arrive back in Laos and facilitate their re-trafficking. A small number of women and girls from Laos are sold as brides in China and South Korea and subsequently subjected to sex trafficking. Lao women have been subjected to sex trafficking in Malaysia and possibly Indonesia. A small number of Lao have been subjected to trafficking in Vietnam.

Laos is reportedly a transit country for some Vietnamese and Chinese women and girls who are subjected to sex trafficking and forced labor in neighboring countries, particularly Thailand. Local organizations reported concerns that some of the Vietnamese men and women working in or near large-scale—and often illegal—logging and construction areas along the Lao-Vietnam border may be victims of trafficking. There is little data on the scope of trafficking within Laos, but some Vietnamese and Chinese women and girls, as well as girls and boys from Laos, are subjected to sex trafficking in the country, usually in close proximity to borders, casinos, or Special Economic Zones, or in the country's larger cities, reportedly to meet the demand of Asian tourists and migrant workers. Some Lao adults and children are subjected to forced labor within Laos in the agricultural sector.

The Government of Laos does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government continued to prosecute trafficking offenses and convict traffickers, and to provide short-term assistance to some victims with a heavy reliance on support from foreign donors. Despite these measures, the Government of Laos did not demonstrate evidence of overall increasing efforts to combat trafficking since the previous reporting period; therefore, Laos is placed on Tier 2 Watch List. It did not provide case details to establish that all reported cases involved trafficking. The government relied almost entirely on local and international organizations to implement anti-trafficking programs in Laos. It did not report identifying any victims of trafficking; its official statistics include only those victims identified by authorities or organizations in Thailand. The government's continued failure to expeditiously approve Memoranda of Understanding (MOUs) with anti-trafficking organizations hampered the overall effectiveness of anti-trafficking activities in the country.



RECOMMENDATIONS FOR LAOS:

Include organizations with expertise in drafting anti-trafficking legislation in all stages of the drafting process for the new law; implement formal victim identification procedures and train police and border officials to systematically identify trafficking victims, and refer them to care, particularly among migrants "pushed back" from Thailand and domestic victims; with assistance from international partners, develop a database to collect information on the government's anti-trafficking activities and share the information with interested stakeholders; increase efforts to address internal trafficking—including children subjected to sex trafficking to meet local and foreign demand, and adults and children subjected to forced labor in the commercial agricultural sector—by identifying and assisting

Lao citizens trafficked within the country and prosecuting perpetrators of these offenses; approve MOUs with NGOs and international organizations more quickly to allow them to implement activities to assist victims; increase overall government expenditures on service provision to victims and awareness campaigns to warn of the dangers of human trafficking; in partnership with local and international organizations, increase resources and vocational trainings to support victims, including male victims, in reintegrating into their home communities; reduce the demand for sex tourism by promulgating awareness in targeted locations and enforcing criminal penalties; and demonstrate greater efforts to combat the trafficking complicity of public officials, especially at the local level, through the criminal prosecution of officials involved in trafficking crimes.

PROSECUTION

The Lao government sustained moderate efforts to prosecute and convict trafficking offenders. The government prohibits all forms of human trafficking through its 2006 revision of penal code Article 134, which prescribes penalties ranging from five years' to life imprisonment, fines ranging from the equivalent of approximately $1,250 to $12,500, and confiscation of assets; these penalties are sufficiently stringent punishments and commensurate with those prescribed for other serious crimes, such as rape. The government reported it began drafting the framework for comprehensive-trafficking-specific legislation, but organizations with anti-trafficking expertise reported concerns that the government did not include them in this process. Within the current reporting period, authorities reported investigating 56 cases of suspected trafficking and submitting 24 of these cases for prosecution. Court cases reportedly resulted in 35 convictions, an increase from 18 convictions in the previous reporting period, but similar to conviction rates in past years. The government did not specify the nature of these cases or provide details on punishments for individual offenders. Media reports and information from international organizations indicate that at least five cases involved Lao victims being exploited in Thailand, and convicted offenders received sentences of 15 or more years' imprisonment. The government failed to collect data on its anti-trafficking law enforcement efforts. Court proceedings lacked transparency and adequately detailed record-keeping, and the Lao judicial sector remained weak and inefficient. The government led donor-funded anti-trafficking trainings that reached at least 244 local officials. The government reported conducting cooperative investigations with the governments of Malaysia, China, and Thailand. In addition, the general public's continued reluctance to work with law enforcement and reliance on out-of-court mediation hampered the government's ability to effectively investigate internal or cross-border trafficking cases. Corruption remained an endemic problem in Laos. Anti-trafficking organizations have reported that some local officials received payment to facilitate the immigration or transportation of girls to Thailand. The government did not report any investigations, prosecutions, or convictions of officials for complicity in human trafficking or trafficking-related activities during the year.

PROTECTION

While the Government of Laos continued to provide modest support to victims identified by the Thai government and repatriated to Laos, it failed to proactively identify victims exploited within the country or among those deported from other countries, and its overall victim protection efforts remained inadequate. During the year, 103 victims identified by Thai authorities were returned to Laos under the official repatriation system between the two countries. These are the only victims officially recognized by the Lao government; the government's official statistics do not include victims identified through other methods, though an NGO reported providing services to 43 additional victims. Lao authorities did not follow systematic procedures for the identification of victims, and the government did not complete revisions to a previously developed checklist for the identification of victims among vulnerable groups. Deportees from Thailand were not systematically screened, and front-line officers' lack of awareness often led to a conflation between trafficking and involuntary migration. The Lao embassy in Bangkok worked with an international organization to repatriate victims identified in Thailand, but Lao diplomatic missions did not provide additional support for victims of trafficking abroad.

The government continued to rely almost entirely on NGOs and international organizations to provide or fund victim services, though it cooperated with an NGO to run a transit center in Vientiane. Upon their return from Thailand, victims stayed in the transit center for approximately one week while assessments for longer-term arrangements were conducted by the authorities, or were referred directly to shelters or other providers of medical care, counseling services, and vocational training. Government and non-governmental stakeholders reported that a project implemented by an international organization to improve coordination among public and private shelter facilities strengthened the effectiveness of the referral network during the year. The quasi-governmental Lao Women's Union operated a shelter (for victims of a number of forms of abuse) that cared for 20 female and 12 male victims, the majority of whom were subsequently returned to their home communities after a short stay.

NGOs provided all of the limited long-term support and vocational training that was available to victims during the reporting period. The lack of adequate long-term support available in the country made victims vulnerable to re-trafficking. The government's internal inefficiencies led to lengthy delays in granting approvals to NGOs and international organizations to implement anti-trafficking efforts in Laos. Some organizations remained waiting for almost two years for MOU approval to conduct certain anti-trafficking activities. During the year, due in part to insufficient cooperation from local police, operations to rescue child sex trafficking victims and women in prostitution—a population vulnerable to trafficking—were suspended.

Anti-trafficking organizations identified northern Laos as a region that lacks much-needed victim assistance services. Although Lao men and boys were subjected to trafficking, the vast majority of services in the country were only available to women. There were no reports of identified victims being subjected to penalties for acts committed as a result of being trafficked, and central government officials instructed provincial authorities that they could not fine repatriated victims for immigration violations. A lack of proactive victim identification may have led to some victims being treated as law violators. Lawyers did not always have formal training and victims were not always made sufficiently aware of their legal rights. The government reported encouraging victims to cooperate with prosecutions, and the Lao Women's Union made efforts to familiarize individual victims with the court process, but cultural preferences and an overall lack of incentives for participation in formal legal proceedings, which can be lengthy and costly, led many victims to choose traditional out-of-court mediation for redress. Reports from international

organizations and media outlets indicated that in at least two court cases, convicted offenders were ordered to pay restitution to victims as part of their sentences. The government did not provide legal alternatives to the removal of foreign victims to countries where they may face retribution or hardship.

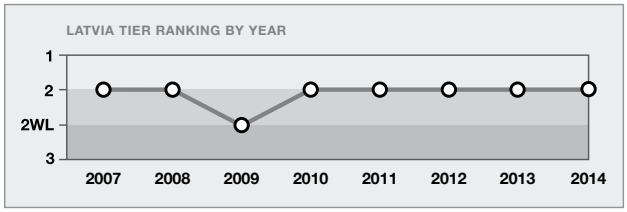
PREVENTION

With assistance from international organizations and NGOs, the Lao government continued modest prevention efforts. Implementation of the government's national action plan began during the year; however, international organizations implemented the vast majority of the activities. The 2013 work plan was deferred, and became part of the 2014 work plan. In December 2013, the government and partner organizations conducted a 10-day public awareness campaign in three provinces that included public talks, a media campaign, and a walk with more than 700 participants. Government-controlled print media published a variety of articles on human trafficking in 2013, covering topics such as safe migration and anti-trafficking training events. The Ministry of Foreign Affairs distributed materials about safe migration and the risks of human trafficking to Lao citizens applying for passports. The government continued to lead or co-lead training for officials funded by civil society organizations; such trainings reached at least 445 officials covering topics such as victim protection and safe migration. During the year, the government deported a group of nine young asylum seekers to North Korea and publicly characterized this action as anti-trafficking. By failing to make efforts to protect this vulnerable group of children and young adults, it directly increased their vulnerability to trafficking by the North Korean government, which is known to imprison returning defectors and subject them to various forms of abuse, including forced labor. Furthermore, these actions demonstrated the government's willingness to exploit the issue of human trafficking for political reasons and called into question government officials' understanding of human trafficking. The Department of Tourism continued to distribute materials produced by an international organization on the protection of children during travel and the illegality of sex tourism. The government reportedly fined an unknown number of owners and operators of venues and shut down some venues where commercial sex acts occurred. At times, it conducted raids on these establishments; inadequate efforts to identify sex trafficking victims may have made some victims vulnerable to arrest. The government took no discernible measures to reduce the demand for forced labor or commercial sex acts. The government continued to block the release of a study by an international organization on the commercial sexual exploitation of children.

LATVIA (Tier 2)

Latvia is a source and destination country for women and children subjected to sex trafficking and a source country for women, men, and children subjected to forced labor. Latvian women and girls are forced into prostitution overseas, in Austria, Belgium, Cyprus, Germany, Ireland, the Netherlands, Russia, Sweden, and the United Kingdom (UK), as well as within Latvia. Latvian men and women are subjected to forced labor abroad, including in Denmark, Germany, Russia, and the UK. Latvian women in brokered marriages in Western Europe, particularly Ireland, were vulnerable to domestic servitude and sex trafficking. Unemployed adults, single mothers, people raised in state-run institutions, and individuals with mental disabilities are particularly vulnerable to trafficking in persons.

The Government of Latvia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The Latvian government continued to identify and provide care for victims exploited in labor and sex trafficking abroad. Latvian authorities provided some victims with compensation and witness protection; however, it did not identify any trafficking victims within Latvia for enrollment into the state assistance program. The government demonstrated strong prevention efforts through sponsoring awareness-raising activities, developing a comprehensive seven-year national action plan to combat trafficking, and applying new legal provisions targeting unscrupulous recruiters who arranged fraudulent marriages. Regardless of the improved anti-trafficking response by Latvia's State Police, other law enforcement and judiciary efforts remained the Government of Latvia's weakest area, as officials prosecuted and convicted very few cases under the anti-trafficking statute.



RECOMMENDATIONS FOR LATVIA:

Increase investigations, prosecutions, and convictions in human trafficking cases; use the trafficking statute (Section 154-1 of the Latvian Criminal law) to prosecute cases involving Latvian victims exploited abroad and domestically; impose criminal penalties on convicted traffickers, including public officials, that are commensurate with the severity of the crime committed; review and improve the efficiency of trial procedures to ensure a victim-centered approach and to expedite prosecutions; ensure public officials convicted of being complicit in trafficking crimes receive prison sentences commensurate with the crimes committed; ensure police investigators have sufficient resources to conduct investigations; continue to educate prosecutors and judges about human trafficking and victims' rights to reduce prejudice in trial; increase efforts to identify victims proactively, particularly Latvian victims exploited within the country; explore options for long-term victim reintegration; continue to make state-funded repatriation of victims more accessible; encourage more victims to assist law enforcement officials by ensuring that all victims are provided appropriate protections throughout the investigation and prosecution; continue to provide victims with avenues for compensation from their traffickers and the government fund for victims of severe crime; implement the 2014-2020 national anti-trafficking strategy; consider providing government funding for a centralized anti-trafficking hotline to enhance existing prevention efforts and the identification of victims; continue efforts to systematically monitor trends; continue promoting trafficking education at schools and increase the involvement of NGOs in that training; and continue to raise awareness about both sex and labor trafficking.

PROSECUTION

The Government of Latvia maintained weak law enforcement efforts, despite an improved anti-trafficking response by Latvia's State Police, as authorities prosecuted one case under its anti-

trafficking statute during the reporting period. Latvia prohibits all forms of trafficking through Sections 154-1 and 154-2 of its criminal law, which prescribe penalties ranging from a fine to 15 years' imprisonment—penalties that are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In 2013, the government investigated six new sex trafficking cases under Section 154-1, an increase from three cases in 2012. Latvian authorities did not initiate any new labor trafficking investigations; the last labor trafficking investigation was initiated in 2009. The government initiated one new Section 154-1 sex trafficking prosecution against one defendant in 2013, which is the same number of prosecutions in 2012. Authorities did not secure any convictions under Section 154-1 in 2013, compared to two convictions in 2012. This statistical information includes lower-level court sentences that were not appealed. In addition, Latvian authorities collaborated with other foreign governments, including Belgium, Cyprus, Germany, Ireland, and the UK, on trafficking investigations. Observers reported that the police lacked the resources necessary for extensive and sophisticated investigations into trafficking cases. Reports also concluded that Latvian court procedures were lengthy and stalled anti-trafficking efforts. The Latvian government trained officials on human trafficking in a variety of formats. For example, the State Police College offered an investigation course to 63 law enforcement staff members and the Ministry of Justice sponsored a regional training conference attended by 25 prosecutors and other judiciary representatives.

In 2013, Latvian authorities convicted a former anti-trafficking police officer for extortion and other crimes and sentenced him to five years in prison; the decision was pending appeal at the close of the reporting period. Another anti-trafficking police officer, convicted of pimping in the previous reporting period, received a suspended sentence and probation. In a third case, authorities continued to prosecute a sworn attorney for allegedly facilitating trafficking in persons; the prosecution was ongoing at the close of the reporting period.

PROTECTION

The Latvian government sustained its victim protection efforts during the year by increasing the number of victims receiving compensation and witness protection services, although identification of victims trafficked within the country remained weak. The government greatly increased its victim assistance program funds from the equivalent of approximately $126,000 in 2012, to the equivalent of approximately $132,000 in 2013, and to the equivalent of approximately $213,000 in 2014. The government-funded NGO offered every trafficking victim psychological assistance, medical aid, legal representation, housing, and reintegration services. The Latvian government enrolled 22 new trafficking victims in its 2013 assistance program, compared to 25 victims in 2012, and 11 in 2011; the government funded care for 33 victims in total, including some of those identified in 2012. All of the victims receiving state care had been exploited abroad; one victim was male. Observers reported that proactive identification by Latvian police within the country remained weak. Five trafficking witnesses cooperated with law enforcement in 2013, a continued decline from seven in 2012 and 29 in 2011, amid reports that officials did not gain victims' trust. The government-funded NGO did not operate its own shelter, but collaborated with shelters throughout Latvia to provide services. The Ministry of Foreign Affairs developed a new manual on Latvia's assistance program for trafficking victims and distributed it to its embassies.

According to the government, it is able to protect victims assisting law enforcement by providing witness protection, digital video-enabled courtrooms, and by exempting victims from attending court hearings. The government enrolled one trafficking victim in its witness protection program in 2013, compared to zero victims in 2012. In 2013, Latvian courts ordered restitution payments for three trafficking victims, although none of the victims had yet received compensation because their cases were still on appeal. Also in 2013, one victim received compensation from a government fund for victims of severe crime. The Latvian government had a residence permit provision available for foreign trafficking victims during reflection periods and for the duration of a criminal trial; however, none of the identified victims during the reporting period were foreign. There were no reports that the government penalized identified victims for unlawful acts they may have committed as a direct result of being trafficked.

PREVENTION

The Latvian government demonstrated strong prevention activities by developing a seven-year national action plan and prosecuting unscrupulous recruiters who sent Latvian women abroad for fraudulent marriages. The government developed and finalized its national action plan to combat trafficking for 2014 to 2020, which was developed in coordination with NGOs and prioritizes state-funded rehabilitation services for victims, public awareness campaigns, and training for public officials who may encounter trafficking victims. Latvian authorities continued to use Section 165-1, which prohibits the transfer of individuals for the purpose of sexual exploitation, to prevent potential cases of trafficking. In 2013, the government prosecuted four defendants under Section 165-1 and convicted 11 suspects, compared to 11 prosecutions and 17 convictions in 2012. The State Employment Agency continued to monitor employment agencies and voided the licenses of 26 placement agencies. In 20 cases, licenses were voided because the agencies had not been offering placement services for a year or longer. In six cases, the licenses were voided for lack of service quality and non-compliance with binding regulations. The government participated in a range of awareness-raising activities, including working on school curricula to educate children about trafficking threats and educating local authorities around Latvia about the risk of labor exploitation and safe travel practices. The inter-ministerial anti-trafficking working group continued to meet to coordinate the government's anti-trafficking activities, alongside civil society members. The Ministry of Interior continued to publicly publish its annual report on the government's anti-trafficking activities. The Ministry of Welfare provided training to 75 representatives of social services. Other state agencies, in partnership with an NGO, completed an awareness campaign for nine different city administrations. The government continued to maintain various information and emergency hotlines that received calls on potential trafficking situations. The government did not report any specific measures to reduce the demand for commercial sex acts or forced labor.

LEBANON (Tier 2 Watch List)

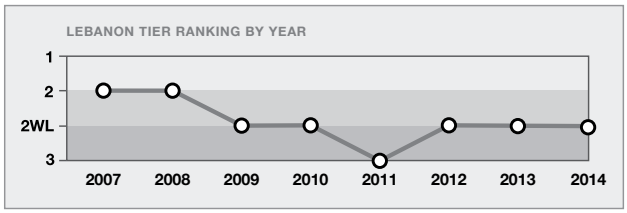
Lebanon is a source and destination country for women and children who are subjected to forced labor and sex trafficking. The country is also a transit point for Eastern European women and children subjected to sex trafficking in other Middle Eastern countries. Women from Sri Lanka, the Philippines, Ethiopia, Kenya, Bangladesh, Nepal, Madagascar, Democratic Republic of

the Congo (DRC), Togo, Cameroon, and Nigeria who travel to Lebanon with the assistance of recruitment agencies to work in domestic service, are often subjected to forced labor, experiencing withholding of passports, nonpayment of wages, threat of arrest and deportation, restrictions on movement, verbal abuse, and physical assault. Workers who leave their employers' houses without permission or a "release paper" automatically forfeit their legal status; to retain legal status, a change in their sponsorship must be pre-arranged and approved by the General Directorate for General Security (DGS), the government agency responsible for the entry, residency, and departure of foreign workers. Some employers in Lebanon threaten workers with the loss of legal immigration status in order to keep them in forced labor and, in some cases, keep foreign domestic workers confined in residences for years. Some victims are recruited to work in Lebanon by employment agencies using false lucrative job offers. A highly publicized case of an Ethiopian domestic worker who was publicly beaten by a Lebanese recruitment agent in March 2012 exemplifies the abuse suffered by domestic workers in Lebanon. The worker committed suicide shortly after the incident was reported in the media.

Women from Eastern Europe, including Russia, Ukraine, Belarus, and Moldova, as well as the Dominican Republic, Morocco, and Tunisia enter Lebanon through the government's artiste visa program to work as dancers in Lebanon's adult entertainment industry; the visas are valid for three months and may be renewed once for an additional three months. In 2013, 11,465 women entered Lebanon under this visa program—almost double the amount of artiste visas issued in 2012—which sustains a significant sex trade and enables forced prostitution through such practices as withholding of passports and wages, restrictions on movement, and physical and sexual abuse. Some women from the DRC and Burundi are forced into prostitution in Lebanon; it is unclear if they work in Lebanon under the artiste visa program. Some Syrian women may be forced to engage in street prostitution, and underage Syrian girls are reportedly brought to Lebanon for the purpose of prostitution, including through the guise of early marriage. Syrian refugees, in particular women and children, who fled the conflict to Lebanon are at an increased risk of sex trafficking and forced labor due to their vulnerable economic and financial situation. NGOs and international organizations continue to report an increase in Syrian children engaged in street begging, some of which are forced; Syrian girls are forced into marriages, which can place them at risk of forced labor and sex trafficking. An international organization reported Syrian gangs force Syrian refugees, including men, women, and children, to work in the agricultural sector in Beqaa Valley harvesting potatoes, olives, and bananas while living in informal tented settlements. Victims are forced to work under harsh conditions with little to no pay; some are forced to work to pay off debts incurred to facilitate their entry into Lebanon or to pay for their lodging. Anecdotal information indicates that Lebanese children are victims of forced labor within the country, particularly in street begging, as well as commercial sexual exploitation facilitated by male pimps, husbands, and "boyfriends," and at times through early marriage. Small numbers of Lebanese girls may be taken to other Arab countries for exploitation in prostitution.

The Government of Lebanon does not fully comply with the minimum standards for the elimination of trafficking, but is making significant efforts to do so. The government conducted an increased number of investigations of human trafficking and prosecuted and convicted some trafficking offenders. Despite these measures, the government has not shown evidence of increasing efforts to address human trafficking compared to the previous year; therefore, Lebanon is placed on Tier 2 Watch List for a third consecutive year. Lebanon 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 it has committed to devoting sufficient resources to implement that plan.

The government did not investigate officials complicit in human trafficking. Although the government continued to identify and refer some victims to NGO-run protection services, the government did not provide or fund any protection services for victims and did not have victim identification and protection procedures in place. Officials failed to proactively identify victims of trafficking among vulnerable groups, including domestic workers who ran away from abusive employers, illegal migrants, and women holding artiste visas. As a result, authorities continued to arrest, detain, and deport both potential and identified trafficking victims for crimes committed as a direct result of being subjected to trafficking. Finally, Lebanon's sponsorship system, coupled with the widespread withholding of passports, continued to be a structural impediment that contributed to the domestic servitude of domestic workers.



RECOMMENDATIONS FOR LEBANON:

Continue to implement the anti-trafficking law by investigating, prosecuting, and convicting trafficking offenders, including officials complicit in human trafficking; enforce the law prohibiting the confiscation of passports belonging to foreign migrants in Lebanon; develop and institute formal procedures to identify victims of trafficking among vulnerable populations, such as women holding artiste visas, domestic workers who have escaped abusive employers, and Syrian refugees; ensure that identified victims of trafficking are promptly referred to protection services rather than detained for unlawful acts committed as a direct result of being trafficked, such as immigration or prostitution violations; provide protection services to all victims of trafficking, such as shelter, access to legal aid and interpretation, and counseling; continue to work in partnership with NGOs to identify and protect victims, and implement the decree which enables the Ministry of Justice to subcontract NGOs to provide victim assistance and protection; enact the labor law amendment extending legal protections to foreign workers and the draft law providing increased labor protections to domestic workers, including foreign domestic workers; train police, judges, prosecutors, and other government officials about the anti-trafficking law and how to enforce it; continue to conduct anti-trafficking public awareness campaigns; and amend the unified employment contract for domestic workers to recognize the worker's right to leave his or her employer's house during time off and to retain his or her passport.

PROSECUTION

The government demonstrated some anti-trafficking law enforcement efforts, but over a hundred investigations resulted in

only two convictions. Lebanon's 2011 anti-trafficking law, Number 164, prohibits all forms of trafficking in persons. Prescribed penalties for sex trafficking and forced labor range from five to 15 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. NGOs report that anti-trafficking law enforcement efforts were hampered by cultural biases, the difficulty of proving reported abuses, the slow pace of the judicial system, lack of protective services, and the fact that victims were not informed of their legal rights. Several government officials reported that security forces were often reluctant to arrest parents for subjecting their children to trafficking due to a lack of social services available should the child be removed from the family.

The Internal Security Forces (ISF) investigated seven cases of trafficking involving 27 victims of sexual exploitation and child trafficking, while the DGS investigated 114 suspected cases of trafficking involving non-payment of wages, physical abuse, and rape or sexual abuse. The Ministry of Justice reported prosecuting 14 trafficking offenders under the anti-trafficking law; one case involved forced prostitution and the others involved forced child begging. The government also convicted two offenders, but did not report the sentences. These law enforcement efforts were an increase from the previous reporting period's 125 investigations, eight sex trafficking prosecutions under Law 164, and zero convictions. In addition, the media reported in March 2014 that police arrested three people on charges of human trafficking and prostitution for recruiting two Syrian women to Lebanon under false promises to work as domestic workers; the victims were subsequently forced into prostitution once in Lebanon. While one of the victims was identified as a trafficking victim, the other was detained on prostitution charges. According to the media in February 2014, the ISF arrested members of a child begging ring, which forced four Syrian children to sell goods in the street; it was unclear if the alleged offenders were prosecuted. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking. Despite this, NGOs reported that some DGS officers accepted bribes to protect adult nightclubs or to issue artiste visas. The government did not provide or fund anti-trafficking trainings for officials, but it allowed officials from various ministries to participate in trainings conducted by NGOs.

PROTECTION

The government did not provide protection, including shelter, to trafficking victims and authorities continued to arrest, detain, and deport victims for crimes committed as a direct result of being trafficked. Law enforcement, immigration, and social service officials lacked a formal system to proactively identify trafficking victims among vulnerable populations. The DGS reported that it identified 114 cases of potential victims of trafficking; the ISF reported seven cases of sexual exploitation and child trafficking involving 27 victims. In 2012, the DGS reported identifying 118 cases of potential victims of trafficking, and the ISF reported seven cases of child trafficking and sexual exploitation. The government did not have a policy to protect victims from punishment for crimes committed as a direct result of being subjected to human trafficking or providing relief from deportation to foreign victims. For example, domestic workers who fled abusive employers and out-of-status migrant workers were typically arrested, detained, and deported without being screened for indicators of trafficking. Detention typically lasted for one to two months, but NGOs reported some cases of detention that lasted longer. In addition, women holding artiste visas—some of whom were trafficking victims—were subject to immediate deportation following arrest; authorities rarely, if ever, referred these cases to NGOs for protection services and assistance. Investigative judges sometimes ordered that sex trafficking victims be incarcerated for prostitution violations, despite ISF officers having identified them as trafficking victims. For example, according to the media in March 2014, a Syrian victim of sex trafficking was arrested on prostitution charges alongside her traffickers. The DGS maintained a 500-person prison-style detention center in Beirut for illegal foreign migrants, a number of whom were unidentified trafficking victims. The DGS continued to permit an NGO to interview migrants to identify trafficking victims among the broader migrant center population; the NGO continued to report an increased level of professionalism among DGS officials and noted that investigators referred cases to relevant authorities for further action at an increased rate. While the DGS used a registration and identification system in the detention center to notify embassies from source countries of the presence of their nationals in detention, this system failed to provide specific guidance for identifying which detainees were victims of trafficking.

The government did not directly provide protection services to victims of trafficking through government funding or through NGO services, nor did it provide or fund shelters for trafficking victims, including men. The government also did not provide direct financial assistance to foreign trafficking victims. The government failed to utilize the implementation decree of the anti-trafficking law, which enabled the Ministry of Justice to subcontract NGOs to provide victim assistance and protection. The government, however, continued to rely on an NGO safe house to provide a range of victim services to female victims of trafficking. Pursuant to a 2005 memorandum of understanding between the DGS and the NGO, the DGS was required to refer trafficking victims to the safe house and to provide security for the location. The safe house assisted 111 victims of trafficking, an increase from the 66 victims assisted in the previous reporting period. The NGO reported that nine victims of trafficking were referred to the safe house by the DGS and ISF in 2013, while the majority of victim referrals came from foreign embassies. Additionally, according to the media in February 2014, four female Syrian children who were forced to beg were referred to an orphanage—due to a lack of social services available for trafficking victims—at the request of officials involved in the prosecution of the children's traffickers. Government officials did not encourage trafficking victims to bring their cases to the attention of public prosecutors. In the absence of such encouragement, NGOs reported many victims preferred quick administrative settlements followed by repatriation rather than long criminal prosecutions. The government did not provide temporary or permanent residency status or other relief from deportation for foreign trafficking victims who face retribution or hardship in the countries to which they would be deported. The government did not enact the labor law amendment extending legal protections to foreign workers nor the draft law providing increased labor protections to domestic workers, including foreign domestic workers.

PREVENTION

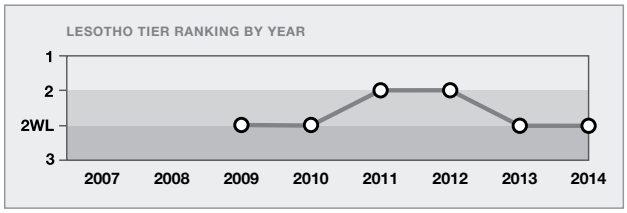
The government made minimal efforts to prevent trafficking, as deficiencies remained that put foreign migrant workers, particularly domestic workers, and women holding artiste visas, at risk of trafficking. The government conducted public human trafficking awareness campaigns in shopping centers and television advertisements. DGS officers at Beirut International Airport continued to distribute two booklets to migrant domestic workers upon their arrival in Lebanon. In 2013, DGS partnered with an

international organization to monitor the behavior of airport officials who encountered arriving migrant workers. As a result of these monitoring sessions, DGS directed that all airport officers return passports directly to migrant domestic workers upon arrival at airports; NGOs reported that officers complied with the directive. The government continued to operate a hotline to receive labor complaints from foreign workers, but it was severely understaffed and only operational during daytime working hours. The DGS also established a hotline in 2013 to receive complaints, including an unknown number of potential human trafficking claims; the government did not report how many calls these hotlines received or how many victims were referred to protection services through these hotlines. The Ministry of Labor (MOL) and the DGS have the authority to close or penalize employment agencies that exploit migrant workers; the MOL closed 31 agencies for committing employment violations, while the DGS blacklisted 48 recruitment agencies during the reporting period. The DGS continued a program that distributed brochures to an unknown number of departing Moldovan artiste visa holders containing information on NGO resources available to trafficking victims in Moldova; however, Lebanese authorities did not report having offered protective services in Lebanon to any Moldovan victims of sex trafficking. The 2009 standard unified employment contract for migrant workers was not amended to recognize a worker's right to leave his or her employer's house during off-hours, nor was it available in the 12 most common languages of migrant laborers; domestic workers must sign the contract in Arabic, a language that very few can read. The government's inter-ministerial taskforce, formed in 2012, met every two months. The National Steering Committee did not convene while the government was in caretaker status throughout the majority of the reporting period. Lebanese peacekeeping troops continued to receive mandatory training on sexual exploitation and abuse, but not specifically on human trafficking. The government took steps to reduce the demand for forced labor, but it did not take any steps to reduce the demand for commercial sex acts or address child sex tourism by Lebanese nationals abroad.

LESOTHO (Tier 2 Watch List)

Lesotho is a source, transit, and destination country for women and children subjected to conditions of forced labor and sex trafficking, and for men subjected to conditions of forced labor. Within Lesotho, women and children are subjected to domestic servitude and children—both boys and girls—increasingly endure commercial sexual exploitation. Basotho women and children endure these same forms of exploitation in South Africa. Basotho women and girls voluntarily migrate to South Africa seeking work in domestic service and are detained in prison-like conditions and/or forced to engage in prostitution. Some Basotho men who migrate voluntarily, though illegally, to South Africa for work in agriculture and mining become victims of forced labor; many work for weeks or months, only to have their employers turn them over to South African authorities to be deported for immigration violations in order to avoid paying them. In 2013, traffickers were suspected of recruiting three Basotho nationals into forced labor in South Africa. Basotho are also coerced into committing crimes, including theft, drug dealing, and drug smuggling under threats of violence or through forced drug use. Chinese and Nigerian organized crime rings reportedly acquire Basotho victims while transporting foreign victims through Lesotho to Johannesburg. The trend of foreign nationals subjecting their compatriots to trafficking in Lesotho, first observed in 2011, reportedly continued, although no specific cases were identified by government or NGO stakeholders during the reporting period.

The Government of Lesotho 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 demonstrate evidence of overall increasing efforts to address human trafficking over the previous reporting period; therefore, Lesotho is placed on Tier 2 Watch List for the second consecutive year. The government initiated several prosecutions of trafficking offenses in 2013. The government also appointed a new chair to its anti-trafficking committee charged with finalizing a national action plan to combat human trafficking; however, the committee was inactive for much of the reporting year and failed to develop formal referral procedures and establish victim care centers—key portions of the 2011 anti-trafficking act that remained unimplemented for the fourth consecutive year. The government has not successfully prosecuted a trafficking offender under the 2011 anti-trafficking act and failed to address systematic weaknesses—including questions of jurisdiction among courts, lack of anti-trafficking training for officials, and official complicity—during the reporting period. The government identified four trafficking victims and referred three for care; however, the government made minimal efforts to protect victims. It continued its reliance on NGOs to identify and assist victims, without providing funding or in-kind support for these services.



RECOMMENDATIONS FOR LESOTHO:

Finalize and implement the draft national anti-trafficking action plan; enact implementing regulations for the 2011 anti-trafficking act and address jurisdictional issues impeding the hearing of trafficking cases in the Basotho court system; increase efforts to investigate and prosecute trafficking offenses under the 2011 act, including both internal and transnational cases; provide care to victims of trafficking via government-run centers or in partnership with international organizations or NGOs; develop a formal mechanism, in line with the 2011 act, to refer victims to service providers; develop a formal system to proactively identify trafficking victims among vulnerable populations; differentiate the process of victim identification from the prosecution of trafficking offenders; provide adequate resources to support anti-trafficking efforts, especially provision of protection services such as victim witness support; increase oversight of labor recruitment agencies licensed in Lesotho; and establish a system to collect and analyze data on victims identified and assisted, trafficking offenses investigated and prosecuted, and trafficking offenders convicted and punished.

PROSECUTION

The government maintained its modest anti-trafficking law enforcement efforts. The Anti-Trafficking in Persons Act, which came into effect in January 2011, prohibits and punishes all forms of trafficking in persons. It prescribes penalties of up to 25 years' imprisonment or a fine of the equivalent of approximately $125,000 under Section 5(1) for the trafficking of adults, and up to life imprisonment or a fine of the equivalent of approximately $250,000 under Section 5(2) for the trafficking of children;

these penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The Child Protection and Welfare Act, enacted in March 2011, prescribes penalties of life imprisonment or a fine of the equivalent of approximately $125,000 for child trafficking. Labor recruiters who knowingly recruit workers for forced labor are liable for the same penalties as those who hold them in servitude. In February 2014, the government's anti-trafficking committee partnered with UNODC to begin drafting implementing regulations necessary to enforce the anti-trafficking act.

The government has never punished a trafficking offender under the 2011 anti-trafficking act. In 2013, the government initiated prosecutions under the act involving three suspected trafficking offenders for their alleged involvement in labor or sex trafficking. One suspect was prosecuted in an internal trafficking case involving Basotho boys in cattle herding and, in a separate case, another suspect was tried for forcing a Mosotho boy to sell drugs. One Mosotho woman was charged under the act for alleged involvement in attempting to transport a Mosotho girl to South Africa for the purposes of prostitution; the woman remained in jail pending trial at the end of the reporting period. In addition to these three defendants, at least one suspect in a separate trafficking case remained free and was not arrested or charged by officials during the year.

The government failed to address systemic weaknesses in its anti-trafficking response that prevented it from holding traffickers accountable. In April 2013, the Directorate of Public Prosecutions assigned three additional prosecutors to handle a backlog of trafficking cases, which had accumulated under one previously assigned prosecutor; however, no prosecutions were completed during the year. Judicial sector officials contend that Lesotho's High Court—which has the jurisdiction to hear trafficking cases—should not be the court of first instance, and Magistrate courts—where judges have attempted to hear cases—lack jurisdiction to appropriately sentence convicted offenders or to refer trafficking cases to the High Court.

The government did not investigate or prosecute any instances of alleged complicity by government officials during the year. Despite reports of suspected traffickers exerting influence to facilitate the arrest of victims to prevent them from testifying in 2012, no investigation was conducted into these allegations. The government failed to adequately train law enforcement and judicial sector officials on trafficking issues during the year; however, the government partnered with an NGO, as part of a donor-funded project, to train 237 police, magistrates, prosecutors, paralegals, journalists, and community leaders. Although government officials cooperated with the South African Police Service to repatriate victims, Basotho officials failed to initiate any joint investigations of trafficking cases with the South African government for the second consecutive year.

PROTECTION

The government made minimal efforts to protect victims during the reporting period, and continued to lack formal victim identification procedures or a process to refer victims to appropriate services. The Child and Gender Protection Unit (CGPU) identified four potential trafficking victims in 2013—a reduction from eight identified in 2012—and referred two victims to an NGO shelter for care. NGOs identified 36 trafficking victims in 2013. The government failed to directly assist these victims or provide support to NGOs that did so during the year, despite its previous pledges to provide such NGOs financial support. During the reporting period, the government did not establish victim care centers or a fund to protect and rehabilitate victims, as required under the 2011 anti-trafficking act. Medical services were accessible to victims of crime, including trafficking, free of charge at government hospitals and clinics, and the CGPU had the capacity to provide limited counseling to such groups; it is unknown how many victims received such services during the year. Lesotho Immigration officials worked with the South African Police Service to repatriate one sex trafficking victim identified in April 2013.

The 2011 anti-trafficking law protects victims from prosecution for unlawful acts committed as a direct result of being trafficked, provides foreign victims with permanent residency as a legal alternative to their removal, and encourages victims to assist in the investigation of traffickers; however, the government unevenly applied these provisions during the reporting period. In the previous reporting period, the Ministry of Home Affairs denied immigration petition of one Ethiopian trafficking victim because the prosecution of her abuser did not result in a conviction, which NGO stakeholders report was in part a result of witness intimidation in the case.

PREVENTION

The Government of Lesotho increased its capacity to prevent trafficking and more effectively coordinate official efforts to address the crime by designating a new lead of its national coordinating body. In November 2013, the Ministry of Home Affairs appointed the Commissioner of Refugees as the new chairman of the multi-sectoral committee. Although the committee failed to meet for much of 2013, after the Commissioner's appointment, the committee met three times and made efforts to finally complete the long-pending national action plan. The committee failed to coordinate awareness activities during the year. The Ministry of Gender, Youth, Sports, and Recreation partnered with an NGO to raise awareness on human trafficking as part of its gender-based violence (GBV) outreach through television programs and community events. Multiple forums held throughout 2013 focused on educating adults and children—in separate sessions—on the causes and consequences of GBV and trafficking. Three radio and television programs allowed over 11,500 listeners to learn about the topic, interact with presenters, and share experiences during phone-in sessions. Lesotho's annual campaign, "16 Days of Activism Against GBV," targeted more than 80 officers from the armed forces. The Ministry also carried out efforts to educate boys in cattle herding on GBV issues, including human trafficking; a train-the-trainer program targeted 350 herders. The Lesotho Mounted Police Service, in partnership with an NGO, coordinated awareness-raising events with children to alert them to recruitment schemes used by traffickers.

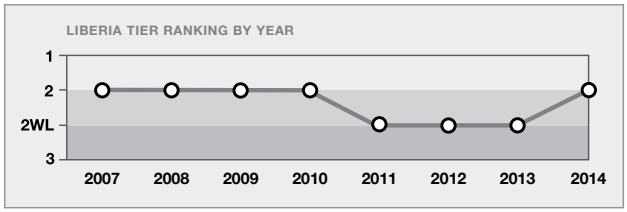
The Ministry of Employment and Labor (MOEL) conducted approximately 1,000 labor inspections during the year. The effectiveness of these inspections in identifying forced child labor was limited since they focused on the formal sector, whereas forced child labor was most prevalent in the informal sector, including in private homes. MOEL issued 40 licenses to labor agents recruiting workers from Lesotho for farms and construction companies in South Africa. MOEL required these companies to use standardized contracts; however, some companies failed to adhere to their provisions upon the workers' arrival in South Africa. Although it receives many complaints from returned laborers about their working conditions, MOEL only files complaints against and suspends the permits of these companies when the violation involves many reported victims or extreme violence. Although there were no such suspensions in 2013, in December 2013, the

government signed an agreement with the South African Ministry of Labor to cooperate on dispute resolution and information sharing on labor issues. The government did not make efforts to reduce the demand for commercial sex during the reporting period.

LIBERIA (Tier 2)

Liberia is a source and destination country for men, women, and children subjected to forced labor and sex trafficking. Most trafficking victims originate from and are exploited within the country's borders, where they are subjected to domestic servitude, forced begging, sex trafficking, or forced labor in street vending, rubber plantations, and alluvial diamond mines. Traffickers typically operate independently and are commonly family members who may promise poorer relatives a better life for their children. Children sent to work as domestic servants for their wealthier relatives are vulnerable to forced labor or, to a lesser extent, commercial sexual exploitation. Orphaned children remain susceptible to exploitation, including in street selling and prostitution. A small number of Liberian men, women, and children are subjected to human trafficking in other West African countries, including Cote d'Ivoire, Guinea, Sierra Leone, and Nigeria. Victims of transnational trafficking come to Liberia from neighboring West African countries, including Sierra Leone, Guinea, Cote d'Ivoire, and Nigeria, and are subjected to the same types of exploitation as internally trafficked victims. During the reporting period, women from Tunisia and Morocco were subjected to sex trafficking in Liberia.

The Government of Liberia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government reported increased numbers of investigations and prosecutions of alleged trafficking offenses, and convictions of foreign traffickers compared to the previous reporting period. It identified and referred a greater number of victims to protective services, formally adopted a standard operating procedure (SOP) to assist victims, and trained police and other first responders to use the SOP. It also adopted a national action plan to combat human trafficking and dedicated funds to implement the plan over a five-year period. However, it has not yet created trafficking-specific protective services for victims. Despite the country's significant internal trafficking problem, Liberia has not successfully convicted a Liberian national for trafficking in persons.



RECOMMENDATIONS FOR LIBERIA:

Continue prosecuting trafficking offenses and convicting and punishing trafficking offenders, with an increased focus on trafficking cases involving Liberian nationals; vigorously investigate, prosecute, and convict government officials complicit in trafficking offenses; provide additional training to law enforcement officials and magistrates to apply the anti-trafficking law and to distinguish trafficking crimes from cases of human smuggling or kidnapping; implement and educate NGOs, law enforcement personnel, magistrates, and other relevant government officials on the "Direct Assistance and Support to Trafficked Victims Standard Operating Procedures," so that these officials learn to proactively identify and provide protective services to trafficking victims; create and adequately fund a shelter specifically for trafficking victims; and increase efforts to educate the public about the dangers of human trafficking.

PROSECUTION

The Government of Liberia demonstrated an increase in anti-trafficking law enforcement efforts. Liberia's 2005 Act to Ban Trafficking in Persons prohibits all forms of transnational and internal trafficking. It prescribes a minimum sentence of one year's imprisonment for the trafficking of adults and six years' imprisonment for the trafficking of children, but does not include a maximum sentence for the trafficking of adults. The prescribed penalties for the sex and labor trafficking of children are sufficiently stringent, but the prescribed penalties for sex and labor trafficking of adults are not, nor are they commensurate with the prescribed penalties for other serious offenses, such as rape.

The government reported six investigations, two prosecutions, and two convictions during the reporting period, which represented a slight increase from five investigations, two prosecutions, and one conviction in the previous reporting period. The two convicted trafficking offenders were Lebanese nationals found guilty of subjecting one Tunisian and six Moroccan women to forced prostitution in Liberia; they were convicted in December 2013, but at the close of the reporting period, the defense filed and was granted a motion for a new trial, which the prosecution is now appealing at Liberia's Supreme Court. To date, no Liberian trafficking offenders have been convicted under Liberia's anti-trafficking law, despite the country's significant internal trafficking problem.

All section heads of the Liberian National Police (LNP) received basic training on how to report suspected trafficking cases to the Women and Children Protection Section (WACPS), though they did not receive specialized training in investigating human trafficking crimes. WACPS continued to provide a mandatory three-week comprehensive anti-trafficking training for all new officers. Bribery at border stations, capacity issues, and generalized corruption within the judiciary continue to hamper trafficking investigations and prosecutions. Although the Government of Liberia did not report any prosecutions of government employees for alleged complicity in trafficking-related offenses during the reporting period, President Sirleaf dismissed several high-ranking government officials after investigations revealed that they were involved in inhibiting two ongoing trafficking investigations.

PROTECTION

The government increased efforts to identify and protect victims of human trafficking. It identified 41 trafficking victims; seven foreign adult women were victims of forced prostitution; and 34 Liberian children were victims of forced labor. The majority of these victims were identified by police and immigration officials. This is a significant increase compared to the previous year, during which the government identified only five victims of trafficking. All 41 victims were referred to NGOs and international organizations for services, although the Ministry of Labor (MOL) provided shelter, food, medical, and psychological services to the seven adult victims for six months. There are no government-

run shelters or safe-homes specifically for trafficking victims in Liberia and the government relied heavily on NGOs and civil society groups to provide basic assistance and financial support to victims. The government formally adopted SOPs for trafficking victim support in October 2013. Although victim identification and referrals improved slightly, immigration, social services, and law enforcement agencies continue to have limited capacity to identify victims or provide them with services. The 2005 Act to Ban Trafficking in Persons absolves victims from responsibility for unlawful acts committed as a result of being trafficked, and there were no reports that victims were punished during the year. The aforementioned seven adult victims were given a choice between repatriation and temporary residency in Liberia; they all chose to temporarily stay in Liberia and participated in the investigation and prosecution of their traffickers.

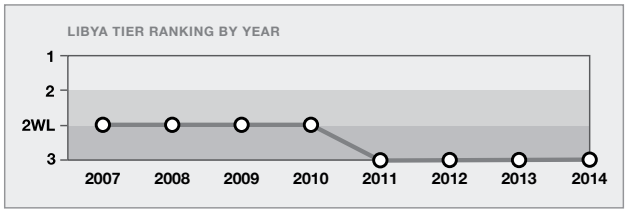
PREVENTION

The government sustained modest efforts to prevent trafficking in persons. The government's Anti-Human Trafficking Task Force held bi-monthly meetings and finalized a five-year anti-trafficking national action plan, which the president and her cabinet formally adopted and publicly launched in October 2013. In March 2014, the government formally allocated the equivalent of approximately $152,000 to fund implementation of the plan. The MOL continued to support anti-trafficking awareness campaigns through radio public service messages and billboards. The government did not make any discernible efforts to reduce the demand for forced labor or commercial sex acts during the reporting period. The government instructed its diplomats serving abroad not to engage in trafficking in persons, including domestic servitude.

LIBYA (Tier 3)

Libya is a destination and transit country for men and women from sub-Saharan Africa and Asia subjected to forced labor and forced prostitution. Migrants seeking employment in Libya as laborers or domestic workers or who transit Libya *en route* to Europe are vulnerable to trafficking. While in Libya, many migrant men are forced into manual labor, and there are credible reports of prostitution rings involved in sex trafficking of sub-Saharan women in brothels, particularly in southern Libya. Some Nigerian women are reportedly forced into prostitution, while Eritreans, Sudanese, and Somalis are at risk of and subjected to labor trafficking in Libya. Trafficking networks reaching into Libya from Niger, Nigeria, Chad, Eritrea, Somalia, Sudan, and other sub-Saharan states use a variety of techniques to hold people in forced labor and forced prostitution, including fraudulent recruitment practices, confiscation of identity and travel documents, withholding or nonpayment of wages, and debt bondage. One account indicates some Sudanese migrants are recruited to Libya by criminal groups through false job offers and are subsequently forced to work in agriculture with little or no pay. Militias run numerous prisons outside the government's control; however, as of March 2014, the government gained control of many prisons and detention centers, including 20 detention centers designated for foreign migrants now under the nominal control of the Ministry of Interior's Department for Combatting Illegal Migration. Regardless, private employers continue to recruit migrants in detention centers into forced labor on farms or construction sites; when the work is completed or the employers no longer require the migrants' labor, employers return the migrants to detention. NGOs report that migrant flows are steadily returning to their pre-revolution levels. Migrants pay smuggling fees of the equivalent of approximately $800-$1,000 to reach Tripoli, often under false promises of employment or eventual transit to Europe. Once these victims cross the Libyan border, they are sometimes abandoned in southern cities or even the desert, where they are susceptible to severe forms of abuse and human trafficking. In this reporting period, there were allegations that militia groups, which the government sometimes relies upon to provide security, conscripted children under the age of 18. There were also reports that other informal military units recruited persons under the age of 18 into their ranks.

The Government of Libya does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Libya is placed on Tier 3. During the reporting period, the Government of Libya failed to demonstrate efforts to investigate and prosecute trafficking offenders or to identify and protect trafficking victims. Moreover, Libyan authorities continued to treat trafficking victims as undocumented illegal migrants and frequently detained and punished victims for unlawful acts that were committed as a direct result of being subjected to human trafficking. There continued to be reports that detained foreign migrants were sold into forced labor with the complicity of prison and detention center guards. During the reporting period, there were allegations that militia groups, some of which provide security on behalf of the government, and other informal military units recruited and used children under 18-years-old.



RECOMMENDATIONS FOR LIBYA:

Draft, pass, and enact legislation that prohibits all forms of human trafficking; build law enforcement capacity to investigate, prosecute, and convict trafficking offenders, including officials who are complicit in human trafficking; ensure that victims are not susceptible to detention, deportation, or punishment for their unlawful presence in Libya; protect detained migrants from being sold into forced labor; ensure that trafficking victims are not punished for unlawful acts that were committed as a direct result of being subjected to human trafficking, such as immigration or prostitution violations; develop and implement standard procedures on identifying trafficking victims and providing victims with protection; continue to provide anti-trafficking training to law enforcement and judicial officials; ensure that children are not used and recruited into government or government-affiliated armed forces, and protect children from recruitment into non-government armed militias; and undertake an information campaign to raise public awareness about forced labor and sex trafficking.

PROSECUTION

The government did not demonstrate discernible anti-trafficking law enforcement efforts. Libyan law does not prohibit all forms of human trafficking. Though draft amendments to Articles 336-339 of the Libyan criminal code criminalize trafficking in persons, the government has not adopted the amendments, which were first drafted in November 2010. While articles in the penal

code prohibit sexual exploitation, slavery, child prostitution, and trafficking in women for the purpose of prostitution, the government did not report any human trafficking investigations, prosecutions, or convictions using these articles during the reporting period, which is part of a larger incapacity of the government to enforce rule of law across the country. The government did not report efforts to investigate or punish government employees complicit in trafficking-related offenses despite multiple allegations of complicity. There were unverified reports that some officials were complicit in facilitating or failed to combat human trafficking during the reporting period. For example, prison officials and detention camp guards allowed private employers to force detained migrants to work on farms or construction sites for an unspecified amount of time with no pay; there was no evidence that the government investigated or punished these officials. A Libyan official allegedly subjected one or two young Ugandan women to labor trafficking in Libya in 2013; the Libyan government, however, did not report initiating an investigation of these allegations. In March 2013, the government hosted a conference on combating human trafficking for officials from multiple ministries to discuss inter-ministerial cooperation on various anti-trafficking issues. In April 2013, the Ministry of Interior coordinated with an international organization to provide anti-trafficking training for 25 Libyan law enforcement officers at the National Police Technical Training College in Tripoli.

PROTECTION

The Libyan government did not demonstrate discernible steps to improve the protection of trafficking victims. The government did not have any policy structures, regulations, or resources dedicated to the specific provision of protective services to trafficking victims. The government did not develop or implement procedures for authorities to proactively identify trafficking victims among vulnerable groups, such as foreign migrants, street children, and women and girls in prostitution, nor did it protect trafficking victims from punishment for unlawful acts committed as a direct result of being subjected to human trafficking. Trafficking victims were frequently treated as illegal migrants and subjected to detention, punishment, and deportation for various offenses, including prostitution and illegally working and residing in Libya. The government did not refer victims detained by authorities to protective facilities, such as those run by international or local NGOs. Furthermore, authorities made no effort to protect detained foreign migrants, who continued to be sold into forced labor by private employers on farms and construction sites. The government failed to take measures to protect children who were allegedly recruited by militia groups, which may be aligned with the government, as well as children recruited by informal military units. The government did not encourage victims to participate in the investigation and prosecution of trafficking offenders. The government continued to work with international organizations to repatriate foreign migrants, but did not screen for trafficking indicators. The government also did not provide foreign trafficking victims with legal alternatives to their removal to countries where they faced hardship or retribution.

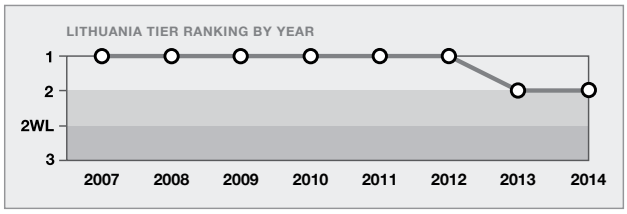
PREVENTION

The Government of Libya made no discernible efforts to prevent human trafficking. The government did not have a national coordinating body responsible for combating human trafficking, but it worked with international organizations to develop a national migration management policy, which included anti-trafficking provisions. The government did not conduct any public anti-trafficking awareness or educational campaigns, nor did it take actions to reduce demand for commercial sex acts or forced labor or to prevent child sex tourism abroad. While ministerial regulations prohibited the recruitment and use of child soldiers, these regulations were poorly enforced due to the government's inability to control militia groups and affiliated and quasi-affiliated armed groups operating throughout the country.

LITHUANIA (Tier 2)

Lithuania is a source, transit, and destination country for women and girls subjected to sex trafficking, as well as a source and destination country for men subjected to labor trafficking. Lithuanian children and adults are increasingly forced to engage in criminal activities, primarily shoplifting, in Nordic countries, France, the Netherlands, Spain, and the United Kingdom (UK). Observers estimate that 40 percent of identified Lithuanian trafficking victims are women and girls subjected to sex trafficking within the country. Lithuanian women are also trafficking victims in France, Germany, Italy, Ireland, the Netherlands, Spain, Sweden, and the UK. Lithuanian women and girls from orphanages and state-run foster homes, as well as women with mental or psychological disabilities, are especially vulnerable. A small number of women from Russia and Belarus are transported through Lithuania *en route* to Western Europe, where they are forced into prostitution. Some Lithuanian men are subjected to forced labor in the Netherlands, the UK, and the United States, including in agriculture. Men from Bulgaria may be subjected to labor trafficking in Lithuania.

The Government of Lithuania does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. While the government investigated and convicted more traffickers in 2013, law enforcement efforts were hampered by inadequate judicial understanding of the crime, resulting in lax punishments for trafficking offenders. The government did not provide adequate training for police; consequently, authorities did not consistently identify victims and refer them to care, and some child victims of trafficking were reportedly treated as criminals. Public funding for care providers did not sufficiently cover assistance costs for victims receiving care.



RECOMMENDATIONS FOR LITHUANIA:

Provide effective training of police officers on the identification, referral, and appropriate treatment of victims, including the integration of an anti-trafficking module into the basic training of the police; ensure effective training of investigators and prosecutors on building trafficking cases and working with victim witnesses; improve judicial understanding of trafficking and sensitivity toward child victims of sex trafficking; consider amending the criminal code to remove the inconsistencies between Articles 307(3) and 308(2) and Articles 147 and

157; vigorously investigate and prosecute trafficking offenses, including labor trafficking offenses; sustainably fund NGOs to provide victim protection; intensify efforts to identify victims proactively, particularly victims of labor trafficking and children in prostitution; ensure that all victims are offered access to shelter and trafficking-specific assistance, particularly adult male and child victims; and intensify efforts to increase the public's understanding of human trafficking.

PROSECUTION

The Government of Lithuania demonstrated some anti-trafficking law enforcement efforts, but inconsistent articles in the criminal code and inadequate judicial understanding of trafficking hindered prosecutions. Lithuania prohibits all forms of trafficking through Articles 147 and 157 of its criminal code, which prescribe penalties ranging from a fine to 12 years' imprisonment. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Observers reported concerns with articles in the criminal code that overlap with certain elements of Articles 147 and 157 relating to sex trafficking: Articles 307(3) and 308(2) criminalize "profiting from another person's prostitution," but permit offenders to receive a lesser charge compared to Articles 147 and 157. Additionally, Article 307(3) permits a judge to consider whether trafficked children consented to being prostituted, despite Article 157 forbidding the prostitution of children, without regard to "consent." A government official reported that several trafficking cases were charged under Articles 307 and 308 rather than Articles 147 and 157. Observers reported concerns with judicial understanding of human trafficking; in several cases judges applied lax punishments to convicted traffickers because of bias against child victims of sex trafficking. In one such case, a judge sentenced two men to 150 hours of community service for the sex trafficking of three 14- to 15-year-old girls. The decision was appealed and upheld by the Court of Appeals; the judge in that case made a derogatory comment about the victims' appearance.

Lithuanian authorities initiated 23 investigations in 2013, compared to 11 in 2012 and 21 in 2010. In 2013, authorities initiated prosecutions of 18 defendants, a continued decrease from 26 in 2012 and 37 in 2011. The government convicted 11 traffickers under Articles 147 and 157 in 2013, compared to seven in 2012 and 17 in 2011. All traffickers convicted in 2013 under Articles 147 and 157 were sentenced to time in prison, with terms ranging from three years and three months' to 12 years' imprisonment. The Government of Lithuania did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking.

The government did not include trafficking in persons in its basic police training. The government continued to offer an optional annual training for police officers on trafficking prevention and investigation; 20 police investigators attended in 2013. NGOs reported shortcomings in police recognition of trafficking victims among prostituted individuals, and investigators and prosecutors were reportedly reliant on victims' testimony to prove a trafficking case. All border security guards continued to receive training on identifying victims of trafficking. The government dismantled the anti-trafficking police unit in July 2013, transferring its responsibility to a group in the national police tasked to investigate serious crimes; the government did not provide trafficking-specific training for this unit. The government collaborated with foreign counterparts in five international trafficking investigations.

PROTECTION

The Lithuanian government demonstrated some efforts to assist victims of human trafficking, but child victims continued to receive inadequate care. Lithuanian courts officially identified 15 trafficking victims in 2013, compared to 17 in 2012 and 29 in 2011. Authorities identified 47 potential victims of trafficking in investigations started in 2013, compared to 14 potential victims in 2012 investigations. Government-funded NGOs provided support to 129 trafficking victims and at-risk individuals in 2013, compared to approximately 150 individuals in 2012. Although the government had official procedures to identify trafficking victims among vulnerable populations—such as women in prostitution, street children, and undocumented migrants—observers reported that these procedures were not effective in practice. Observers also reported that authorities did not consistently refer identified victims to care facilities for assistance. The central and municipal governments provided NGOs the equivalent of approximately $114,600 for victim assistance programs, the same amount as the previous year. However, experts reported that NGOs needed to resort to private funding to prevent a reduction in their victim care activities. In 2013, the government extended its funding cycle for NGOs from one year to three to alleviate the perennial gap in funding of NGOs. Government-funded NGOs offered female trafficking victims shelter, medical and psychological assistance, and legal aid. Most of the shelters for female victims of trafficking were mixed-use facilities that also served domestic violence victims. Victims could leave the shelters at will and without a chaperone. NGOs provided assistance to 33 male victims of trafficking in 2013. Government-funded men's crisis centers had the capacity to provide shelter, though not all police officers were aware of this service. The government did not ensure specialized care for child victims of trafficking, as authorities placed child victims in foster homes and mixed-use shelters.

The government offers foreign victims of trafficking a 30-day reflection period to decide whether to cooperate with law enforcement. Foreign victims cooperating with law enforcement can receive temporary residency, but there were no reports that victims received residency this year. In July 2013, the parliament passed legislation that allowed authorities to use video conferencing, e-mail, and statement recording, which could be used to prevent retraumatization of trafficking victims in courtrooms. The law came into effect January 1, 2014, but it has not been used. The government provided legal representation to trafficking victims; however, observers reported that the attorneys were not trained in trafficking and frequently lost victims' civil cases in court. A senior government official reported that some child victims were treated as criminals by Lithuanian authorities. In one case, a child trafficking victim reported himself to the police, who advised him to return to his traffickers and wait for a police raid; the child was later prosecuted for using illegal drugs with his traffickers while waiting for the police raid.

PREVENTION

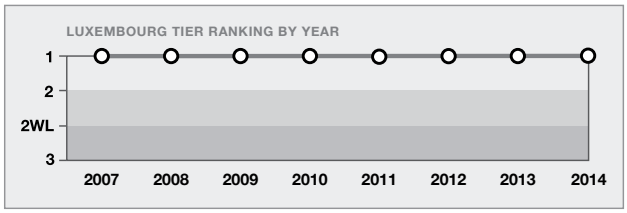
The Lithuanian government continued some prevention efforts. Although the government had no official interagency anti-trafficking working group in 2013, the General Prosecutor's office launched its own interagency working group in February 2014. The working group brought together government stakeholders and NGOs to develop standardized criteria to address human trafficking, including standards to identify victims. While the government continued to lack a well-defined and coordinated strategy for trafficking prevention, it collaborated with NGOs on trafficking prevention activities, including conferences,

seminars, and awareness campaigns. The government also provided schools with an educational video clip about reporting suspected human trafficking. The national police published information on traffickers' recruiting methods on its website and internet advertisements. The police advertised and managed an e-mail account that the public could use to report potential human trafficking situations and ask for advice; the police received approximately 50 messages during the reporting period. The Ministry of Foreign Affairs provided consular officers with training on assisting trafficking victims. The Lithuanian government made some efforts to reduce the demand for commercial sex.

LUXEMBOURG (Tier 1)

Luxembourg is a destination country for men, women, and children, who are subjected to sex trafficking and forced labor. Victims of sex trafficking from Europe, Africa, Asia, and South America are reportedly forced into prostitution in cabarets, private apartments, and on the street. Forced labor, sometimes involving Chinese or Eastern or Southern European men, women, and children, occurs in various sectors, including restaurants and construction. Additionally, traffickers reportedly transport an unknown number of Roma children from neighboring countries during the daytime to engage in forced begging in Luxembourg. Groups vulnerable to trafficking include migrant workers in domestic work, catering, construction, and begging, as well as unaccompanied foreign children, and people in Luxembourg's legal and illegal sex trade.

The Government of Luxembourg fully complies with the minimum standards for the elimination of trafficking. Longstanding concerns, including lenient punishment for trafficking offenders, the lack of a multidisciplinary approach to victim identification, and the absence of awareness campaigns continued during the reporting period. However, in March, Luxembourg issued a new Grand Ducal Decree (equivalent to an Executive Order) and Parliament passed a law transposing EU Directive 2011/36/EU into national legislation. These two legislative acts provide the basis for future improvements in Luxembourg's anti-trafficking efforts.



RECOMMENDATIONS FOR LUXEMBOURG:

Vigorously prosecute labor and sex trafficking offenses, including official complicity in human trafficking; punish offenders, including any complicit officials, with prison sentences proportionate to the gravity of human trafficking; consider ongoing anti-trafficking training on international standards and best practices targeted for the judicial branch; employ a multidisciplinary approach to the identification of victims by establishing a government-wide protocol to guide all front-line responders, including labor inspectors, immigration officials, removal center employees, health workers, child welfare officials, NGOs, and others in how to identify proactively all types of trafficking victims and refer them to available services and protection; consider revising the trafficking law, including Art. 382-1, to clarify that force, fraud, or coercion are core elements of the crime of trafficking of adults and are not required for the crime of facilitating child prostitution and to otherwise conform the provisions to international law; make efforts to train law enforcement that current law makes the procuring of a minor for prostitution a trafficking offense; implement a national campaign to raise awareness of forced labor, sex trafficking, and the demand for human trafficking, linked to a hotline with operators trained to assist; consider allowing non-EU victims access to Luxembourg's labor market; consider ways to reward and ensure adequate resources are provided for police, labor inspectors, child welfare officials, NGOs, and others for proactively assisting victims and identifying labor and sex trafficking cases; and, collect data from all relevant government ministries on the number and types of suspected trafficking victims identified and offered government assistance.

PROSECUTION

The government demonstrated minimal progress to hold sex and labor trafficking offenders accountable with serious jail time during the reporting period. Luxembourg prohibits all forms of both sex and labor trafficking through Article 382-1 and 382-2 of the criminal code, although Article 382-1 is overly broad, and could be used to prosecute cases without force, fraud, or coercion, such as pimping. During the reporting period, the government passed legislation that explicitly prohibits forced begging. The prescribed penalties for trafficking offenses range from three to 10 years' imprisonment. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape.

Luxembourg City's dedicated vice squad unit consisted of skilled officers, but it was small in size, had to cover a variety of crimes in addition to human trafficking, and was reportedly underfunded. During the year, authorities initiated six new trafficking investigations and prosecuted 13 alleged trafficking offenders, compared with at least nine prosecutions the previous year. The government convicted five sex trafficking offenders and no labor trafficking offenders during the reporting period, compared with seven trafficking offenders the previous year. Three of the offenders received only suspended sentences and fines, and the other two offenders received sentences of 18 months' imprisonment and fines, compared with a slight majority of offenders receiving some jail time the previous year. The reported statistics reveal that convicted trafficking offenders continued to frequently avoid imprisonment, creating potential safety problems for victims and a weakened deterrence of trafficking offenses. According to authorities, the investigation following the 2012 arrest of three police officers for pimping remained ongoing and has not resulted in any court decisions, raising concerns about accountability for official complicity in human trafficking. The government funded an NGO-led training in 2013 for government officials and NGO participants on identifying and assisting trafficking victims and also funded four officials to participate in training sessions in other countries. Authorities suggested that the judicial branch could benefit from training to sensitize judges about human trafficking, including the challenges surrounding victim testimony.

PROTECTION

The government demonstrated some progress in the protection of trafficking victims during the reporting period. As a result of ongoing prosecutions and convictions of traffickers in 2013,

the government identified 14 trafficking victims during 2013, which continues a three-year decrease in victim identification when compared to 16 victims in 2012 and 25 victims in 2011. However, there are no reliable figures for how many victims the government identified through its own investigations or other assistance efforts, which makes it difficult to assess overall impact in victim assistance. The new legislation and executive decree passed in March mandated a national rapporteur for trafficking responsible for biannual reporting of government statistics, including data on victim identification and prosecutions. Authorities reported informally that they identified at least three suspected sex trafficking victims and no victims of forced labor during the reporting period. The government did not have a government-wide protocol to guide all front-line responders, including labor inspectors, immigration officials, removal center employees, health workers, child welfare officials, and others in how to identify proactively all types of trafficking victims and refer them to available services; however, the Luxembourg city's vice unit practiced proactive victim identification and referred suspected victims to protection and assistance in accordance with Luxembourg's trafficking victim assistance law. There is no clear statement in Luxembourg's law that facilitating child prostitution is human trafficking; although facilitating the prostitution of a child is prohibited under Article 379, trafficking victim protection is tied to Article 382 and, as a result, children may have difficulty being identified as trafficking victims and accessing assistance.

The government's new legislation codifies several previously *ad hoc* practices such as tutors for unaccompanied minor victims and six-month renewable residence permits for victims involved with trafficking investigations. The government reported it provided assistance, including shelter in facilities that offered freedom of movement, financial assistance, and medical, psychological, and therapeutic care to victims in partnership with NGOs. The government allocated the equivalent of approximately $15 million for general victim assistance, but did not provide a specific figure on assistance it gave to victims of trafficking in 2013. The government reportedly provided shelter and other services to two of the three identified victims during the reporting period, as well as to at least one suspected child forced labor victim identified by NGOs in 2012.

The government had policies in place to encourage trafficking victims to assist in the prosecution of trafficking offenders, including legal alternatives to removal to countries in which victims would face retribution or hardship. Trafficking victims were entitled to a 90-day reflection period to decide whether they wanted to testify as a witness in a trafficking case, and upon expiration of the reflection period, the Minister of Foreign Affairs had legal authority to issue a foreign victim a residence permit valid for six months. The government reported it considered multiple factors when determining the residency status of a victim, including the victim's willingness to cooperate with law enforcement and whether the victim was an EU or non-EU national. The government reportedly provided two trafficking victims with temporary residency permits in 2013 and long-term residency for one victim from a previous reporting period. According to the Council of Europe's Group of Experts on Action Against Trafficking in Human Beings (GRETA) report published in 2014, Luxembourg has issued few residence permits to victims of trafficking since 2010. Only victims with EU citizenship were allowed access to the labor market in Luxembourg. Luxembourg law had explicit provisions to protect victims from punishment for unlawful acts committed as a direct result of being subjected to human trafficking. There were no reports during the year that victims were inappropriately punished.

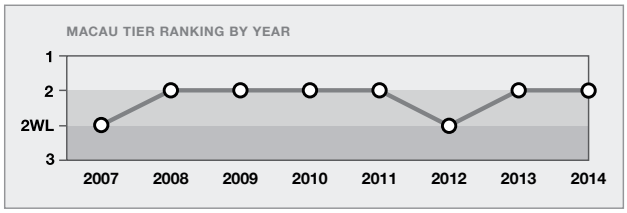
PREVENTION

The government demonstrated weak efforts in the prevention of human trafficking during the reporting period. Since 2008, Luxembourg has lacked a national anti-trafficking awareness campaign to educate the public and officials about the existence of sex trafficking and forced labor in the country. Officials and observers, including those from the Council of Europe, have noted a perceived past lack of political will to address human trafficking and minimization of the scope of the problem. The government's inter-ministerial trafficking coordinating committee met periodically during the year. The government did not have an independent national rapporteur or other mechanism to report on its anti-trafficking efforts during the reporting period, but the new legislation passed in March appointed Luxembourg's Consultative Commission for Human Rights as the national rapporteur on trafficking in persons to coordinate future efforts. The government still had not established a national action plan to combat trafficking in persons, nor did it undertake any measures to reduce demand for commercial sex acts or forced labor in 2013. The government did not report any child sex tourism prosecutions or take specific measures to reduce the participation in international sex tourism by its nationals during the reporting period.

MACAU (Tier 2)

The Macau Special Administrative Region of the People's Republic of China is primarily a destination and, to a much lesser extent, a source territory for women and children subjected to sex trafficking and forced labor. Sex trafficking victims originate primarily from mainland China; many are from inland Chinese provinces and travel to the border province of Guangdong in search of better employment. Some are from Mongolia, Vietnam, Ukraine, and Russia. Many trafficking victims fall prey to false advertisements for jobs in casinos and other legitimate employment in Macau, but upon arrival are forced into prostitution. Foreign and mainland Chinese women are sometimes passed to local organized crime groups, held captive, and forced into sexual servitude. Victims are sometimes confined in massage parlors and illegal brothels, where they are closely monitored, forced to work long hours, have their identity documents confiscated, and are threatened with violence. Chinese, Russian, and Thai criminal syndicates are believed to be involved in recruiting women for Macau's commercial sex industry. Children are reportedly subjected to sex trafficking on the premises of casinos in Macau.

Macau authorities do not fully comply with the minimum standards for the elimination of trafficking; however, they are making significant efforts to do so. Macau authorities investigated 34 sex trafficking cases, initiated prosecutions involving three alleged traffickers, and identified and assisted 38 victims of sex trafficking during the reporting period. While no labor trafficking cases were initiated or prosecuted, and no labor trafficking victims were identified during the reporting year, Macau authorities established a working group to improve anti-labor trafficking efforts. No alleged sex traffickers were convicted under Macau's anti-trafficking law, which is a decrease from nine in the previous reporting period.



RECOMMENDATIONS FOR MACAU:

Increase efforts to investigate and prosecute sex trafficking offenses and convict and punish sex trafficking offenders; increase efforts to investigate and prosecute perpetrators of forced labor; continue to implement proactive victim identification methods, particularly among vulnerable populations such as migrant workers and children in prostitution in casinos; continue to educate law enforcement and other officials and the public on forced labor and sex trafficking; conduct sex trafficking awareness campaigns for visitors to Macau to increase awareness that soliciting or engaging in prostitution with children minors is a crime; and conduct a survey to understand the vulnerabilities of the migrant labor population in Macau to trafficking.

PROSECUTION

Macau authorities sustained moderate anti-trafficking law enforcement efforts during the reporting period. Macau's anti-trafficking law, Law Number 6/2008, prohibits all forms of trafficking in persons and prescribes penalties of three to 15 years' imprisonment, which are sufficiently stringent punishments and commensurate with those prescribed for other serious crimes, such as rape. Law enforcement and judicial capacity constraints remain major challenges and constraints in addressing trafficking crimes.

In 2013, the authorities conducted 34 sex trafficking investigations, compared to 15 investigations in 2012. Authorities also reported investigating four cases of suspected fraudulent recruitment by employers, but these cases were closed due to a lack of evidence. Three cases of sex trafficking resulted in prosecutions, compared to two cases in 2012. No trafficking offenders were convicted as compared to nine convictions reported in the previous year. Macau authorities have not reported any labor trafficking investigations, prosecutions, or convictions for nine consecutive years. Authorities reported increasing judicial capacity with the hiring of six additional prosecutors, but none were assigned specifically to handle anti-trafficking cases.

In addition to standard trafficking awareness training that all judiciary police and public security police officers receive, Macau authorities organized and attended numerous anti-trafficking trainings throughout the year. In July, Macau's anti-trafficking committee ("Human Trafficking Deterrent Measures Concern Committee") organized a seminar on forced labor and victim identification for 303 labor inspectors and law enforcement personnel. In October, the anti-trafficking committee, in conjunction with IOM, held a seminar to share best practices on victim identification and combat labor trafficking for 187 law enforcement officials. Macau authorities reported cooperating with mainland Chinese and Hong Kong authorities on anti-trafficking efforts. The authorities did not report any investigations or prosecutions of government employees for alleged complicity in trafficking-related offenses.

PROTECTION

Macau authorities demonstrated increased efforts to protect trafficking victims. In 2013, authorities identified 38 victims of forced prostitution, 36 from mainland China and two from Ukraine, and 24 of whom were between the ages of 14 and 17, compared with 25 victims in 2012. The authorities identified no victims of forced labor. Macau's Social Welfare Bureau (SWB) reported assisting and offering shelter to all identified victims in cooperation with local NGOs. Macau authorities designated 21 beds for female trafficking victims of any nationality at a shelter managed by SWB and allocated the equivalent of approximately $375,480 to fund and support trafficking victim protection measures, an increase from $250,000 in the previous year. SWB continued to operate a shelter for male victims, though the authorities did not assist any male victims during the reporting period. Macau authorities have a formal victim identification process, operational referral process, and standardized screening questionnaire that guide law enforcement, immigration, and social services personnel. Authorities sustained an existing partnership with a local NGO to identify interpreters to assist in interviewing foreign trafficking victims. Authorities encouraged victims to assist in the investigation and prosecution of trafficking crimes by providing temporary shelter and assistance. Authorities had a policy offering foreign crime victims legal alternatives, such as immigration relief, to removal to countries in which they would face retribution or hardship; however, no trafficking victims were known to have benefited from such immigration relief.

PREVENTION

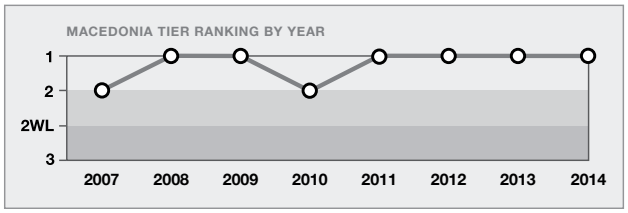
Macau authorities sustained efforts to prevent forced labor and commercial sex. Authorities funded an NGO to operate a 24-hour hotline that could be used by trafficking victims. The Labor Affairs Bureau (LAB) and law enforcement agencies continued to disseminate thousands of leaflets and pamphlets to raise awareness of labor trafficking. Macau's anti-trafficking committee established a "TIP and Labor Exploitation Working Group" to improve its anti-labor trafficking efforts. In March, LAB, Public Security Police, and an NGO organized a seminar for 70 Filipino resident workers to raise awareness of Macau's legal protections for migrant workers. LAB organized a migrants' rights seminar for 200 employment agency workers. Macau eliminated a requirement that foreign workers who are fired or quit a job wait six months before obtaining a new job; this waiting period previously made migrants vulnerable to forced labor. In an attempt to reduce demand for commercial sex acts, law enforcement authorities continued to combat the distribution of prostitution-related advertisements and increased the number of inspections of illegal brothels. These efforts, however, did not appear to significantly reduce demand for sexual exploitation in casinos, night clubs, saunas, and other areas known for sexual exploitation. Authorities did not report any investigations or prosecutions of child sex tourism.

MACEDONIA (Tier 1)

Macedonia is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Macedonian women and children are subjected to sex trafficking and forced labor within the country in restaurants, bars, nightclubs, and forced begging. Children, primarily ethnic Roma, are subjected to forced begging. The age of identified victims is increasingly younger and more victims originate from

neighboring countries. The national rapporteur's annual report determined that two-thirds of Macedonia's identified domestic victims were minors between the ages of 12 and 18. Foreign victims subjected to sex trafficking in Macedonia often originate from Albania, Bulgaria, Serbia, Bosnia and Herzegovina, Ukraine, and Kosovo. Macedonian citizens are often subjected to sex trafficking and forced labor in Greece, Belgium, Croatia, and other countries in South, Central, and Western Europe. Traffickers use fraudulent promises of employment to deceive young women and subject them to trafficking abroad. International organized crime groups are reportedly involved in human trafficking within the country and abroad.

The Government of Macedonia fully complies with the minimum standards for the elimination of trafficking. The government imposed sufficiently stringent sentences on convicted offenders, identified more victims of trafficking, and adopted a budget for the implementation of the national action plan for 2013. However, the government significantly decreased investigations of trafficking offenders by 89 percent and decreased convictions by 65 percent. Victims were subjected to unnecessary repeated interviews during investigation, prosecution, and trials, and in practice victims were punished for offenses they committed as a result of their being trafficked. The government also failed to recognize Roma victims of forced begging as victims of trafficking.



RECOMMENDATIONS FOR MACEDONIA:

Vigorously investigate, prosecute, and convict trafficking offenders, including officials complicit in trafficking in persons; ensure that victims are not detained, deported, or punished as a result of their being trafficked; proactively improve victim identification efforts by including trained social workers and NGOs in initial screening for trafficking in all police raids involving vulnerable migrants; improve victim identification efforts by raising awareness and training professionals and law enforcement on trafficking indicators, especially in cases for forced labor (including forced begging), and by allowing NGOs to identify victims; continue to train social workers and NGOs in initial screening for trafficking; ensure that all victims of trafficking have the freedom to come and go from shelters; provide shelters for male victims of trafficking; train law enforcement, judges and prosecutors on a victim-centered approach; provide specialized training for officials to better understand psychological forms of coercion, debt bondage, threats, and the symptoms of victims' trauma; increase measures for assistance and support of risk groups, especially children on the streets; actively screen migrants and asylum seekers for trafficking indicators; increase funding to ensure comprehensive care in shelters and to support reintegration services; and increase prevention efforts aimed at effectively curbing the demand for trafficking in persons.

PROSECUTION

The Government of Macedonia decreased law enforcement efforts by investigating and convicting fewer offenders. The government prohibits all forms of both sex and labor trafficking through Articles 418(a) and (d) of its criminal code, which prescribe a minimum penalty of four years' imprisonment. This is sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. In 2013, the government investigated one new trafficking offender, a decrease from nine in 2012. The government initiated prosecutions against seven defendants, including six offenders from investigations in 2011 and 2012. In 2013, courts convicted six defendants of sex trafficking of children, and one defendant for labor and sex trafficking of children, a decrease from 20 convictions in 2012. The defendants received sentences ranging from four to 10 years' imprisonment. Courts awarded financial compensation of the equivalent of approximately $9,800 in total to four victims from their convicted traffickers. The government improved communication with authorities in European countries, which provided for an increase in the number of Macedonian victims of trafficking identified abroad; the use of a transnational referral mechanism for EU and non-EU countries eased the repatriation process for victims. The government conducted two cooperative international trafficking investigations with Swiss and French law enforcement. In 2013, the government investigated and initiated prosecution of one police officer for involvement in migrant smuggling with elements of human trafficking. The Appellate Court upheld the conviction and sentencing of one year and six months' imprisonment of a police officer complicit in trafficking reported in the previous TIP Report. Some police and labor inspectors were reportedly complicit in trafficking and accepted bribes. The government trained 50 police officers and members of anti-trafficking committees on the issues of trafficking and efficient identification of victims. During the reporting period, the government trained police officers and labor inspectors on victim identification. Border police and immigration officers received victim identification training.

PROTECTION

The government sustained efforts to protect victims, allocating funds from its state budget exclusively to trafficking victim protection and direct assistance. The government identified 15 victims of trafficking in 2013, an increase from eight in 2012. Of these, nine were minors; five minors were victims of sex trafficking; and one victim was awaiting repatriation from Croatia. NGOs referred four victims in cooperation with social workers from mobile teams in the field. Nine victims, including two adult foreign victims cooperating with law enforcement, were accommodated at the government-funded domestic victims' shelter, and five were accommodated at the government and NGO-operated foreign victims' center, which serves foreign victims of trafficking and illegal migrants. Victims accommodated at the domestic shelter were granted freedom of movement; however, victims at the foreign victims' center were not granted freedom of movement beyond the grounds of the center. The foreign victim's center provided accommodations, psychological, medical, social assistance, and legal guardianship. Extended reintegration services provided comprehensive and protracted assistance beyond the initial stay in the shelter, based on an assessment by the psychologist and social workers of the victim's readiness to reintegrate; three victims received this support. The government provided the equivalent of approximately $68,000 for the foreign victims' center. Victims were able to obtain a two-month temporary residence permit while they decided whether or not to testify against their traffickers. The government granted two victims a six month temporary residence permit to foreign victims with the possibility of a three months' extension, regardless of whether they choose to testify. The remaining four foreign victims were voluntarily repatriated. No shelter existed for male victims of trafficking. The government assigned legal

representatives to children and an advocate employed by the national referral mechanism (NRM) provided legal services to victims. Domestic victims of trafficking who did not choose to stay in the shelter had access to psychological and social services from the government centers for social welfare, which also provided reintegration services, including education and job placement in collaboration with an NGO. The government allocated the equivalent of approximately $7,000 each to four NGOs for direct assistance and prevention activities, equal to funds provided in 2012. The government relied on NGOs to provide funding for the victims' day-to-day activities in the shelter. The government continued its memorandum of understanding with the Red Cross to provide emergency medical assistance to foreign victims in the foreign victims' shelter. The government allocated the equivalent of approximately $112,000 from its state budget exclusively to trafficking victim protection and direct assistance.

Social workers partnered with police officers to remove more than 50 children, predominately ethnic Roma, from forced begging on the streets and placed them in daycare centers or orphanages, and often fining or jailing their parents. The government did not identify these children as victims of trafficking. In 2013, Parliament adopted amendments to the health law allowing victims of trafficking to obtain medical assistance free of charge. In several cases, NGOs paid for emergency medical care for victims and had difficulty being reimbursed. NGOs reported a lack of sensitivity toward victim witnesses, including unnecessary repeated interviews during investigation, prosecution and trials, and in practice, victims were punished for offenses they committed as a result of their being trafficked. NGOs reported that communication between the government and NGOs improved and the NRM worked effectively, which resulted in the identification and referral of victims to shelters. NGOs were not given the ability to identify victims on their own, although they had the ability to refer cases through the NRM or independently while abiding by the set standard of operating procedures. While victims may claim restitution through civil proceedings, due to the complexity of the legal process no victims have successfully completed a claim. Funding dedicated to combating trafficking remained low, but police were able to dedicate more time and resources to anti-trafficking efforts. The government, in collaboration with NGOs, established five joint mobile units that identified and referred victims.

PREVENTION

The government increased anti-trafficking prevention efforts during the reporting period by adopting a budget for the implementation of the national action plan for 2013 and continuing to coordinate with NGOs on public awareness campaigns. The national commission, comprised of 14 representatives from various government agencies, was responsible for coordinating all anti-trafficking efforts, and implementing the 2013-2016 national action plan. The government adopted a budget of the equivalent of approximately $346,000 for the 2013 national action plan goals, compared with the equivalent of approximately $210,000 in 2012. The government, in collaboration with social workers, education officials, and NGOs conducted a four-day seminar for Roma students and teachers and Roma NGOs about the risks of forced marriages between minors. The national rapporteur published an annual report in February 2014, which provided a comprehensive assessment of trafficking activities during 2013. The government trained health practitioners, legal representatives of minor victims, and over 60 social workers on managing trafficking cases. The national commission and NGOs conducted awareness raising activities and campaigns in areas identified as high risk for trafficking. The government, in coordination with NGOs, organized over 300 awareness presentations and anti-trafficking workshops in schools for over 8,000 students; awareness materials were available for the general public at offices and libraries. The national commission continued to broadcast a television campaign to reduce client demand for victims of trafficking. The government and NGOs continued to organize seminars and show films to raise awareness of trafficking. These presentations and films included speakers and materials focused specifically on demand reduction, including presentations by lawyers and doctors on the severe consequences of procuring commercial sex services.

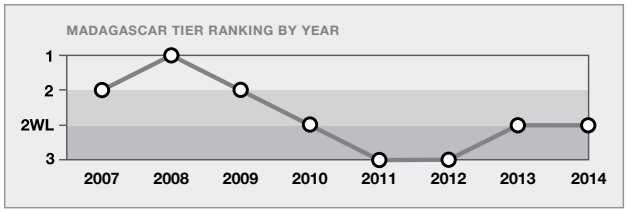
MADAGASCAR (Tier 2 Watch List)

Madagascar is a source country for men, women, and children subjected to forced labor and women and children subjected to sex trafficking. International observers and NGO reports indicate that sex and labor trafficking of Madagascar's citizens has continued to increase, particularly due to a lack of economic development and a decline in the rule of law since the political crisis that began in March 2009. Thousands of Malagasy women are employed as domestic workers in Lebanon, Kuwait, and Saudi Arabia; a smaller number of workers have also departed for Jordan, Mauritius, and Seychelles in search of jobs. Many of the women who migrate are single mothers who come from rural areas and are illiterate, making them vulnerable to deception and abuse at the hands of recruitment agencies and employers. Trafficking victims returning from Lebanon, Kuwait, and Saudi Arabia reported rape, psychological abuse, physical torture and violence, sexual harassment and assault, harsh working conditions, confinement to the home, confiscation of travel documents, and withholding of salaries. At least five deaths were reported among this population during the year. During the reporting period, Malagasy women and girls were recruited to work in domestic service in China; some of these women and girls were subsequently subjected to forced labor and sold as brides. Malagasy men have been subjected to forced labor aboard Chinese-flagged fishing vessels in South Africa's territorial waters.

Malagasy children, mostly from rural areas, are subjected to domestic servitude, prostitution, forced begging, and forced labor in mining, fishing, and agriculture within the country. Most child sex trafficking occurs with the involvement of family members, but friends, transport operators, tour guides, and hotel workers also facilitate the trafficking of children. Informal employment agencies recruit child domestic servants who are subsequently subjected to forced labor. Parents force their children into various forms of prostitution to earn money to support their families; in some cases, parents have directly negotiated prices with clients when prostituting their children. Some children are fraudulently recruited for work in the capital as waitresses, maids, and masseuses before being coerced into prostitution. NGOs reported an increase in the prevalence of child prostitution since the installation of formal mining projects in Toamasina and, more strikingly, in the informal mining sectors in Illakaka. NGOs also reported that child sex tourism continued to increase during the last year, particularly in the coastal cities of Toamasina, Nosy Be, Toliary, Antsiranana, and Mahajunga, as well as in the capital, Antananarivo. There was also a significant increase in the exploitation of younger children in the commercial sex trade, with cases involving children as young as 8-years-old. The main

clients of prostituted boys and girls in Madagascar are Malagasy men. Most child sex tourists are French (including from Mayotte) and Italian nationals, with some reports of sexual exploitation by other Western nationals. There were also isolated cases of Comorian nationals engaging in child sex tourism in Nosy Be during the reporting period.

The Government of Madagascar 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 overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Madagascar is placed on Tier 2 Watch List for the second consecutive year. Since the March 2009 coup, combating human trafficking has not been a priority for the regime's leadership, despite the growing size of the problem both internally and transnationally. However, during the reporting period, technical experts helped secure the first seven convictions reported under the 2007 anti-trafficking law, and key ministries partnered with international organizations and NGOs to increase prevention efforts. Despite widespread corruption and alleged complicity of government officials in trafficking offenses, the government failed to investigate or prosecute officials responsible for these offenses. It lacked formal procedures to proactively identify trafficking victims among vulnerable populations and did not systematically provide services or refer victims to NGOs for care. For a fifth year, the government did not engage with the Government of Lebanon regarding protection and legal remedies for exploited Malagasy workers and, in most cases, failed to assist with the return of Malagasy victims to Madagascar.



RECOMMENDATIONS FOR MADAGASCAR:

Continue to use the anti-trafficking law, including at the regional level, to investigate and prosecute trafficking offenses, including those involving forced labor; vigorously investigate and prosecute government officials suspected of trafficking-related complicity and, when appropriate, convict and apply sufficient punishments to such officials; amend the anti-trafficking law to provide sufficiently stringent penalties for labor trafficking; provide anti-trafficking training to law enforcement, labor, and social welfare officials on how to adequately identify victims, investigate cases, and refer victims to appropriate services; work with the governments of destination countries to guarantee protections for Malagasy domestic workers that are in compliance with international standards and jointly address cases of abuse; bolster consular services in the Middle East to provide adequate protection for Malagasy workers; improve data collection on law enforcement efforts to combat trafficking, including the number of victims identified, cases investigated and prosecuted, and the number of convictions of trafficking offenders; provide adequate funding to the anti-trafficking inter-ministerial committee and promote coordination between the committee, NGOs, and international partners; and increase efforts to raise public awareness of labor trafficking, including the labor trafficking of adults.

PROSECUTION

The government maintained law enforcement efforts during the year, resulting in at least seven prosecutions and seven convictions of offenders under the 2007 anti-trafficking law. Anti-Trafficking Law No. 2007-038 prohibits all forms of human trafficking, but prescribes punishments only for sex trafficking; prescribed penalties range from two years' to life imprisonment and are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Article 262 of Madagascar's labor code criminalizes labor trafficking, for which it prescribes insufficiently stringent penalties of one to three years' imprisonment. Decree 2007-563 prescribes insufficiently stringent punishments of up to two years' imprisonment for various forms of child trafficking, including prostitution, domestic servitude, and forced labor, which are at odds with the more significant punishments provided under the anti-trafficking law. During the reporting period, the National Police's Morals and Minors Brigade investigated 68 cases related to trafficking and exploitative child labor offenses. The Criminal Affairs Brigade also investigated the deaths of four alleged trafficking victims whose remains were returned from Saudi Arabia and Lebanon. The government was unable to confirm how many of the investigated cases were referred to prosecution due to poor data collection. However, at least seven traffickers were prosecuted and convicted of trafficking offenses in Nosy Be during the reporting period; the defendants were convicted of child sex trafficking and received sentences ranging from 12 months' to five years' imprisonment. Of the seven convicted offenders, three were minors, and therefore received reduced prison sentences of 12 months' imprisonment; the remaining four convicted offenders received penalties ranging from two to five years' imprisonment, in accordance with the penalties prescribed under the 2007 anti-trafficking law. These were the first convictions ever reported under the 2007 anti-trafficking law.

Public officials' complicity in human trafficking remained a significant problem. Reports indicate that various government officials purchased sexual services from children in Antananarivo and Nosy Be. Additionally, police in Nosy Be allegedly encouraged financial arrangements between victims and their offenders, rather than pursuing charges, which perpetuated impunity. There were increased reports of senior government officials' complicity in the trafficking of domestic workers abroad during the reporting period. For example, senior officials from the Ministry of Labor reportedly assisted unlicensed recruitment agencies in obtaining fraudulent travel and identification documents. Additionally, local officials were complicit in obtaining fraudulent identity cards, which facilitated the sex trafficking of children domestically. Despite these reports, the government did not report any investigations or prosecutions of public officials for alleged complicity in trafficking-related offenses.

PROTECTION

The government made some efforts to protect victims. However, it lacked formal procedures to proactively identify trafficking victims among vulnerable populations and did not systematically provide services or refer victims for care. The Ministry of Population and Social Affairs, in collaboration with an international organization, supported approximately 450 active multi-sector networks covering 22 regions throughout the country to protect children from abuse and exploitation. These networks were meant to protect children from various forms of abuse and exploitation, as well as ensure access to medical and psychosocial services for victims; however, the quality of services provided varied greatly depending on the location of the networks. These networks documented a total of

2,837 cases of child exploitation, approximately 182 of which are believed to have involved trafficking; it is unclear how many of these victims were referred to adequate protective services. NGOs offered services to an additional 299 victims. The Ministry of Labor operated and provided the equivalent of approximately $36,000 to the Manjarisoa Center in Antananarivo, which offered services to 30 victims of exploitative child labor and child sex trafficking; however, the government did not operate any shelters specifically for trafficking victims or provide support to NGO-run care facilities. NGOs provided counseling, legal services, and medical care to victims and referred them to government hospitals. Available services and facilities were insufficient and often nonexistent in areas beyond Antananarivo. There were no reports that the government arrested or punished trafficking victims for unlawful acts committed as a direct result of being trafficked. However, in at least one case, an employer made false accusations against his domestic worker in retaliation after the worker reported that she was physically abused by the employer; although the victim was wrongfully jailed for nearly a month, she was later released and the employer was convicted for assault. There are no formal procedures in place to encourage victims to assist law enforcement in the prosecution of their traffickers; however, the police reported that some trafficking victims were active participants in the investigations of their alleged traffickers during the reporting period.

During the reporting period, multiple trafficking victims continued to return from Lebanon, Kuwait, and Saudi Arabia, where they were subjected to various forms of abuse while working in domestic service. For a fifth consecutive year, the government did not engage the Government of Lebanon regarding the protection of and legal remedies for exploited Malagasy workers; however, the government began discussions with the governments of Kuwait and Saudi Arabia concerning the protection of Malagasy workers. Madagascar's Charge d'Affaires at the Consulate in Saudi Arabia and the honorary Consul in Beirut failed to adequately address the needs of Malagasy trafficking victims, refusing to advocate for victim protection or to launch investigations into allegations of abuse. When Malagasy trafficking victims were repatriated, the government failed to provide them with resources or assistance; the vast majority arrived in Madagascar destitute and in need of psychological and medical services.

PREVENTION

The government made modest efforts to prevent trafficking. An *ad hoc* inter-ministerial committee, led by the Prime Minister's Office, convened on an informal basis to coordinate the government's anti-trafficking efforts; however, the government did not provide any funding to support the committee's activities during the reporting period. A ban on domestic worker travel to Lebanon remained in place during the reporting period. The inter-ministerial committee developed a decree, issued by the Prime Minister, prohibiting domestic workers from going to Kuwait and Saudi Arabia until the receiving countries institute sufficient protection measures for migrant workers. Following the adoption of this decree, the government began negotiations with the governments of Kuwait and Saudi Arabia to develop bilateral conventions to protect the rights of migrant workers; however, neither convention was finalized at the end of the reporting period. Although the number of migrant workers traveling to Kuwait and Saudi Arabia decreased after the decree was issued, unlicensed recruitment agencies used neighboring islands such as Mauritius and Comoros as transit points to continue sending Malagasy domestic workers to these and other destination countries for trafficking victims. In one documented case, Comorian authorities in Anjouan intercepted Malagasy women intending to travel to the French island of Mayotte in order to board flights to the Middle East; Comorian officials then coordinated their return to Madagascar. The Government of Madagascar did not make an effort to improve its oversight of recruitment agencies, and government officials and NGOs reported that some government officials supported the illicit activity of these agencies.

The police continued to operate a 24/7 national hotline to report child exploitation cases, which led to numerous trafficking investigations. The Ministry of Population, with funding from an international organization, launched a national awareness campaign to encourage the general public to report cases of child exploitation, including trafficking. The Ministry of Tourism and the Ministry of Population continued to partner with local NGOs and international organizations to implement a code of conduct to combat the commercial exploitation of children in the Nosy Be tourism industry; as part of this effort, officials from both ministries served on a local implementation committee charged with enforcing compliance by tourism establishments who previously endorsed the code of conduct. The National Tourism Office placed an advertisement in a brochure distributed to all air travelers arriving in Madagascar, which highlighted the illegality of engaging in the commercial sexual exploitation of children in Madagascar. The government did not make any tangible efforts to reduce the demand for forced labor during the reporting period.

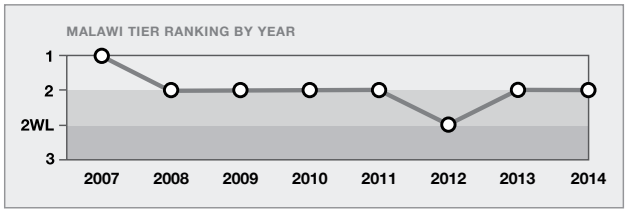
MALAWI (Tier 2)

Malawi is a source country for men, women, and children subjected to forced labor and sex trafficking. To a lesser extent, Malawi is also a destination country for men, women, and children from neighboring countries subjected to labor and sex trafficking and a transit point for people from some of these countries subjected to labor and sex trafficking in South Africa. Most Malawian trafficking victims are exploited within the country, with victims generally transported from the southern part of the country to the central and northern regions. Children are subjected to forced labor in the agriculture sector (predominantly in the tobacco industry, but also on tea, coffee, and sugar plantations), goat and cattle herding, and brickmaking. Frequently, traffickers entice families to part with their children with the promise of work as farm laborers. NGOs have noted a growing trend of traffickers using long-haul public transport buses to move three to four boys or young adults at a time from the southern region for forced labor on tobacco farms in the northern and central regions. Children are also subjected to forced labor in begging, small businesses, and potentially in the fishing industry. Some are coerced to commit crimes. One-third of Malawian children are involved in labor activities; the majority of cases of child labor outside of the family involve fraudulent recruitment and physical or sexual abuse, conditions indicative of forced labor. Adult tenant farmers are vulnerable to exploitation, as they incur debts to landowners and may not receive payment in times of poor harvest. Brothel owners or other facilitators lure girls—including primary school children—from rural areas with promises of clothing and lodging, for which they are later charged high fees, resulting in prostitution coerced through debts in Malawi or neighboring countries.

Malawian victims of sex and labor trafficking have been identified in Mozambique, South Africa, Zambia, Tanzania, and Europe.

In 2013, Zambian police discovered 30 Malawian women and girls with false identity and immigration papers at a bus terminal in Lusaka. Zambian officials determined these women and girls were likely trafficking victims. Malawian girls are subjected to domestic servitude in eastern Zambia. In recent years, there have been reports of young girls being drugged, gang-raped, and placed in the sex trade. Some girls recruited for domestic service are instead forced to marry and subsequently subjected to prostitution by their "husbands." Anecdotal reports indicate that South Asian adults and children have been subjected to forced labor in past years. Migrants from the Great Lakes region and the Horn of Africa may become labor trafficking victims in Malawi or transit through Malawi and subsequently become labor trafficking victims in South Africa.

The Government of Malawi does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In 2013, the Malawi Police Service (MPS) produced its second report of law enforcement data from seven districts; authorities in two of the districts provided additional data. Malawi sustained law enforcement efforts, reporting 15 trafficking convictions in seven districts. The government, often in partnership with NGOs, identified at least 119 trafficking victims, a slight decrease from the 135 trafficking victims identified in 2012. Government and NGO representatives participated in anti-trafficking workgroups; however, district-level officials received little supervision or guidance from national coordinating bodies. The government failed to finalize and forward to parliament anti-trafficking legislation submitted to the government by a specially constituted law commission in 2011. It also failed to make systematic efforts to identify and protect trafficking victims. The government continued to rely on international organizations and NGOs to fund and implement most anti-trafficking programs.



RECOMMENDATIONS FOR MALAWI:

Enact comprehensive anti-trafficking legislation to define offenses, increase penalties for trafficking crimes, and coordinate anti-trafficking law enforcement and victim protection services; vigorously prosecute both sex and labor trafficking offenses; investigate and prosecute officials complicit in trafficking crimes, including corruption by immigration and police officers; expand training and increase funding for judges, prosecutors, labor inspectors, and police to identify, investigate, and prosecute trafficking offenses; improve and expand the collection of national prosecution and protection data; increase awareness and monitoring of human trafficking crimes, as well as efforts to identify traffickers and victims at border crossings and internal police checkpoints; develop formal structures to identify trafficking victims, especially among vulnerable populations, and to refer them to available services; increase the availability of shelters and protection services for victims, including through financial or material support to NGOs for expansion of direct service provision; sentence convicted traffickers to sufficiently stringent punishments, including the increased imposition of prison sentences rather than fines or suspended sentences; adopt a national strategy to combat trafficking that focusing on improving national-level coordination of anti-trafficking efforts across all districts; and launch anti-trafficking public awareness campaigns.

PROSECUTION

The Government of Malawi sustained its anti-trafficking law enforcement efforts, though enforcement of forced labor and child trafficking laws remained weak. Malawi prohibits all forms of trafficking through various laws, including the Employment Act and Articles 135 through 147 and 257 through 269 of the penal code, which criminalizes forced labor and forced prostitution, although it does not define child sex trafficking in accordance with international law. The penalties prescribed under these various statutes range from small fines to 14 years' imprisonment; the maximum penalties are sufficiently stringent and commensurate with punishments prescribed for other serious crimes, such as rape. The Child Care, Protection, and Justice Act of 2010 prohibits child trafficking and prescribes sufficiently stringent penalties of up to life imprisonment for convicted traffickers. The government, however, has yet to complete implementation guidelines for the act. Comprehensive anti-trafficking legislation is necessary to codify anti-trafficking provisions in a single place using language that law enforcement and judicial officials can easily apply, to provide stiffer penalties to deter trafficking offenses, to establish mechanisms for the government to coordinate its anti-trafficking response, and to enhance victim protection. Draft comprehensive anti-trafficking legislation has been pending since 2011. In March 2014, following a lengthy review by the Ministry of Home Affairs, the legislation was returned to Malawi's cabinet for consideration.

In 2013, the Malawi police force produced its second-ever report of anti-trafficking data covering seven of Malawi's 28 districts; police provided information for eight districts in 2012. Poor record management and a lack of government direction contributed to shortcomings in tracking accurate investigation, prosecution, and conviction statistics nationwide. Police reported the government convicted 15 traffickers in seven districts; 13 traffickers were convicted across eight districts in 2012. The police reported arresting 32 suspects, down from 72 in 2012. Police from two of the seven reporting districts provided additional investigation, prosecution, and conviction data—some of which was included in the national report. Mchinji police reported arresting suspects in 10 cases. In these cases, eight convictions were obtained with punishments ranging from light fines to 30 months' imprisonment with hard labor. Phalombe police reported five investigations involving 12 suspects. Each investigation involved boys and young men being sent to Mozambique for forced labor on farms. Prosecutors issued charges in several of the cases under section 79 of the Child Care, Protection, and Justice Act. Eight traffickers were convicted with sentences ranging from 12 to 18 months' imprisonment with hard labor, with two others convicted but given suspended sentences. In one high profile case of alleged trafficking, Malawian police at the Karonga border crossing with Tanzania detained two men transporting 25 girls and four boys. Civil society groups investigating the incident believe the children were being trafficked for purposes of early marriage and forced labor under the pretense of receiving religious education in Tanzania. Charges against one suspect were dropped, while the second suspect fled after being granted bail and remains at large.

The Ministry of Home Affairs, which includes the MPS and immigration officials, has primary responsibility for the

prosecution of trafficking crimes and enforcement of trafficking laws. MPS prosecutors are responsible for prosecuting the vast majority of identified trafficking cases in Malawi. Malawi's High Court reported 120 judicial officers received training on trafficking issues funded by a foreign government. The Immigration Department continued to train an unspecified number of immigration officers on how to identify human traffickers and assist trafficking victims. Police recruits received some basic training on child trafficking as part of broader trainings on child protection. Members of the Malawi Network against Child Trafficking (MNACT) trained 35 judges and magistrates. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking, including low-level police and immigration officials who allegedly facilitated illegal border crossings.

PROTECTION

The Government of Malawi sustained inadequate efforts to provide protection to trafficking victims. It relied largely on NGOs to identify victims and provide long-term care. The national government lacks comprehensive data on the number of victims it identified, referred, or assisted during the reporting period; however, case information provided by the MPS indicates that the government identified at least 119 trafficking victims. The government reported identifying at least 135 victims in 2012. NGOs separately reported identifying a significant number of victims, but it was unclear what assistance the government provided these victims. The government continued to lack systematic procedures for the proactive identification of victims and their referral to care. Police, district-level social welfare officers, and child protection officers cooperated with local NGOs on an *ad hoc* basis to coordinate the rescue and care of trafficking victims.

A 2011 NGO baseline survey of six districts reported that 73 percent of victims did not receive any services after their rescue. The lack of adequate and longer-term assistance leaves victims vulnerable to re-trafficking. The government funded one social rehabilitation center in Lilongwe for orphans, vulnerable children, trafficking victims, and gender-based violence victims, that offered counseling and assistance services. Government officials reported providing assistance to several child trafficking victims at this center during 2013. More than 300 police stations at the sub-district level housed victim support units (VSUs) to respond to gender-based violence and trafficking crimes; however, the VSUs lacked capacity to respond adequately, providing only limited counseling and, in some districts, temporary shelter to victims. Some foreign victims likely avoided these centers out of fear of being deported. As a result of the minimal capacity of the VSUs, some district staff temporarily sheltered victims in their offices or used their personal funds or donor payments for hotel stays. Specialized care for male victims remained limited in the country. The government did not provide material or financial support for most NGO services, including the only dedicated shelter for trafficking victims in the country, which is operated by an international NGO.

The government did not have a policy of providing foreign victims with temporary residency or other legal alternatives to their removal to their countries of origin; in practice, foreign victims faced deportation unless they challenged their immigration status in court. Trafficking victims participated in investigations and prosecutions and had the option to seek restitution as a result of the crimes committed against them; in practice, such sums awarded were at the minimum rural wages in cases of forced labor. Law enforcement generally treated persons in prostitution—including children—as criminals, rather than those who facilitated their prostitution or clients; subsequent to their arrest, some police coerced persons in prostitution, possibly including sex trafficking victims, into sex acts by threatening them with charges. There were no reports of trafficking victims penalized for crimes as a direct result of being trafficked; however, the government failed to screen suspects to determine whether criminal conduct was coerced, and some trafficking victims may have been penalized.

PREVENTION

The government sustained overall efforts to prevent human trafficking, despite a decline in labor inspections compared to 2012. Multiple government agencies were involved in anti-trafficking efforts. The Ministry of Gender led a working group, created in 2012, called the Child Protection Technical Working Group (TWG). The TWG partnered with four networks of NGOs and international organizations that focused on individuals with disabilities, street children, child labor, and human trafficking. The human trafficking network—MNACT—was comprised of government officials, NGOs, and religious leaders; it met three times during the reporting period. This is an increase from meeting only once in 2012. Government and NGO members of MNACT carried out additional anti-trafficking activities at the district level. Most districts had local committees focused on child protection issues.

Malawi continued to lack a national action plan to combat trafficking. The government maintains a 2012-2016 Child Labor National Action Plan and has drafted a National Child Labor Policy which remains under cabinet review. In 2013, the government conducted approximately 600 labor inspections, which represents a large decrease from 1,750 labor inspections in 2012. As of January 2014, the Ministry of Labor employed 29 District Labor Officers and 120 labor inspectors, 60 of whom are dedicated to monitoring child labor. Budget constraints limited the amount of monitoring. The Kasungu District Social Welfare office reported training an unspecified number of child labor monitors. Labor inspectors lacked resources to conduct proactive inspections; however, they investigated cases of forced or exploitive labor when alerted to complaints. In 2013, the government pursued labor export agreements with South Korea, the United Arab Emirates, and Kuwait. Government officials reported concluding agreements with the UAE and Kuwait, but the South Korea effort did not result in an agreement. NGOs expressed concern that these labor export arrangements are not well known to the general public and lack protections for workers against trafficking.

The Malawi Human Rights Commission, an independent government agency, conducted outreach on draft anti-trafficking legislation to Members of Parliament. Government officials spoke about the dangers of child trafficking at several conferences. The majority of public awareness campaigns were coordinated at the district level with NGOs partners. National-level coordinating bodies played a negligible role, failing to organize awareness activities or finalize the national plan of action drafted in 2010. The government did not make efforts to reduce the demand for commercial sex acts or forced labor during the year, and made no efforts to address child sex tourism. In partnership with a foreign donor, the government provided Malawian troops with anti-trafficking training prior to their deployment abroad on international peacekeeping missions.

MALAYSIA (Tier 3*)

Malaysia is a destination and, to a lesser extent, a source and transit country for men, women, and children subjected to forced labor and women and children subjected to sex trafficking. The overwhelming majority of trafficking victims are among the estimated two million documented and two million or more undocumented foreign workers in Malaysia. Foreign workers typically migrate willingly to Malaysia from other countries in Asia—primarily Indonesia, Bangladesh, the Philippines, Nepal, Burma, Cambodia, Vietnam, India, Thailand, and Laos—in search of greater economic opportunities. Some of the migrants subsequently encounter forced labor or debt bondage at the hands of their employers, employment agents, or informal labor recruiters. Many Malaysian recruitment companies, known as "outsourcing companies," recruit workers from foreign countries. Contractor-based labor arrangements of this type—in which the worker may technically be employed by the recruiting company—create vulnerabilities for workers whose day-to-day employers generally are without legal responsibility for exploitative practices. In some cases, foreign workers' vulnerability to exploitation is heightened when employers neglect to obtain proper documentation for workers or employ workers in sectors other than that for which they were granted an employment visa. In addition, a complex system of recruitment and contracting fees, often deducted from workers' wages, makes workers vulnerable to debt bondage. A Malaysian government policy implemented in January 2013 that places the burden of paying immigration and employment authorization fees on foreign workers, rather than the employers, increased this risk.

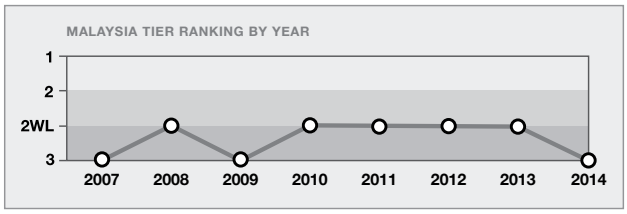
A significant number of young foreign women are recruited ostensibly for legal work in Malaysian restaurants, hotels, and beauty salons, but are subsequently coerced into the commercial sex trade. Some Vietnamese women and girls enter into brokered marriages in Malaysia and are subsequently forced into prostitution. NGOs report Ugandan, Somali, and Ethiopian women are fraudulently recruited to Malaysia for ostensibly legitimate work, but subsequently forced into prostitution. Victims from Nigeria and Rwanda have also been identified. Malaysian authorities report that large organized crime syndicates are responsible for some instances of trafficking.

Many migrant workers on agricultural plantations, at construction sites, in textile factories, and in homes as domestic workers throughout Malaysia are exploited and subjected to practices indicative of forced labor, such as restrictions on movement, deceit and fraud in wages, passport confiscation, and imposition of significant debts by recruitment agents or employers. Some victims of forced labor in Malaysian waters, including Cambodian and Burmese men on Thai fishing boats, reportedly escape in Malaysian territory. NGOs have reported allegations that workers on palm oil plantations are subjected to forced labor. Passport confiscation and contract violations remain widespread, particularly among Malaysia's estimated 380,000 foreign domestic workers. Some Malaysian employers reportedly withheld three to nine months' wages from foreign domestic workers in order to recoup recruitment agency fees and other debt bonds. The Government of Cambodia officially prohibits its nationals from traveling to Malaysia for domestic work; however, some women continue to enter the country using tourist visas to engage in domestic work, and some who arrived prior to the imposition of the ban have been subjected to domestic servitude. Indonesian victims may transit through Malaysia *en route* to Middle Eastern countries—to circumvent anti-trafficking protections put in place by the Indonesian government—where they become victims of domestic servitude.

Refugees in Malaysia lack formal status or the ability to obtain work permits under Malaysian law, making them vulnerable to trafficking. Many incur large smuggling debts; traffickers use these debts to subject some refugees to debt bondage. UNHCR estimates 80,000 Filipino Muslims without legal status, including 10,000 children, reside in Sabah. Some children from refugee communities are reportedly subjected to forced begging. Stateless persons in Sabah—some of whom are unaccompanied children of Filipino and Indonesian migrant workers who have been deported—as well as refugees in this region are vulnerable to forced child labor and debt bondage. A small number of Malaysian citizens are subjected to trafficking internally and have been subjected to trafficking in Australia, China, France, Japan, Singapore, Solomon Islands, South Africa, and the United Kingdom for commercial sexual exploitation. One NGO observed an increase in the number of Malaysian women who were subjected to sex trafficking overseas during the year.

The Government of Malaysia does not fully comply with the minimum standards for the elimination of trafficking. In the 2012 and 2013 *Trafficking in Persons Reports*, Malaysia 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 Authorization Act (TVPA) authorizes a maximum of two consecutive waivers. A waiver is no longer available to Malaysia, 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 government made limited efforts to improve its flawed victim protection regime. Malaysian authorities continued to detain trafficking victims in government facilities for periods of time that sometimes exceeded a year; victims had limited freedom of movement and were not allowed to work outside the facilities. The government provided minimal basic services to those staying in its shelters; NGOs—with no financial support from the government—provided the majority of rehabilitation and counseling services. During the reporting period, the government identified two NGOs to operate a new shelter for trafficking victims and allocated funds to support the shelter, but the shelter had not opened by the end of the reporting period; authorities reported the shelter will be operational later in 2014. The government identified 650 potential victims in 2013—significantly fewer than the 1,096 potential victims identified in 2012. It reported fewer investigations (89 compared to 190) and fewer convictions (nine compared to 21) compared to the previous year. Prosecutors reported little interaction with law enforcement during the investigation process and were often unfamiliar with victims' accounts prior to when they appeared as witnesses for the prosecution. In November 2013, the government implemented standard operating procedures for the investigation and prosecution of trafficking offenses. The government announced plans to enable certain foreign labor trafficking victims to seek work while living in shelters; this policy had not taken effect at the end of the reporting period.



RECOMMENDATIONS FOR MALAYSIA:

Amend the anti-trafficking law and government regulations to allow trafficking victims to travel, work, and reside outside government facilities, including while under protection orders; provide, and refer all victims to, protective services within Malaysia, regardless of the likelihood their cases will go to trial; improve victim identification efforts, including by implementing procedures to identify labor trafficking victims among vulnerable groups, such as migrant workers; establish polices to prevent victims of trafficking from being punished for crimes committed as a result of being trafficked; offer legal alternatives to removal to countries in which victims would face retribution or hardship; increase efforts to investigate and prosecute trafficking offenses and convict and punish traffickers, particularly in cases involving labor trafficking; enforce the law that prohibits employers from confiscating passports; apply stringent criminal penalties to those involved in fraudulent labor recruitment or forced labor; increase efforts to investigate—and prosecute and punish, as appropriate—public officials who may profit from trafficking or who exploit victims; increase training for officials on the effective handling of sex and labor trafficking cases, with a particular emphasis on victim protection and the identification of labor trafficking victims; encourage increased efforts by prosecutors to prepare victims for participation as witnesses in trafficking trials; consider funding specialized NGOs to provide victims in government facilities regular access to legal services and effective counseling in their native languages; make greater efforts to educate migrant workers of their rights, legal recourses available, and remedies against traffickers or employers who fail to meet their legal obligations; and increase transnational cooperation with other governments in the region on enforcing anti-trafficking laws.

PROSECUTION

The Government of Malaysia decreased anti-trafficking law enforcement efforts, reporting fewer investigations and convictions related to human trafficking in 2013 than 2012. It hired an additional 101 officers to staff Malaysia's anti-trafficking police unit. Malaysia's 2007 Anti-Trafficking in Persons Act (amended) prohibits all forms of human trafficking and prescribes punishments of up to 20 years' imprisonment, penalties that are sufficiently stringent and commensurate with those prescribed for other serious offenses, such as rape. November 2010 amendments to the law broadened the definition of trafficking to include all actions involved in acquiring or maintaining the labor or services of a person through coercion.

The government reported initiating 89 new investigations of trafficking cases in 2013, a decrease from 190 investigations in 2012. The attorney general's office reported initiating prosecutions against 34 defendants for alleged human trafficking offenses; the government initiated 63 prosecutions against an unknown number of defendants in 2012. The government convicted nine traffickers (five for sex trafficking and four for forced labor), a decrease from 21 traffickers (11 for sex trafficking and 10 for forced labor) convicted in 2012. Sentences ranged from three to 15 years' imprisonment for each trafficking charge and averaged 5.8 years; some traffickers received lengthier sentences because they were convicted on multiple charges. Poor government treatment of victims remained a significant impediment to successful prosecutions. NGOs reported referring cases of alleged labor and sex trafficking to the government, some of which the authorities failed to investigate. NGOs reported that police and Labor Department officials often failed to investigate complaints of confiscation of passports and travel documents or withholding of wages—especially involving domestic workers—as possible trafficking offenses; these front-line officers failed to recognize indicators of trafficking and instead treated these cases as immigration violations.

The Royal Malaysia Police operated a specialized anti-trafficking unit and the government reported hiring an additional 101 officers into the unit in 2013. The government also reported hiring 63 people who will specialize in combatting trafficking in the Immigration Department. The Labor Department employed 13 specialized enforcement officers, but continued to rely on workers to initiate a complaint of non-payment of wages before they would investigate a potential trafficking case. The Attorney General's Chamber had 29 deputy public prosecutors throughout Malaysia specializing in human trafficking cases. Prosecutors reported little interaction with law enforcement during the investigation process and were often unfamiliar with victims' accounts prior to courtroom appearances. In November 2013, the government implemented standard operating procedures for the investigation and prosecution of trafficking offenses. The government's National Anti-Trafficking and Anti-Smuggling of Migrants Council (MAPO) reported that 248 government officials from the Royal Malaysian Police, Malaysian Maritime Enforcement Agency, Immigration Department, and Labor Department received specialized anti-trafficking training in 2013. The government reported several additional anti-trafficking training sessions attended by more than 500 law enforcement officials during the year. The Laos and Chinese governments reported cooperating with Malaysian authorities on trafficking investigations in 2013.

Press reports continued to accuse some immigration officials of facilitating smuggling, including the transportation of trafficking victims. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking. It did not report information regarding investigations targeting recruitment agencies or other intermediaries who may be involved in trafficking.

PROTECTION

The government made limited and inadequate efforts to improve its flawed victim protection regime. Malaysian authorities detained trafficking victims in government facilities as part of a court-ordered protection measure; these protection orders lasted 90 days, but could be extended. Most victims stayed in these facilities for three to six months; some were detained for more than a year. The government deported victims to their home countries after their detention ended, in accordance with Malaysian law. Experts regard shelters that prohibit victims from leaving as posing a serious risk for re-traumatizing victims.

In 2013, the government reported identifying 650 potential trafficking victims and, of those, confirmed 270 were victims of trafficking (254 adult females and 16 adult males). This represents a significant decrease from the 1,096 potential victims and 444 certified trafficking victims confined in government

facilities in 2012. The government did not provide data as to whether these were sex or labor trafficking victims. More than half of the victims were Indonesian nationals. The government reported that individual law enforcement agencies followed standardized procedures to identify trafficking victims; however, government officials lacked formal government-wide procedures for the proactive identification of victims among vulnerable groups. Law enforcement officers and prosecutors did not receive adequate specialized training to work with victims, and investigation procedures—such as asking victims to recount their trafficking experience to numerous officials—sometimes did not take into account the best interests of victims.

Under Malaysia's anti-trafficking law, government-identified trafficking victims are required to stay in government-approved shelters. The government operated five facilities to house victims of trafficking. The Ministry of Women, Family, and Community Development operated three facilities for women—one in Kuala Lumpur, one in Johor, and one in Kota Kinabalu, Sabah. This department also operated one shelter for child trafficking victims in Negeri Semibilan, near Kuala Lumpur. The Home Ministry operated Malaysia's only shelter for male trafficking victims in Malacca. The government detained foreign victims in these facilities 24 hours per day, with few exceptions. It did not allow foreign adult victims to leave the facilities without a chaperone—and only then for hospital visits or court appearances under the custody of police. Male victims had limited freedom of movement inside the one facility for men. The government did not allow foreign trafficking victims to work outside the facilities while under the protection order; in past years, the government granted work permits to some trafficking victims after they left the shelter. The government provided some basic services to those staying in its shelters. NGOs—with no financial support from the government—provided the majority of victim rehabilitation and counseling services. At times, the government granted NGOs access to victims in government facilities; however, it prevented some victim assistance organizations from accessing shelters to provide services. One NGO reported improved access to the government-run shelters to provide psychological counseling in 2013. The government did not release detailed budget information on its victim protection efforts, but it reported allocating the equivalent of approximately $1,221,000 to the Ministry of Home Affairs for anti-trafficking work and $909,000 for the Women's Ministry in its 2014 budget.

In 2013, the government reported progress on plans for a pilot project to enable two NGOs to operate a government-owned shelter for trafficking victims in 2014. This shelter had not opened at the end of the reporting period. The government had allocated funds to support the shelter, but grants had not yet been extended to the two NGOs. In March 2014, the government announced plans for a new policy to enable certain victims of labor trafficking to have freedom of movement and reside in Malaysia for a maximum of three months while they sought work. The proposed policy, if implemented, would not affect all victims in shelters; only those labor trafficking victims who showed no signs of physical abuse and who had entered Malaysia with a legal employment pass would be granted work and residence permits. The planned policy had not taken effect at the end of the reporting period.

Victims were not allowed to leave the country pending trial proceedings. The government's policy of forcing trafficking victims into facilities discouraged victims from bringing cases to the government's attention or cooperating with authorities. Prosecutors attributed the high acquittal rate of trafficking cases in part to the lack of victim cooperation. Some foreign embassies sheltered victims directly to expedite their repatriation and protect them from detention in Malaysian facilities during lengthy criminal proceedings. Some NGOs reported that they did not refer victims to the police, as they believed doing so was detrimental to the welfare of the victims. Malaysia's anti-trafficking law provides victims immunity from criminal prosecutions for some crimes as a result of being trafficked; however, victims whose cases did not result in a prosecution generally were not granted a protection order and were transferred to immigration detention facilities for deportation. Victims' certification under a protection order was dependent on their ability to provide testimony in a case that could be prosecuted. Some unidentified victims, particularly those whose documents had been confiscated by employers, continued to be detained, deported, or charged with immigration offenses. NGOs reported that Malaysian authorities released a small number of identified victims to an embassy which had given assurances to the Malaysian government that it would repatriate the victims immediately. However, some of the victims were reportedly required by the embassy to work to earn money to pay for their return home.

PREVENTION

The Malaysian government improved efforts to prevent human trafficking during the reporting period. MAPO, headed by the Home Ministry, included representation from multiple government entities. The Ministry of Health joined MAPO in 2013 and began providing health screenings to foreign victims in shelters. MAPO continued to meet monthly to coordinate the government's anti-trafficking response. As in previous years, NGOs reported varying degrees of inclusion in the government's anti-trafficking policymaking; some NGOs were formally affiliated with MAPO, and others were not included in policy discussions related to their areas of expertise. NGOs reported that it was difficult to assess the government's progress in implementing Malaysia's 2014-2015 anti-trafficking action plan. The government reported producing 6,078 public service radio announcements and 6,032 public service television announcements to raise awareness of human trafficking during the reporting period—a significant increase from public service efforts during the previous year. It also produced ads in newspapers and pamphlets and on billboards to raise awareness of trafficking issues.

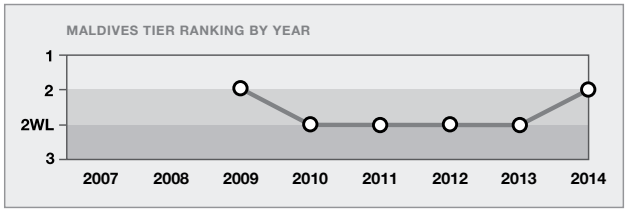
During the year, 1,351 Bangladeshis entered Malaysia to work under a January 2013 memorandum of understanding (MOU) between the Governments of Bangladesh and Malaysia that reinstated a formal labor migration channel between the countries. Existing agreements with Indonesia and the Philippines provided some protections for domestic workers from these countries. In October 2013, the government ceased to allow Indonesians to enter Malaysia and then obtain a "journey performed" work permit; workers and agents had used this type of visa to circumvent Indonesian government regulations governing migration for positions as domestic workers. The government did not finalize an MOU to govern the employment of Cambodian domestic workers in Malaysia, and the Cambodian government's 2011 ban on Cambodian women's travel to Malaysia for domestic work remained in effect. In late 2013, the Thai and Malaysian governments finalized a bilateral MOU to share information to combat human trafficking. A January 2013 government policy placed the burden of paying immigration and employment authorization fees on foreign workers; this increased the risk that workers would become

trapped in debts to recruiters or loan sharks, placing them at even greater risk of debt bondage. Domestic workers remained excluded from a number of protections under Malaysian labor law, including the country's recently implemented minimum wage. The government did not take measures to reduce the demand for commercial sex acts. The government provided anti-trafficking training to Malaysian troops prior to their deployment abroad on international peacekeeping missions.

MALDIVES (Tier 2)

Maldives is a destination country for men, women, and children subjected to forced labor and sex trafficking, and a source country for women and children subjected to labor and sex trafficking. An unknown number of the approximately 200,000 documented and undocumented foreign workers in Maldives—primarily Bangladeshi and Indian men in the construction and service sectors—experience forced labor, including fraudulent recruitment, confiscation of identity and travel documents, withholding or nonpayment of wages, and debt bondage. Migrant workers pay the equivalent of approximately $1,000 to $4,000 in recruitment fees to migrate to Maldives, contributing to their risk of debt bondage after arrival. In addition to Bangladeshis and Indians, some migrants from Sri Lanka, Pakistan, and Nepal reportedly experience recruitment fraud before arriving in Maldives. Recruitment agents in source countries collude with employers and agents in Maldives to facilitate fraudulent recruitment and forced labor of migrant workers. A small number of women from Sri Lanka, Thailand, India, China, the Philippines, Eastern Europe, and former Soviet countries, as well as some girls from Bangladesh and Maldives, are subjected to sex trafficking in Maldives. Some Maldivian children are transported to the capital, Malé, from other islands for domestic service; some of these children are also reportedly subjected to sexual abuse and may be victims of forced labor. Maldivian women may be subjected to sex trafficking in Sri Lanka.

The Government of Maldives 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 passed its first anti-trafficking law, opened its first shelter for trafficking victims, distributed pamphlets about rights to migrant workers in a number of other languages, blacklisted some companies for fraudulent recruitment practices, and convicted a trafficker, reportedly the first such conviction in Maldives. However, serious problems in anti-trafficking law enforcement and victim protection remained. The government did not adequately train police and other officials on trafficking, nor did it provide authorities with procedures to identify victims among vulnerable populations and refer those victims to protective services. Consequently, the government penalized some victims for offenses committed as a result of being trafficked and also deported thousands of migrants without adequately screening for indications of forced labor. As in previous years, authorities did not criminally prosecute any labor recruitment agents or firms for fraudulent practices. Passport confiscation was a rampant practice by private employers and government ministries, who withheld the passports of foreign employees and victim witnesses in trafficking prosecutions; the government did not prosecute any employers or officials for this offense.



RECOMMENDATIONS FOR THE MALDIVES:

Develop guidelines for public officials to proactively identify victims among vulnerable groups, such as undocumented migrants and women in prostitution, and train officials on their use; develop systematic procedures for the referral of victims to care providers and train officials on their use; ensure that victims are not penalized for acts committed as a result of being trafficked; increase efforts to investigate and prosecute suspected trafficking offenses, respecting due process; increase efforts to monitor and punish labor recruitment agents and firms engaging in fraudulent practices; train law enforcement officials on the new anti-trafficking law; continue to offer shelter and specialized services to identified victims; finalize and implement the standard operating procedures for shelter operations and victim services; amend the Prevention of Human Trafficking Act to ensure victims who enter Maldives illegally are offered rehabilitative services if they prefer to remain in the country; enforce prohibitions against passport retention by employers and government agencies; raise public awareness of human trafficking through media campaigns; consider providing legal temporary residency for foreign victims to allow them time to recover and assist with investigations and prosecutions; provide translators to law enforcement and labor authorities to ensure foreign workers are able to participate in inspections, investigations, and prosecutions against their alleged traffickers; improve inter-ministerial coordination on human trafficking issues; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The Government of Maldives strengthened anti-trafficking law enforcement efforts. In December 2013, the government passed its first anti-trafficking law, the Prevention of Human Trafficking Act, which prohibits many, but not all, forms of sex and labor trafficking under Articles 12, 13, 14, and 16. The law prohibits internal and transnational trafficking but generally requires that the acts of exploitation be predicated on movement, although it also prohibits debt bondage and some forms of child trafficking without requiring movement. It also does not criminalize child sex trafficking in the absence of coercion. Article 13 is also overly broad in certain respects; for example, it includes compelling a person to undergo a medical test after being transported as a form of trafficking in persons. The law prescribes penalties of up to 10 years' imprisonment. These penalties are sufficiently stringent, but are not commensurate with those prescribed for other serious crimes, such as rape.

The government reported investigating one new labor trafficking case in 2013, a decrease from four cases in 2012. Authorities did not initiate any new prosecutions in 2013, compared with two sex trafficking cases in 2012 and no cases in 2011. The government reported its first known trafficking conviction in August 2013; the trafficker had recruited three Thai women to work as massage therapists, but forced them into prostitution upon their arrival. The Maldivian court convicted the trafficker under a Ministry of Justice circular that penalized forced prostitution, making

it punishable by four to eight years' imprisonment; the court sentenced the trafficker to four years' imprisonment.

Government officials continued to conflate human trafficking with human smuggling and the presence of undocumented migrants in Maldives. Observers noted that trafficking-specific training was needed government-wide, especially for investigators, prosecutors, and judges. The government partnered with an international organization to provide trafficking-specific training to 56 prosecutors during the reporting period. An international organization also provided training to 49 representatives from the Department of Immigration and Emigration (DIE), police, Labor Relations Authority, and Ministry of Health and Gender; this training led to the creation in December 2013 of specialized units within the police and DIE charged with coordinating investigations into potential trafficking violations. Law enforcement efforts continued to be hampered by the absence of foreign language interpreters for victim-witnesses. Authorities did not report collaborating on transnational investigations with foreign counterparts. The Government of Maldives did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking, despite reports that some government officials may have been involved in labor recruiting practices that can lead to trafficking. There were also reports that organized crime groups, some of which operate prostitution rings, received political support.

PROTECTION

The Maldivian government demonstrated some progress in victim protection. The December 2013 anti-trafficking law created several protection measures. This included the designation of specified public officials and NGO representatives authorized to identify potential victims of trafficking; potential victims are entitled to receive rehabilitative services under the law, including shelter, health care, counseling, translation services, and police protection. The law also created a 90-day reflection period, during which victims are eligible to receive services while deciding whether to assist authorities in a criminal case. However, identified victims who voluntarily entered Maldives illegally were subject to deportation. Foreign victims assisting an investigation or prosecution could receive a renewable visa. The law also permitted victims to make a civil claim for compensation and for judges to order compensation during a criminal case.

Authorities reported identifying 10 victims during the reporting period, compared to seven (four Thai women and three Maldivian girls subjected to sex trafficking) in 2012. In January 2014, the government opened a state-run shelter exclusively for female trafficking victims, which offers foreign and domestic victims psychological counseling and medical care. The shelter assisted two victims during the reporting period. Victims were free to leave the shelter at will. Authorities reported spending the equivalent of approximately $1,400 to shelter trafficking victims during the reporting period. The government continued to develop national guidelines and standard operating procedures for victim care, but these were not finalized during the reporting period. The DIE maintained a shelter for undocumented male migrant workers, but this shelter did not provide trafficking-specific services. The government did not operate a shelter facility specifically for children. Authorities lacked written procedures for proactively identifying or referring victims to protective services, which led to victims being inappropriately penalized for unlawful acts committed as a direct result of having been trafficked. Observers noted that police are not trained to screen children in prostitution for signs of trafficking. The government deported migrant workers without screening them for indications of human trafficking; some of these immigrants were subsequently identified as trafficking victims by foreign authorities. The government did not provide foreign victims with legal alternatives to their removal to countries where they might face hardship or retribution. In 2013, three victims testified in court against their trafficker, although in other cases authorities deported victims without involving them in a criminal case. Observers reported that victims were often afraid of making statements to the police because they did not believe effective action would be taken on their behalf. In March 2014, the Ministry of Home Affairs and an international organization organized a network of NGO care providers to connect victims to services more effectively.

PREVENTION

The Government of Maldives did not demonstrate significant progress in preventing trafficking. The Maldivian authorities did not prosecute any labor recruiters or agencies for fraudulent recruitment practices, despite the establishment of an investigative unit responsible for recruitment agency oversight in 2011. Police continued to blacklist Maldivian recruitment agencies that engaged in fraud and forgery, and at least five of these blacklisted companies were fined in 2013; although the DIE reportedly enforced the blacklists, there were indications that previously blacklisted agencies resurfaced under different names. Observers reported that Maldivian firms could recruit large numbers of workers without authorities verifying the need for the number requested; this led to an oversupply of workers, many of whom went into debt to pay recruitment fees for jobs that did not exist. Government ministries and others frequently held the passports of foreign workers they employed, as well as foreign victims in trafficking cases. Immigration officials received, on average, 60 cases per month of employers confiscating migrant workers' passports. Authorities reported working with employers to have the passports returned, and during the reporting period in 2014, they fined two private employers for the practice; however, authorities have never prosecuted an employer for withholding passports.

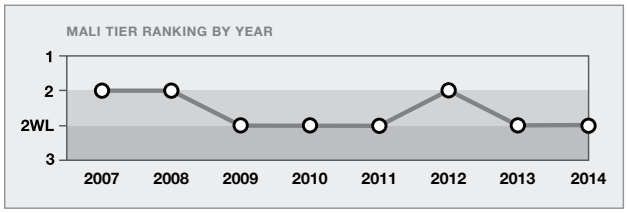
The government transferred responsibility for coordinating national anti-trafficking efforts from the Ministry of Gender, Family, and Human Rights (MGFHR) to the Ministry of Youth and Sports; the Ministry of Youth and Sports' Deputy Director led a newly-formed steering committee on trafficking, which included representatives from the judiciary, parliament, police, and an NGO, among others. The committee met at least seven times in the first quarter of 2014 and continued implementing the 2013-2014 national action plan, particularly by furthering development of national guidelines for victim assistance. Observers noted that the portfolio shift disrupted many activities being implemented by the former steering committee. Additionally, experts from the MGFHR were not appointed to the new committee, further lowering the number of committee members trained on trafficking issues. The MGFHR plan to operate a hotline for migrants was canceled following the portfolio switch. The Ministry of Foreign Affairs continued an anti-trafficking awareness campaign for which media outlets provided airtime and print space for messages on trafficking. The government continued to provide seminars for media outlets to sensitize journalists to trafficking issues. The government did not publish any reports assessing its anti-trafficking efforts or report any efforts to reduce the demand for commercial sex acts. Maldives is not a party to the 2000 UN TIP Protocol.

MALI (Tier 2 Watch List)

Mali is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Within Mali, women and girls are forced into domestic servitude, agricultural labor, and support roles in artisanal gold mines, and subjected to sex trafficking. Malian boys are subjected to forced labor in agriculture, artisanal gold mines, and the informal commercial sector. Boys from Guinea and Burkina Faso are also subjected to forced labor in artisanal gold mines in Mali. Adult men and boys, primarily of Songhai ethnicity, are subjected to a longstanding practice of debt bondage in the salt mines of Taoudenni in northern Mali. Some members of Mali's black Tamachek (Bellah) community are subjected to slavery-related practices rooted in traditional relationships of hereditary servitude. This involuntary servitude reportedly has been transferred from adults to their children. Boys from Mali, Guinea, Burkina Faso, Niger, and other countries are forced into begging and other types of forced labor or service by corrupt *marabouts* (religious teachers), within Mali and in neighboring countries. Reports indicate that Malian children are transported to Senegal and Guinea for forced labor in gold mines and to Cote d'Ivoire for forced labor on cotton and cocoa farms. Women and girls from other West African countries are subjected to prostitution in Mali. Malians and other Africans travelling through Mali to Mauritania, Algeria, or Libya in hopes of reaching Europe are at risk of becoming victims of human trafficking. Malian girls and women are trafficked to Gabon, Libya, Lebanon, and Tunisia for commercial sexual exploitation.

Early in 2012, extremist and terrorist groups invaded and occupied the northern region of Mali. There were reports that non-governmental armed groups operating in the north recruited children on a large scale. These children were used as combatants, as well as cooks, porters, guards, and spies. While the majority of children associated with armed groups are boys, reports indicate that girls may have also been recruited and later forced to serve as sex slaves. In areas occupied by armed groups, women and girls were also subjected to forced marriage to members of armed groups who forced parents to relinquish their daughters, sometimes in exchange for a sum of money. Traffickers subsequently took some of these women and girls to be raped by fellow combatants. During the reporting period, as the Malian government began to regain partial control of the northern region of the country, the number of children associated with these instances of trafficking decreased; however, NGOs and international organizations estimate that many children may still be associated with armed groups. Limited access continues to prevent comprehensive reporting.

The Government of Mali does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these efforts, the government did not demonstrate evidence of overall increasing anti-trafficking efforts compared to the previous reporting period; therefore Mali is placed on Tier 2 Watch List for the second consecutive year. During the reporting period, the government investigated 13 trafficking cases, identified and referred 79 victims to NGO services, and rehabilitated 25 child soldiers. However, the government failed to prosecute or convict any trafficking offenders, did not provide any direct services to trafficking victims, and did not make any tangible prevention efforts.



RECOMMENDATIONS FOR MALI:

Increase efforts to investigate and prosecute trafficking offenses, and convict and punish trafficking offenders; vigorously investigate, prosecute and, where appropriate, convict government officials complicit in human trafficking; adequately inform and train judicial personnel about the 2012 anti-trafficking law; provide training to law enforcement officials to investigate trafficking cases, identify trafficking victims among vulnerable populations, and refer them to protective services; continue to implement programs for the disarmament, demobilization, and re-integration of former child combatants that take into account the specific needs of child ex-combatants; convene the National Coordinating Committee for the Fight Against Trafficking in Persons and Associated Practices; allocate appropriate funding in order to effectively implement the national plan of action; and increase efforts to raise public awareness about human trafficking.

PROSECUTION

The Government of Mali maintained minimal anti-trafficking law enforcement efforts. Law 2012-023 Relating to the Combat against Trafficking in Persons and Similar Practices prohibits all forms of trafficking in adults and children. The law prescribes penalties of five to 10 years' imprisonment, and a maximum of 20 years' imprisonment for cases involving aggravating circumstances. These penalties are sufficiently stringent and commensurate with those for other serious crimes, such as rape. Despite enacting this law in August 2012, there remained a significant lack of awareness of the law among the judiciary, in part because the Ministry of Justice has not yet distributed the law to judges. The government investigated 13 cases of trafficking during the reporting period; however, it did not initiate any prosecutions or convict any trafficking offenders. Of the 13 cases investigated, five involved Koranic school teachers forcing their students to beg, six involved cases of commercial sexual exploitation of women and girls, and two involved the forced labor of children in gold mines. Twenty-three alleged traffickers were arrested in relation to these cases and at least four remained in custody at the end of the reporting period. Seven of the alleged traffickers are from Nigeria and were arrested in coordination with the Nigerian government's National Agency for the Prohibition of Trafficking in Persons. The government provided no specialized anti-trafficking training to its officials. It did not report the investigation or prosecution of government officials for complicity in trafficking-related offenses during the reporting period; however, general corruption is pervasive throughout the security forces and judiciary.

PROTECTION

The government sustained modest efforts to protect trafficking victims. Government officials and NGO partners identified 79 trafficking victims and referred them to NGOs for services. Twenty-nine women and girls were victims of commercial sexual exploitation and 50 girls and boys were victims of forced labor in artisanal gold mining or forced begging. The government

did not directly offer shelter or other services to victims, but actively referred them to NGOs for medical assistance, shelter, counseling, and financial assistance. Despite its substantial reliance on NGOs, the government did not provide financial support to these organizations. In one case, the government worked with the Nigerian government to repatriate 22 Nigerian girls who had been trafficked to Mali for sexual exploitation. The government did not report identifying or assisting any victims of traditional slavery in areas where these practices are prevalent. This lack of identification reflects limited government presence in these areas. The government did not actively encourage trafficking victims to assist in the prosecution of their traffickers. It offers legal alternatives to removal to countries in which victims would face retribution or hardship; all victims identified during the reporting period were ECOWAS country citizens and therefore, were able to stay within the country.

Rebel forces continued to use child soldiers during the reporting period. The government did not identify any child soldiers in the Malian armed forces; however, poor record keeping systems within the military, coupled with the ability to easily obtain fraudulent birth certificates, limits the ability to verify the precise age of all Malian soldiers. During the reporting period, the government partnered with UNICEF to create the Center of Transit and Orientation, which provides rehabilitation services to children associated with armed groups. The center provided rehabilitative services to 25 children who had been recruited and used by rebel forces and reconnected 13 of them with their families. Twelve children remained in the center at the end of the reporting period. While there were no reports that trafficking victims were penalized for unlawful acts committed as a result of being trafficked, there were several reports by NGOs and international organizations that Malian security forces detained and interrogated captured child soldiers for intelligence gathering purposes during the reporting period, some of whom may have been trafficking victims.

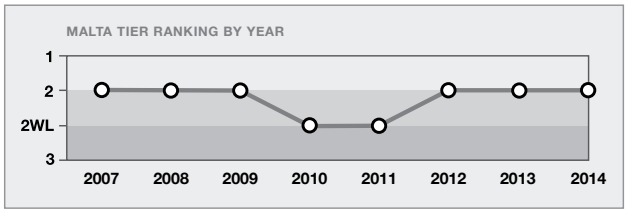
PREVENTION

The Government of Mali made negligible efforts to prevent trafficking. It did not conduct any awareness-raising campaigns, workshops, or training efforts during the reporting period. Although the 2012 anti-trafficking law included a national action plan, the government took no steps toward its implementation. The National Coordinating Committee for the Fight against Trafficking in Persons which is charged with coordinating government anti-trafficking efforts, was inactive during the reporting period and did not receive any funding. The Ministry of Labor employed 54 labor inspectors; none of these labor inspectors received anti-trafficking training and they have no capacity to regulate the informal sector, where most cases of forced labor occur. The government made no tangible efforts to decrease the demand for forced labor or commercial sex acts in Mali during the reporting period.

MALTA (Tier 2)

Malta is a source and destination country for women and children subjected to sex trafficking. Female sex trafficking victims primarily originate from China, Hungary, Poland, Romania, Russia, and Ukraine. Women and children from Malta have also been found subjected to sex trafficking within the country. Forced labor victims largely originate from China and the Philippines. Filipina domestic workers, Chinese nationals working in massage parlors, and women from Central and Eastern Europe working in nightclubs represent populations vulnerable to exploitation. Maltese children in prostitution were vulnerable to sex trafficking in Malta. While there have been documented cases of sex trafficking of children in Malta in the past, no new cases were documented in the reporting period. The approximately 5,000 irregular African migrants from African countries currently residing in Malta may be vulnerable to human trafficking in the country's informal labor market.

The Government of Malta does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Although the government developed victim referral guidelines, it reduced the amount of public funds for trafficking programs by 70 percent. Furthermore, while the government continued to identify victims, including one victim of internal trafficking, it did not identify any child victims, including among children prosecuted by Maltese courts for prostitution offenses. Authorities initiated more trafficking prosecutions, yet the government did not convict any trafficking offenders for the second consecutive reporting period. The government passed an amendment to the criminal code that enhanced penalties for offenders and better aligned the code with international law on consent. The government launched a public awareness campaign during the reporting period.



RECOMMENDATIONS FOR MALTA:

Strengthen efforts to identify trafficking victims proactively among vulnerable populations, particularly migrants, women, and children in prostitution; increase efforts to investigate and prosecute trafficking offenses and convict and punish trafficking offenders; continue to ensure that convicted trafficking offenders, including any officials convicted of complicity in trafficking, receive adequate punishment, including time in prison; ensure law enforcement officials receive adequate trafficking-specific training; ensure that victims of trafficking are not punished for acts committed as a direct result of trafficking, particularly children induced into prostitution; ensure victim services are adequately funded; and train authorities on the use of the standard operating procedures for victim referral.

PROSECUTION

The Government of Malta demonstrated mixed progress in its law enforcement efforts during the reporting period. Malta prohibits all forms of both sex and labor trafficking through Article 248A-E of the criminal code, which prescribes penalties of four to 12 years' imprisonment—penalties that are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. During the reporting period, the government amended its criminal code to increase the penalties for trafficking and provide penalties for principal officers of corporate bodies found guilty of trafficking offenses. The government also amended its criminal code to ensure victims' initial consent is deemed irrelevant to a trafficking prosecution. The government investigated four new trafficking cases during the reporting period, compared to seven cases in the previous

period. Authorities initiated prosecutions of five suspected trafficking offenders, an increase from two prosecutions initiated in the previous reporting period. There were no convictions in the previous two reporting periods. The prosecution of a police officer for alleged involvement with the trafficking offender convicted in 2011 remained pending due to an appeal of the conviction. The government provided trafficking-specific training for the police force, but did not offer training for prosecutors or the judiciary.

PROTECTION

The Government of Malta took steps to improve its victim protection efforts during the reporting period by developing a victim referral mechanism. Police identified seven trafficking victims in the reporting period, compared to four in the previous period. One of the victims was a Maltese national. None of the victims identified was a child, and the government has not formally identified a child victim of trafficking in at least 11 years. NGOs identified an additional two potential trafficking victims who chose not to report to the police.

In January 2014, the government's trafficking monitoring committee approved standard operating procedures for the referral of potential trafficking victims to assistance. The procedures allowed a range of entities to refer victims to *Aġenzija Appoġġ*, a government social services agency, for crisis intervention care, including emergency shelter. Adult victims could leave the shelters on their own without supervision. The government continued to fund an international expert to train some public officials on trafficking, including social workers, psychologists, and care providers.

Maltese law offered victims a two-month reflection period. Victims who decided to assist police in prosecuting trafficking cases were entitled to a temporary residence permit, police protection, legal assistance, and the right to work. The government did not issue such permits to the six foreign victims who assisted law enforcement during the reporting period, as the victims already had valid residence permits. In 2014, a Maltese court ordered video conferencing to be used in hearing testimony from a victim-witness. The criminal code amendment also granted trafficking victims access to compensation available to victims of violent international crime. No victims sought compensation from their traffickers, nor the government, and observers noted that victims were not adequately informed about their right to pursue compensation. There were no reports that the government penalized identified victims for unlawful acts they may have committed as a direct result of being trafficked. However, Maltese courts have convicted some minors in prostitution in recent years, and these may have been unidentified victims of human trafficking.

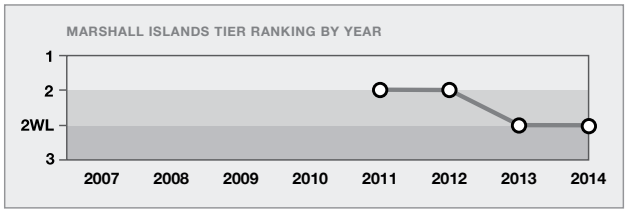
PREVENTION

The government sustained its anti-trafficking prevention efforts. The government reduced its budget for trafficking programs to the approximate equivalent of $61,900 in 2013 from $206,200 in 2012. The government enhanced its transparency by issuing a semi-annual progress report on the implementation of its 2013-2014 action plan. During 2013, the government ran a trafficking-focused public service announcement for primetime television and issued information leaflet in entertainment venues, government offices, and embassies. The government inspected seven clubs and massage parlors during the reporting period to detect illegal work and potential trafficking cases, compared to at least 135 inspections during the previous reporting period. *Aġenzija Appoġġ* continued to run a social services hotline that could receive calls about human trafficking, but there was no available data indicating that the hotline received any trafficking-related calls during the reporting period. The government took measures during the reporting period to reduce the demand for commercial sex acts and forced labor.

MARSHALL ISLANDS (Tier 2 Watch List)

The Republic of the Marshall Islands (RMI) is a source and destination country for RMI women and girls and women from East Asia subjected to sex trafficking. RMI girls are recruited by foreign business owners to engage in prostitution with crew members of foreign fishing and transshipping vessels that dock in Majuro. Foreign women, most of whom are long-term residents, are subjected to forced prostitution in establishments frequented by crew members of Chinese and other foreign fishing vessels; some Chinese women are recruited with the promise of legitimate work and, after paying large recruitment fees, are forced into prostitution in the Marshall Islands.

The RMI government 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 RMI President and Foreign Minister acknowledged the existence of human trafficking in RMI in public addresses, and the government initiated a trafficking investigation involving women subjected to forced prostitution. Despite these efforts, the government has not shown evidence of increasing efforts to address human trafficking compared to the previous year; therefore, RMI is placed on Tier 2 Watch List. The government did not provide evidence of implementing its 2011 anti-trafficking legislation. It has not reported any trafficking prosecutions since 2011. The government made no efforts to proactively identify victims, especially among vulnerable populations, such as foreign and local women in prostitution and foreign men working on fishing vessels in Marshallese waters.



RECOMMENDATIONS FOR THE MARSHALL ISLANDS:

Adopt proactive procedures to identify victims of trafficking among vulnerable groups, such as foreign workers and individuals in prostitution; increase efforts to investigate and prosecute trafficking offenses, and convict and punish trafficking offenders; train law enforcement and judicial officials to implement the existing anti-trafficking laws; establish a government anti-trafficking taskforce that can spearhead anti-trafficking efforts; establish and implement a national plan of action that outlines RMI's plan to combat trafficking; prosecute public officials when there is evidence they are complicit in trafficking activities or hindering ongoing trafficking prosecutions; fund and administer, in cooperation with NGOs and international organizations, protective services for victims; develop and conduct anti-

trafficking information and education campaigns; undertake additional research to study human trafficking in the country; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The RMI government made limited anti-trafficking law enforcement efforts during the reporting period. Article 251 of its criminal code, enacted in 2011, prohibits only transnational forms of human trafficking and prescribes penalties of up to 35 months' imprisonment for the trafficking of adults and up to 10 years' imprisonment for the trafficking of children. The penalties for the trafficking of children are sufficiently stringent, but the penalties for trafficking adults are not, and only the penalties for the trafficking of children are commensurate with those prescribed for other serious crimes, such as rape. In addition to trafficking, Article 251 also criminalizes other activities, including labor violations and the promotion of prostitution.

In 2013, the government initiated one investigation involving foreign women in forced prostitution; this case remained under investigation at the end of the reporting period. The government did not report any prosecutions of trafficking offenses or convictions of any traffickers in 2012 or 2013. The government did not report any criminal investigations or prosecutions of government employees for alleged complicity in human trafficking during the year. The government did not provide training to law enforcement or judicial officials on the 2011 anti-trafficking legislation, the identification of victims, or the prosecution of trafficking offenders; however, government officials attended human trafficking training and workshops funded and provided by a foreign government.

PROTECTION

The RMI government made no efforts to identify trafficking victims or ensure their access to protective services during the reporting period. The government did not identify any victims of trafficking in 2013. Law enforcement and social services personnel did not employ systematic procedures to proactively identify trafficking victims among high-risk populations, such as women in prostitution and foreign migrant workers onboard fishing vessels. The government reportedly made available free medical, legal, and police protection for victims of trafficking, but no formal mechanism existed to verify this assistance was provided to any victims. The government did not provide or allocate funding specifically for the provision of services to victims. The government did not provide legal alternatives to the removal of victims to countries where they may face hardship or retribution and did not provide victims long-term residency visas or legal employment opportunities.

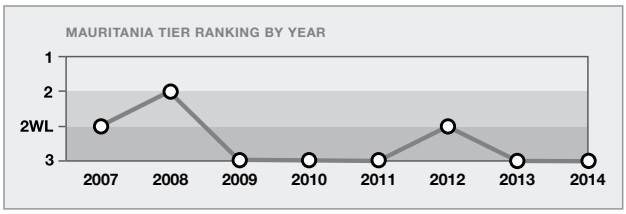
PREVENTION

The government made limited efforts to prevent trafficking during the reporting period. The government, in cooperation with a local NGO, conducted several public awareness campaigns. During the year, the RMI President and Foreign Minister acknowledged the existence of human trafficking in RMI in public addresses. The government drafted a national plan of action in August 2013; the plan awaited approval by the RMI legislature at the end of the reporting period. The approval of the establishment of a National Task Force on Human Trafficking also remained pending at the end of the reporting period. The government did not provide guidelines to government employees, nor did it take steps to reduce the demand for commercial sex acts among RMI residents. The RMI is not a party to the 2000 UN TIP Protocol.

MAURITANIA (Tier 3)

Mauritania is a source and destination country for women, men, and children subjected to forced labor and sex trafficking. Adults and children from traditional slave castes in the Black Moor and Afro-Mauritanian communities are subjected to slavery-related practices rooted in ancestral master-slave relationships. Although reliable data on the total number of slaves do not exist, local and international experts agree that slavery continues to affect a significant portion of the country's population in both rural and urban settings. Held for generations by slave-holding families, persons subjected to slavery are forced to work without pay as cattle herders and domestic servants. Separately, some boys from within Mauritania and other West African countries who study at Koranic schools—referred to as *talibes*—are subsequently subjected to forced begging by corrupt imams. *Talibe* victims live in harsh conditions and do not attend school; many are forced to beg for food and to earn a daily financial quota to pay the *imam*. Boys from low-income families in the Pulaar community were most vulnerable to forced begging. Children who lacked birth certificates were generally not permitted to enroll in school and were therefore at increased vulnerability to trafficking. Mauritanian girls, as well as girls from Mali, Senegal, The Gambia, and other West African countries, are forced into domestic servitude in Mauritania. Mauritanian women and girls are forced into prostitution in the country or transported to countries in the Middle East for the same purpose; some entered into forced marriages, facilitated by brokers and travel agencies in Mauritania, and were subsequently exploited as sex slaves overseas. Men from Middle Eastern and North African countries use legally contracted "temporary marriages" as a means to sexually exploit young girls and women in Mauritania.

The Government of Mauritania does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The government took steps to raise public awareness about the dangers of human trafficking in Mauritania, including through conducting five televised panel discussions on slavery. However, the government failed to hold traffickers criminally accountable, and law enforcement and judicial personnel intervened on behalf of alleged offenders to thwart the progress of criminal prosecutions. The National Agency to Fight against the Vestiges of Slavery, Integration, and Fight against Poverty (known as *Tadamoun*), which became operational during the year, did not submit any criminal complaints on behalf of victims. The government did not provide adequate protective services to victims or ensure their referral to service providers to receive care, and it failed to establish procedures for the proactive identification of victims among persons arrested for prostitution and individuals detained and deported for immigration violations.



RECOMMENDATIONS FOR MAURITANIA:

Increase efforts to investigate and prosecute trafficking offenses—addressing all types of trafficking of adults and children—and to convict and punish offenders using the 2003 Law Against Trafficking in Persons and the 2007 Anti-Slavery Law; take steps to hold government officials accountable for trafficking-related complicity, including efforts to interfere with criminal investigations; train law enforcement personnel, with an increased focus on measures to identify and refer trafficking victims among vulnerable populations to protective services and institute policies to standardize these procedures; provide support for, and access to, legal assistance for adult and child trafficking victims, including through directly submitting criminal claims on victims' behalf through *Tadamoun*; consider amending Law 2007-048, which outlaws slavery, to allow civil society organizations to file complaints on behalf of slaves; provide funding to civil society organizations which provide direct services to victims, including former slaves; increase efforts to coordinate with NGOs to arrange protective services for trafficking victims; with input from civil society representatives, develop and implement a plan to provide economic resources—through monetary or property allotment—to empower members of traditional slave castes to live independently, and ensure these resources reach the targeted communities; and continue and increase efforts to raise public awareness about trafficking, including traditional servitude.

PROSECUTION

The government made negligible anti-trafficking law enforcement efforts during the reporting period. All forms of trafficking, except hereditary slavery, are prohibited by the 2003 Law Against Trafficking in Persons, which prescribes penalties of five to 10 years' imprisonment for violations. These penalties are sufficiently stringent and exceed those prescribed for rape. Slavery, including hereditary slavery, is prohibited by Law 2007-048, which was enacted in September 2007; a 2013 law against slavery and torture broadens the 2007 law's 10-year statute of limitations. The 2007 law defines slavery and prescribes a sufficiently stringent penalty of five to 10 years' imprisonment for violations. Its effectiveness remains impaired by its requirement that slaves file a legal complaint before prosecution can be pursued, as well as by its barring of NGOs from filing complaints on behalf of slaves—many of whom are illiterate and unable to complete the paperwork involved in filing a legal complaint. Although the national agency known as *Tadamoun* has been granted the authority to submit complaints on behalf of victims, it did not do so during the year.

The government investigated three slavery cases identified by an NGO, but failed to pursue any prosecutions or obtain any convictions for trafficking crimes. An NGO reported that in October 2013, local court officials interfered to block further legal proceedings by brokering an out-of-court settlement in exchange for the withdrawal of all charges. Two slavery cases ongoing at the close of the previous reporting period were dismissed without further proceedings despite efforts from the National Commission for Human Rights, an ombudsman organization composed of both government and civil society representatives, to advocate for the prosecution of these cases using the 2007 anti-slavery law, and there were no cases prosecuted under the 2003 anti-trafficking law. The government did not report any investigations or prosecutions of government officials for complicity in trafficking or trafficking-related offenses. Civil society representatives criticized law enforcement and judicial officials for a failure to appropriately investigate and prosecute slavery cases brought to their attention, and for intervening to suppress further action against the alleged perpetrators in the three new cases investigated during the reporting period.

PROTECTION

The Government of Mauritania demonstrated limited efforts to protect victims of human trafficking, including those exploited in traditional slavery. The Ministry of Social Affairs, Childhood, and the Family (MASEF) continued to operate four Public Centers for the Protection and Social Integration of Children and in November 2013, opened a fifth center in Rosso; 289 children in need received services from the centers, but it is unknown how many of these children may have been victims of trafficking. These facilities provided only short-term protections and generally returned children to their families or the imams who facilitated their exploitation. NGOs continued to provide the majority of protection services to trafficking victims, without financial or in-kind support from the government. One NGO identified and cared for 649 girls rescued from conditions of domestic servitude.

Lack of available long-term rehabilitative care in Mauritania made many victims vulnerable to re-trafficking. The absence of measures to identify trafficking victims among vulnerable populations may have led to victims being punished for acts committed as a result of being trafficked. For example, in 2013, 9,800 undocumented migrants were detained and deported without screening. Women suspected of prostitution, some of whom may have been trafficking victims, were often jailed. The government did not encourage victims to assist in the investigation and prosecution of human trafficking cases, and no victims filed civil suits against trafficking offenders. Victims may have been inappropriately questioned with the suspected traffickers; the government did not allocate funding to train law enforcement or social service personnel on proper procedures for victim identification, referral, or care. Mauritania does not provide legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution.

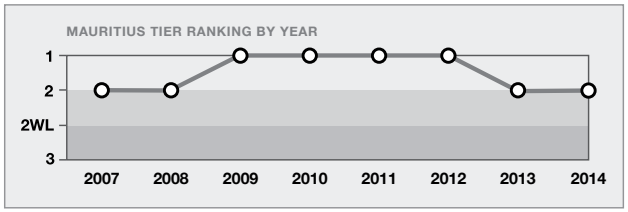
PREVENTION

The Government of Mauritania sustained modest efforts to prevent human trafficking. Continuing a positive trend from recent years, government officials participated in public events with prominent members of Mauritania's civil society community involved in combating trafficking. It also conducted five televised panel discussions focusing on slavery between government officials and civil society leaders. NGOs reported referring more than 5,500 cases of child labor to the police; none resulted in any investigations, prosecutions, or convictions for forced child labor. The newly appointed director general of *Tadamoun* conducted a public awareness tour, reaching nine of Mauritania's 14 provinces, to raise awareness about the new agency and its mandate. The government continued to fund an economic empowerment project, the Program to Eradicate the Effects of Slavery, but it is unknown how many members of traditional slave castes benefited from this program, as the government did not have a mechanism to monitor the program's impact on targeted communities. The government continued the process of establishing the identity of local populations through its registration drive, which issued biometric identity documents, decreasing the vulnerability to trafficking of those it registered. The government made no effort to reduce the demand for forced labor or commercial sex acts.

MAURITIUS (Tier 2)

Mauritius is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Secondary school-age girls and, in fewer numbers, younger girls from all areas of the country, including from Rodrigues Island, are induced into prostitution, often by their peers, family members, or by businessmen offering other forms of employment. NGOs report girls also are sold into prostitution by family members or forced into the sex trade in exchange for food and shelter. Taxi drivers provide transportation and allegedly introduce girls and clients. Girls and boys whose mothers engage in prostitution reportedly are vulnerable to being forced into prostitution at a young age. Some women addicted to drugs are forced into prostitution. In recent years, small numbers of Mauritian adults have been identified as labor trafficking victims in the United Kingdom, Belgium, and Canada. Malagasy women transit Mauritius *en route* to employment as domestic workers in the Middle East, where they often are subsequently subjected to forced labor and sex trafficking. Women from Rodrigues Island are subjected to forced labor in domestic service in Mauritius. In previous reporting periods, Cambodian fishermen were subjected to forced labor on fishing boats in Mauritius's territorial waters. Mauritius' manufacturing and construction sectors employ approximately 30,000 foreign migrant workers from India, China, Bangladesh, Sri Lanka, and Madagascar, some of whom are subjected to forced labor.

The Government of Mauritius does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government maintained strong efforts to identify and provide protective services to child victims of sex trafficking and continued to conduct extensive public awareness campaigns to prevent child sex trafficking and reduce the demand for commercial sex acts involving children. However, there remained a general lack of understanding among law enforcement of trafficking crimes outside the realm of child sex trafficking, despite increasing evidence that other forms of trafficking exist in Mauritius, including the forced labor of adults. The government failed to identify or provide any protective services to adult victims and did not make any tangible efforts to prevent the trafficking of adults during the reporting period.



RECOMMENDATIONS FOR MAURITIUS:

Use anti-trafficking legislation to investigate and prosecute trafficking offenses and convict and punish trafficking offenders, including in cases involving forced labor or adult women exploited in forced prostitution; provide law enforcement officials, magistrates, prosecutors, social workers, and labor inspectors with specific anti-trafficking training so officials can effectively identify victims, investigate cases, and refer victims to appropriate care; increase coordination between law enforcement entities, NGOs, and international organizations on cases involving foreign trafficking victims; establish procedures to guide officials in the proactive identification of victims of trafficking among at-risk populations, including women in prostitution and migrant workers; create an inter-ministerial committee to increase coordination among relevant government entities and facilitate the government's overall trafficking efforts; develop a national action plan to combat trafficking and allocate sufficient funding to implement the plan; increase the number of labor inspectors responsible for monitoring the employment of migrant workers; and conduct a national awareness campaign on all forms of trafficking.

PROSECUTION

The Mauritian government decreased anti-trafficking law enforcement efforts during the reporting period. The Combating of Trafficking in Persons Act of 2009 prohibits all forms of trafficking of adults and children and prescribes penalties of up to 15 years' imprisonment for convicted offenders. In addition, the Child Protection Act of 2005 prohibits all forms of child trafficking and prescribes punishment of up to 15 years' imprisonment; the Judicial Provisions Act of 2008 increased the maximum prescribed punishment for child trafficking offenses to 30 years' imprisonment. All of the aforementioned penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. During the reporting period, the government reported six investigations related to child sex trafficking, which resulted in the prosecution of five alleged traffickers; all five prosecutions remained pending at the close of the reporting period. This is a decrease from the previous reporting period, when the government initiated seven prosecutions and obtained seven convictions in child sex trafficking cases.

The government has never reported any prosecutions of cases involving adult victims of sex trafficking. It has never taken any law enforcement action against labor trafficking offenses, including forced labor on fishing boats in Mauritius' territorial waters and forced labor of migrant workers in the construction and manufacturing industries. Although the Mauritian Police Force included training on trafficking to approximately 200 new police recruits as part of their basic training requirements, with the exception of cases involving child sexual exploitation, there remained a general lack of understanding of trafficking among law enforcement. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking during the reporting period.

PROTECTION

The government sustained strong efforts to protect child sex trafficking victims, but failed to identify or provide adequate protective services to victims of other forms of trafficking. The government identified seven child sex trafficking victims during the reporting period, a slight decrease from the 12 victims identified in 2012. The Minors Brigade systematically referred all cases of identified children in prostitution to the Child Development Unit (CDU) of the Ministry of Gender Equality, Child Development, and Family Welfare for assistance. CDU officials referred an unknown number of abused and exploited children to two NGOs running multipurpose shelters for care. It also encouraged the placement of trafficking victims in foster homes for long-term shelter. The government provided victims with medical and psychological assistance in public clinics regardless of whether they resided in a shelter, in foster care, or with relatives. Children victimized in prostitution were accompanied to the hospital by a child welfare officer, and

police worked in conjunction with these officers to obtain statements from the children. The government encouraged child victims' assistance in the investigation and prosecution of trafficking crimes. Identified victims were not reported to have been incarcerated inappropriately, fined, or otherwise penalized solely for unlawful acts committed as a direct result of being trafficked.

The government failed to identify or provide any services to adult victims of sex trafficking or labor trafficking. Due to the lack of understanding of human trafficking among law enforcement, some adult victims of forced prostitution and forced labor may have been penalized for unlawful acts committed as a direct result of being trafficking. For example, law enforcement officers and prosecutors generally did not investigate whether adult women were involuntarily engaging in prostitution. Additionally, under Mauritian law, migrant workers who strike are considered to be in breach of their employment contracts and can be deported at the will of their employers. Some migrant workers who gathered to protest abuses relating to their employment were deported during the reporting period; these deportations took place without conducting comprehensive investigations or screenings to identify if the individuals were victims of forced labor. The 2009 anti-trafficking law specifically provides legal alternatives, such as temporary residency, to removal to countries in which the trafficking victims would face retribution or hardship.

PREVENTION

The government sustained strong efforts to prevent the sex trafficking of children and reduce the demand for commercial sex acts, but demonstrated weak efforts to prevent other forms of trafficking. The Police Family Protection Unit and the Minors Brigade continued extensive public awareness campaigns on child abuse and child rights at schools and community centers that included information on the dangers and consequences of engaging in or facilitating child prostitution. The Ministry of Tourism and Leisure also distributed pamphlets warning tourism industry operators of the consequences of engaging in or facilitating child prostitution. However, the government does not have an inter-ministerial coordinating body or a national action plan dedicated to combating all forms of trafficking. The government did not conduct any awareness campaigns relating to other forms of trafficking and did not make any discernible efforts to reduce the demand for forced labor during the reporting period. The Ministry of Labor, Industrial Relations and Employment (MOL) is required to approve all employment contracts before migrant laborers can enter the country. However, reports indicate many migrant laborers enter the country with incomplete contracts or contracts that have not been translated into languages that the workers understand. Additionally, the MOL's Special Migrant Workers Unit, which is responsible for directly monitoring and protecting all migrants workers and conducting routine inspections of all migrant workers' employment sites, was staffed by only four inspectors; this number of inspectors is severely inadequate, as there are approximately 37,000 migrant workers currently employed in Mauritius.

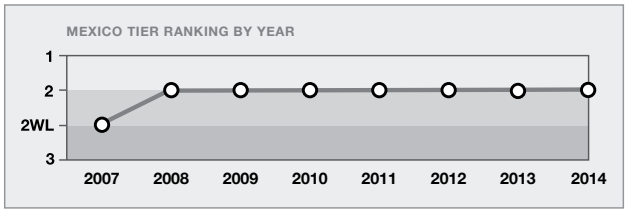
MEXICO (Tier 2)

Mexico is a large source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Groups considered most vulnerable to human trafficking in Mexico include women, children, indigenous persons, persons with mental and physical disabilities, migrants, and LGBT Mexicans. Mexican women and children, and to a lesser extent men, are exploited in sex trafficking within Mexico and the United States, lured by fraudulent employment opportunities, deceptive offers of romantic relationships, or extortion, including through the retention of identification documents or threats to notify immigration officials of victims' immigration status. NGOs report that transgender Mexicans in prostitution are vulnerable to sex trafficking. Mexican men, women, and children are exploited in forced labor in agriculture, domestic service, manufacturing, food processing, construction, the informal economy, forced begging, and street vending in both the United States and Mexico. In 2013, Mexican authorities identified 275 Mexican workers and family members exploited in debt bondage at a tomato processing plant. Residents at some substance addiction rehabilitation centers, women's shelters, and state institutions for people with disabilities have been subjected to forced labor and forced prostitution by shelter staff or criminal groups.

The vast majority of foreign victims in forced labor and sexual servitude in Mexico are from Central and South America, particularly Guatemala, Honduras, and El Salvador; some of these victims are exploited along Mexico's southern border. Victims from the Caribbean, Eastern Europe, Asia, and Africa have also been identified in Mexico, some *en route* to the United States. Child sex tourism persists in Mexico, especially in tourist areas such as Acapulco, Puerto Vallarta, and Cancun, and in northern border cities such as Tijuana and Ciudad Juarez. Many child sex tourists are from the United States, Canada, and Western Europe, though some are Mexican citizens.

Organized criminal groups profit from Mexican citizens and foreign migrants in sex trafficking and force some Mexican and foreign men, women, and children to engage in illicit activities, including work as hit men, lookouts, and in the production, transportation, and sale of drugs. Media reports indicate that criminal groups use forced labor in coal mines and for digging drug-smuggling tunnels under the border with the United States. Some criminal groups have kidnapped professionals, including architects and engineers, for forced labor. In 2013, Mexican officials identified a religious sect that allegedly forced members to engage in prostitution and forced labor.

The Government of Mexico does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government issued implementing regulations for the 2012 anti-trafficking law and continued to operate a high-security shelter in the capital for female sex trafficking victims participating in the legal process against their traffickers. Federal and state governments engaged in a range of prevention activities. The government reported increased trafficking convictions and sentences in comparison with the previous year. It was difficult to assess government efforts to identify and assist victims and to investigate and prosecute trafficking cases, as data collection on victim identification and law enforcement efforts was uneven. Official complicity continued to be a serious problem. Government funding for specialized victim services and shelters remained inadequate and these services were virtually nonexistent in much of the country. Victim identification and interagency coordination remained weak in many parts of the country.



RECOMMENDATIONS FOR MEXICO:

Increase funding for the provision of specialized victim services and shelters in partnership with civil society, and ensure that victims of all forms of trafficking are referred to services and receive protection; strengthen efforts to investigate and prosecute trafficking offenses, and convict and punish trafficking offenders, at both the federal and state level, including for forced labor crimes; increase efforts to hold public officials who are complicit in trafficking accountable through prosecutions and convictions; enhance formal procedures to identify trafficking victims among vulnerable populations, such as people in prostitution and undocumented migrants, and to refer them to appropriate care services; increase the ability of regional and state coalitions and specialized units to more effectively respond to human trafficking cases through increased funding and trained staff; verify through increased training and monitoring that victims are not coerced into testifying against traffickers or treated as trafficking offenders; strengthen data collection efforts; provide effective protection for witnesses and victims testifying against trafficking offenders; increase training on victim identification and treatment for law enforcement officers, immigration officials, labor inspectors, prosecutors, judges, social workers, and other government employees; ensure that anti-trafficking legislation at the federal and state levels reflects international anti-trafficking law; and improve coordination mechanisms between federal, state, and local authorities.

PROSECUTION

The Government of Mexico continued law enforcement efforts and increased the number of reported trafficking convictions; however, official complicity, a lack of intelligence-based investigations, and some officials' limited understanding of human trafficking continued to undermine anti-trafficking efforts. The general anti-trafficking law of 2012 prohibits all forms of human trafficking, prescribing penalties of five to 30 years' imprisonment depending on the form of trafficking; these penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The law conflates illegal adoption with trafficking. In September 2013, the government issued the law's implementing regulations, though efforts to change internal mechanisms to put the regulations into effect remained ongoing. Some NGOs and legal experts criticized the law as being unduly complex and overly broad, and during the year new draft anti-trafficking legislation was introduced in Congress.

Federal officials have jurisdiction for all international trafficking cases and all cases that involve organized crime, take place on federally administered territory, or involve allegations against government officials. The attorney general's Special Prosecutor's Office for Violence Against Women and Trafficking in Persons (FEVIMTRA) handled federal trafficking cases involving two or fewer suspects, while a unit within the organized crime division (SEIDO) investigated cases with three or more suspects. States could investigate internal trafficking cases. The 2012 anti-trafficking law obligates states to adjust their anti-trafficking legislation to align with national legislation, and several states altered their anti-trafficking laws during the year. While 23 states and the federal district have specific trafficking laws, only some state laws criminalize all forms of trafficking, and inconsistencies among state laws complicated interstate investigations and prosecutions. Cases involving individuals who may have been forced by criminal groups to engage in illicit activities were not investigated or handled as potential trafficking cases, despite indications that force or coercion may have been involved.

The total number of trafficking investigations and prosecutions initiated in 2013 was unknown. In 2013, FEVIMTRA initiated 91 trafficking investigations while SEIDO reported initiating 48 investigations, but it was unclear how many federal prosecutions were initiated. Authorities did not report the number of investigations or prosecutions initiated at the state level, although 12 states reported more than 200 open trafficking investigations during the year. According to various different government entities, Mexican authorities at the federal and state levels convicted at least 52 trafficking offenders in 2013; it was unclear how many of these convictions were for forced labor, and officials did not report the range of sentences. The attorney general's office in the federal district reported convicting 38 trafficking offenders. Five states reported achieving a total of 14 trafficking sentences in 2013. In comparison, in 2012, Mexican authorities convicted at least 19 sex trafficking offenders and six labor traffickers.

Anti-trafficking law enforcement efforts remained uneven. The trafficking law obligated states to have a dedicated human trafficking prosecutor, but many states lacked funding to employ one. In many parts of the country, law enforcement efforts focused on raiding bars and nightclubs and searching for administrative irregularities, as opposed to intelligence-based anti-trafficking operations. Officials and NGOs reported that some investigations and prosecutions were delayed while authorities determined which prosecutors had jurisdiction or coordinated with officials in other parts of the country, to the detriment of both the criminal case and the victims. Some public officials did not adequately distinguish between alien smuggling, prostitution, and human trafficking offenses, and many officials were not familiar with trafficking laws. NGOs reported that some officials pressured victims to denounce their traffickers, in some cases threatening to prosecute them as accomplices. NGOs also reported that police and immigration officials often re-victimized trafficking victims due to lack of sensitivity or understanding of the crime. Prosecutors reported that many judges did not fully understand the dynamics of human trafficking, including the trauma experienced by victims, often leading to the acquittal of traffickers. Some federal government agencies hosted trainings on human trafficking investigations and victim identification with foreign donor support and funding, but most training was provided by NGOs, international organizations, and foreign governments. Authorities partnered with the U.S. government on 18 joint trafficking investigations in 2013.

NGOs, government officials, and other observers reported that trafficking-related corruption among public officials, especially local law enforcement, judicial, and immigration officials, was a significant concern. Some officials reportedly accepted or extorted bribes from women and children in prostitution including in the form of sexual services, falsified victims' identity documents, discouraged trafficking victims from reporting their crimes, facilitated movement of victims across borders, operated or patronized brothels, or failed to report sex trafficking in commercial sex locations. In 2013, authorities

in Tijuana reported that two municipal police officers were under investigation for exploiting a sex trafficking victim. The government did not report on the status of an investigation initiated in 2012 involving an employee of the attorney general's office in Chihuahua state charged with forced labor for allegedly subjecting a Guatemalan child to domestic servitude. A 2012 investigation of four Puebla officials for suspected trafficking crimes was continued as a kidnapping investigation during the year. The government did not report initiating any prosecutions or convictions of government employees complicit in human trafficking.

PROTECTION

The Mexican government continued to provide only limited specialized services for trafficking victims; there were minimal services outside of the capital, and services for forced labor victims and male victims were virtually nonexistent. Mexican immigration agents continued to implement a system to identify potential trafficking victims, and some government institutions had informal victim referral procedures, but most government officials lacked clear guidelines for identifying and referring victims to care services. NGOs were critical of the government's ability to accurately identify trafficking victims among vulnerable populations, such as migrant workers and people in prostitution. There were no comprehensive statistics available on the number of trafficking victims identified during the year. Federal prosecutors reported assisting 13 female trafficking victims. Mexican consulates in the United States reported identifying 160 potential trafficking victims in 2013.

While authorities provided psychological, medical, legal, and social assistance to an unspecified number of victims during the year, victim services in most parts of the country, particularly in high-crime areas, remained inadequate in light of the significant number of trafficking victims identified by NGOs and officials. NGOs and international organizations receiving foreign donor funding provided the majority of specialized assistance to trafficking victims. The press and civil society organizations reported a lack of coordination between federal, state, and local officials on victim services and case management. Civil society organizations reported that the lack of shelter and services left victims vulnerable and many victims decided to avoid the justice system out of fear for their personal safety and that of their families. Government services for male victims and forced labor victims were particularly weak and the lack of reintegration services remained a challenge. The Mexican consular network in the United States provided unspecific aid to 160 potential victims in 2013, and authorities did not report what services were provided to repatriated Mexican trafficking victims. NGOs and victims reported a need for increased access to comprehensive psychological services.

FEVIMTRA continued to operate a high-security shelter in Mexico City dedicated to female victims of sex trafficking and other violence who were participating in the legal process against their exploiters, as well as women whose family members had disappeared or been murdered. The shelter housed victims for up to three months, during which time victims were not allowed to leave the shelter unaccompanied, reportedly due to safety concerns. Some NGOs raised concerns that this arrangement re-traumatized some victims. The shelter coordinated medical, psychological, and legal services for an unspecified number of trafficking victims during the year. Government centers for crime victims provided some trafficking victims with emergency services, as did state-level prosecutorial, social service, and human rights offices. Mexico's social welfare agency operated general shelters for children under the age of 13 who were victims of violence; comprehensive statistics were not maintained on how many trafficking victims stayed in these shelters during the reporting period. The government continued to support a national network of shelters and emergency attention centers for female victims of violence, but few of these shelters offered specialized care for trafficking victims. Some victims received services at shelters that were operated and funded by NGOs, international organizations, and religious groups; officials referred some victims to these shelters during the reporting period. In recent years, there have been cases of staff at some substance addiction rehabilitation centers and women's shelters subjecting residents to forced labor and forced prostitution.

Mexican law has provisions to protect trafficking victims from punishment for unlawful acts committed as a direct result of being subjected to human trafficking, and foreign trafficking victims could receive refugee status independent of any decision to testify against suspected traffickers. However, NGOs and international organizations reported these legal alternatives to deportation were often not provided in practice. Some officials handed victims over to the National Institute of Migration for detention and subsequent deportation due to victims' lack of legal status or lack of identification as a victim of trafficking. Many foreign trafficking victims opted to return to their countries of origin after giving testimony, in some cases due to a lack of adequate shelter or information about their rights. INM reported providing unspecified migratory assistance to 47 trafficking victims in 2013 but did not report how many foreign victims received legal residency during the year.

Although authorities encouraged victims to assist in trafficking investigations and prosecutions, many victims in Mexico were afraid to identify themselves as trafficking victims, and few sought legal remedies due to their fear of retribution from trafficking offenders, the lack of specialized services, or a lack of trust in authorities. In some cases, authorities shared victims' names and case details with the press, failing to protect their privacy. Some civil society groups reported that local authorities threatened to arrest victims as accomplices if they refused to testify against their traffickers or failed to identify them as victims and treated them as traffickers. During the year, a Honduran sex trafficking victim who had been arrested as a minor and subsequently convicted and sentenced to 27 years' imprisonment for trafficking offenses in the state of Chiapas was released after spending three years in jail; authorities did not report if they granted her a humanitarian visa to remain in Mexico, which she requested. There were no reports that trafficking victims were awarded restitution.

PREVENTION

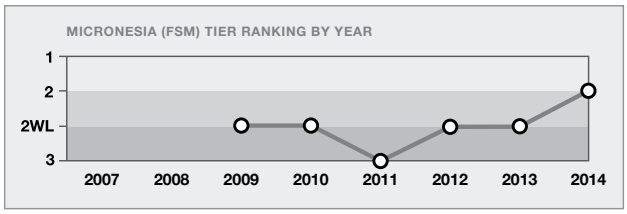
Federal and state authorities engaged in a range of anti-trafficking prevention efforts, though overall anti-trafficking prevention efforts were inadequate given the perceived magnitude of the problem. The interagency anti-trafficking commission that coordinated federal government efforts met only once in 2013, and NGOs questioned its effectiveness. The commission was responsible for implementing the national anti-trafficking program, but did not have funding to do so. NGOs reported a lack of transparency in government anti-trafficking efforts, and authorities failed to release a national study of human trafficking conducted by an international organization with government funds and completed in December 2012. Some states maintained state-level anti-trafficking committees, which

varied in effectiveness. Federal and state governments engaged in a wide variety of awareness-raising activities, including conducting seminars and roundtables, promoting theatrical works on human trafficking, and continuing to distribute awareness materials in indigenous languages. The national human rights commission conducted 200 anti-trafficking training and awareness sessions across the country for a range of audiences, reaching more than 22,000 individuals. The federal district government partnered with the private sector and private donors to jointly fund an anti-trafficking hotline for the capital. The Secretary of Communication and Transportation carried out a campaign to raise human trafficking awareness among public transport employees, reaching 776 individuals. The Secretary of Tourism implemented an anti-trafficking campaign in several tourist areas that reached approximately 14,000 people. While authorities reported investigating some child sex tourism cases during the year, the government did not report how many child sex tourists it prosecuted or convicted, if any, and some NGOs alleged that some corrupt local officials allowed commercial sexual exploitation of children to occur. In an effort to reduce the demand for forced labor, the government opened an investigation and seized the assets of an employment agency that allegedly defrauded several thousand Mexican citizens with false offers of U.S. and Canadian temporary work visas in exchange for thousands of dollars in fees.

MICRONESIA, FEDERATED STATES OF (Tier 2)

The Federated States of Micronesia (FSM) is a source and, to a limited extent, a destination country for men, women, and children subjected to forced labor and sex trafficking. The groups most vulnerable to trafficking in FSM include foreign migrant workers and Micronesian women and girls who allegedly engage in prostitution at restaurants frequented by crew members of docked Asian fishing vessels or who are on vessels in FSM's territorial waters. FSM women are recruited with promises of well-paying jobs in the United States and its territories, but are subsequently forced into prostitution or domestic labor upon arrival. Local authorities claim many sex trafficking cases are unreported due to victims' fear of embarrassment in FSM's insular communities. Foreign migrants, many from the Philippines, report working in conditions that are indicative of human trafficking on Asian fishing vessels in FSM or its territorial waters.

The Government of the Federated States of Micronesia 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 FSM government initiated a prosecution involving one alleged Micronesian offender and eight Micronesian victims. As part of a larger awareness campaign, the president declared a National Trafficking Day and the government implemented a national action plan to combat trafficking. The government did not, however, identify or assist any victims. It continued to lack a formal system to identify or refer victims to appropriate services and did not allocate funding for victim assistance and protection.



RECOMMENDATIONS FOR THE FEDERATED STATES OF MICRONESIA:

Increase efforts to investigate and prosecute trafficking offenses, and convict and punish trafficking offenders; develop and implement procedures for the proactive identification of trafficking victims among vulnerable populations, such as fishermen on fishing vessels in FSM or its territorial waters, women and girls in prostitution, and FSM nationals migrating to the United States for work; develop and implement a victim referral system; train officials on human trafficking and how to identify and assist trafficking victims; continue to implement the national plan of action; dedicate resources to establish protective services for victims of trafficking; continue nationwide educational campaigns to increase awareness of trafficking; and collaborate with traditional leaders to raise awareness of trafficking and to break away from customary practices that render Micronesians vulnerable to trafficking.

PROSECUTION

The Government of the Federated States of Micronesia increased anti-trafficking law enforcement efforts. The national anti-trafficking law prohibits all forms of trafficking, and prescribes penalties of up to 15 years' imprisonment for adult trafficking and 30 years' imprisonment for child trafficking, and fines not exceeding the equivalent of approximately $50,000; these penalties are sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. The Federated States of Micronesia's four states have laws that implement the national law. Pohnpei state's law prohibits sex trafficking of children and forced labor of adults, but not sex trafficking of adults; it prescribes penalties for these crimes of up to 10 years' imprisonment or fines not exceeding the equivalent of approximately $10,000, or both. Chuuk state's law includes the same prohibitions, but prescribes penalties of up to 15 years' imprisonment for forced labor, 25 years' imprisonment for child trafficking, or fines not exceeding the equivalent of approximately $10,000, or both. Kosrae state's law prohibits all forms of trafficking and prescribes penalties of 10 years' imprisonment or fines not exceeding the equivalent of approximately $20,000, or both. Yap state's law prohibits all form of trafficking and prescribes penalties of up to 15 years' imprisonment or fines not exceeding the equivalent of approximately $1 million dollars, or both. Penalties in each of these four states are sufficiently stringent and commensurate with penalties prescribed for other serious offenses.

During the reporting period, the government reported conducting three investigations of suspected sex trafficking offenses involving Micronesians, compared to zero in 2012. In December 2013, it initiated one prosecution, a case from 2009, compared to zero in 2012, against a Micronesian man on eight counts of criminal deprivation of civil rights, including involuntary servitude for aiding and abetting the forced labor and prostitution of eight Chuukese females. The case remained pending at the close of the reporting period. The government did not convict any traffickers under the new anti-trafficking laws.

In 2013, the Secretary of the Department of Justice (DOJ) provided anti-trafficking training to 22 national and state police, immigration, and customs officers. The DOJ, in collaboration with a foreign-funded organization, also provided human trafficking advocacy training to the Attorney General's Offices of all four states. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking.

PROTECTION

The FSM government demonstrated inadequate efforts to identify and protect victims of trafficking. It did not identify any new trafficking victims within the country and did not develop or implement a system to identify victims of trafficking among vulnerable groups, such as foreign workers or women and children in prostitution. The government made no efforts to refer trafficking victims to services or allocate resources to provide such services. The government reported that any identified trafficking victims would have access to limited social services, such as the mental health program at a hospital in Kosrae state and legal assistance provided to victims of general crime through the public defenders offices at the national and state level; no victims received these services in 2013. FSM officials did not provide legal alternatives to the removal of foreign trafficking victims to countries where they may face hardship or retribution, or incentives to participate in trials. There were no reports of potential trafficking victims being punished for crimes that they committed as victims of trafficking; however, the government identified no victims.

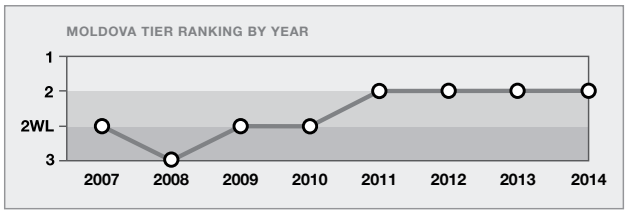
PREVENTION

The FSM government increased efforts to prevent trafficking through a heightened public awareness campaign. President Mori highlighted the importance of a Pacific regional response to combat trafficking and committed the country to make efforts to fight modern slavery. He declared January 22 as the National Trafficking Day and launched a trafficking awareness campaign in all four states. As part of this campaign, the government allocated the equivalent of approximately $75,000 to draft and enact a national plan of action to combat trafficking, hold a nationwide anti-trafficking poster contest for high school students, educate more than 3,000 high school and 60 college students, create public service announcements, and conduct community-based discussions on trafficking; these efforts took place in early 2014. DOJ and the National Police met with Pohnpei state traditional leaders to discuss ways the traditional leaders could be involved in anti-trafficking efforts. The Pohnpei Migrant Resource Center continued to provide anti-trafficking training to 250 representatives of national and state law enforcement, local churches, and women's groups, and to 5,300 students in all four states. The FSM government provided the equivalent of approximately $190,000 to IOM and the Chuuk state government to establish a second Migrant Resource Center. While the government did not develop or disseminate campaigns aimed at reducing the demand for commercial sex acts, it met with agents and owners of foreign fishing companies to discuss implications of labor trafficking.

MOLDOVA (Tier 2)

Moldova is primarily a source country for men, women, and children subjected to sex trafficking and forced labor. Moldovan victims are often subjected to sex trafficking and forced labor within Moldova and in Russia, Turkey, the "Turkish Republic of Northern Cyprus," Greece, United Arab Emirates, Kosovo, Kazakhstan, Lebanon, Italy, Spain, Ireland, Poland, Switzerland, Israel, Thailand, Germany, Denmark, and Czech Republic. Women and minors are subjected to sex trafficking in Moldova through brothels, saunas, and massage parlors. Moldovan men are subjected to forced labor in agriculture and construction in Ukraine and Russia. Moldovan women are subjected to forced labor in agriculture in Ukraine. Traffickers used fraud, debt bondage, and withholding of documents and wages to compel victims into sex trafficking and forced labor in other countries. Boys were subjected to sex trafficking in Moldova, and girls were subjected to sex trafficking both within the country and transnationally. Foreign tourists, including those from Norway, Italy, Germany, Sweden, Denmark, Thailand, Australia, Israel, and the United States, subjected Moldovan children to commercial sexual exploitation, using the Internet as a tool for recruitment and exploitation. The separatist Transnistria region is outside the central government's control and remained a source for victims of both sex trafficking and forced labor.

The Government of Moldova 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 center continued to implement major reforms that have improved the response to trafficking; added two prosecutors to the anti-trafficking section of the Prosecutor General's Office; and made permanent the secretariat for the national committee for combating trafficking in persons. However, corruption has increased within the judicial sector, including the Supreme Court; shelters had little security, and victims and witnesses participating in trial were threatened. Court hearings were frequently delayed and prosecutors did not maintain regular contact with the victims.



RECOMMENDATIONS FOR MOLDOVA:

Vigorously investigate, prosecute, and convict trafficking offenders and ensure offenders are sentenced according to the severity of their crimes with penalties prescribed for trafficking, including complicit officials in the judicial sector; monitor outcomes of sentencing and appeals within the judiciary to ensure convicted traffickers are held accountable; demonstrate vigorous efforts to convict and sentence government officials complicit in human trafficking; protect victims and witnesses and take additional measures to ensure that victims of trafficking are assisted during pre-trial and court proceedings, and capture victim testimony prior to trial, to the extent allowable by law; reform the criminal procedure code to allow for the wiretapping of suspected traffickers without prior notification; pursue financial investigations of suspected traffickers; increase prosecutions for witness tampering; make full use of the available

measures to protect victims and witnesses; continue to train police, judges, and prosecutors on victim-centered approach to investigations; ensure that all victims have access to legal assistance and representation, and inform victims of the right to compensation for damages suffered in accordance with Moldova's criminal code; enhance efforts to identify victims and potential victims of trafficking among unaccompanied and separated children, children placed in institutions, and other vulnerable children.

PROSECUTION

The Government of Moldova sustained law enforcement efforts by redirecting them to focus more on complex trafficking networks; while this reform resulted in fewer investigations, prosecutions, and convictions, it also improved the quality of the law enforcement response to trafficking. Corruption in the judicial system regularly hindered the successful conviction and sentencing of traffickers. The law prohibits all forms of both sex and labor trafficking through Articles 165 and 206 of the criminal code. Prescribed penalties under these articles are five to 20 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In 2013, the Criminal Code and the Criminal Procedure Code were amended to provide new definitions for the crimes of pimping and organizing of begging to better distinguish these crimes from the crime of trafficking in persons. The amendments also provide for harsher penalties for non-aggravated trafficking in human beings of six to 12 years' imprisonment and trafficking in children of 10 to 12 years' imprisonment; criminalized the use of the results of labor or services of a person who is a victim of trafficking in persons, as well as provides for better protection measures for the participants in the criminal proceedings, including victims. The government reported 155 trafficking investigations in 2013, a decrease from 171 in 2012. Authorities prosecuted 51 suspected trafficking offenders in 2013, a decrease from 65 in 2012; eight were for child trafficking. The government convicted 25 trafficking offenders in 2013; four of the convictions were for child trafficking. This was a decrease from a total of 35 convictions in 2012. Sentences ranged from six months' to 20 years imprisonment. Sentences for trafficking of children in 2013 ranged from 11 to 17 years' imprisonment. Corruption within the judiciary remained a problem; the judiciary often applied sentences that did not correspond with the severity of the crime, and sentenced convicted traffickers to only fines or commuted prison terms.

The anti-trafficking center continued to implement major reforms that have improved the response to trafficking. The government added two prosecutors to the anti-trafficking section of the Prosecutor General's Office. The anti-trafficking center had a budget of the equivalent of approximately $299,570 with a staff of 35 police officers in Chisinau and eight officers in regional divisions. The government assigned seven prosecutors to the anti-trafficking center to focus solely on investigating and prosecuting trafficking cases. NGOs reported that the police officers were professional and adopted a victim-centered approach to investigations. Cooperation among government institutions at times was poor, and some key institutions in the fight against trafficking continued to suffer from a lack of resources. There were allegations of corruption in the trafficking center's investigative section. Of the criminal investigations against 12 public officials initiated in 2012 for complicity, one resulted in a conviction and was sentenced to 13 years' imprisonment for using his position to recruit at least 15 women for sex trafficking. In 2013, one officer was removed for allegedly offering to drop a trafficking case for a fee. In another case, an officer was prosecuted for allegedly accepting a bribe to convince his colleagues to close the investigation of a trafficking case; the case is pending trial. In June 2013, the Supreme Court overturned the conviction of the head of a child trafficking ring and released him on grounds that experts deemed baseless. The government has since filed an appeal of that decision. The government, in cooperation with civil society partners, organized nine training sessions for over 100 law enforcement officers and 400 police cadets on combating trafficking, investigating trafficking-related crimes, and interviewing victims and witnesses. The government trained 10 judges and 10 prosecutors on the investigation of trafficking cases. The anti-trafficking center participated in joint trafficking investigations with the United States, Russia, Germany, Ukraine, Greece, and Turkey.

PROTECTION

The government maintained efforts to protect victims of trafficking in 2013. The number of victims identified decreased. There continued to be a lack of resources and services for victims. Legal and psychological services for victims remained insufficient. The government identified 262 new victims of trafficking, a decrease from 289 victims identified in 2012. Of the 262 victims identified, the government assisted 105 victims; the vast majority were women, but the victims also included 13 male and 13 child victims. Of the 289 victims, NGOs reported assisting 92 victims, 26 of whom were child victims; the rest declined assistance. The national referral system continued to be successful and functioned in all regions of Moldova in coordination with law enforcement, schools, health service workers, social service workers, and NGOs. Multidisciplinary teams were set up at the regional level in order to coordinate a systematic approach to the identification, protection, and assistance of potential victims of trafficking.

All adult trafficking victims were housed at rehabilitation shelters and had the freedom to come and go. Child victims were placed with relatives, in foster care, or in rehabilitation clinics that provided specialized medical and psychological care. The rehabilitation system continued to provide comprehensive assistance to victims, including medical, legal, financial, psychological, educational, and other benefits. Both long-term and short-term shelter was available, and the government offered financial assistance for reintegration, including housing and allowances for victims. The government, in cooperation with an NGO, repatriated Moldovan victims identified abroad. The government spent the equivalent of approximately $9,000 in 2013 to repatriate victims, compared with the equivalent of approximately $5,000 in 2012. Victims also received identification documents free of charge. In 2013, the government continued to fully fund a specialized short-term rehabilitation and protection center in Chisinau of the equivalent of approximately $104,000, compared with the equivalent of approximately $93,000 in 2012. In addition, the government funded five regional centers in coordination with NGOs and city governments. This network of care provided medium- and long-term assistance, reintegration, and vocational training. The government provided the equivalent of approximately $373,000 to fund seven shelters for victims of trafficking and domestic violence, an increase from the equivalent of approximately $302,200 in 2012.

The anti-trafficking center actively encouraged victims to assist in the investigation of trafficking offenders by ensuring victims

were supported by NGOs and were provided with adequate services. Victims were free to obtain employment or to leave the country pending trial proceedings; access to assistance was not contingent on cooperation with investigations or prosecutions. NGOs reported that potential victims of child trafficking were questioned by law enforcement in the presence of a psychologist using a specialized "children's room." There were four special interview rooms in use in 2013; the government committed the equivalent of approximately $130,000 to opening six additional rooms around the country. Reportedly, the government did not adequately protect victims. Shelters had little security, and victims and witnesses participating in trial were threatened. Law enforcement resources were inadequate to provide sufficient protection, and corruption undermined their reliability. Prosecutors reportedly did not appropriately prepare victims and witnesses for trial. Court hearings were frequently delayed and prosecutors did not maintain regular contact with the victims. In some cases, victims experienced intimidation in the court rooms, in the presence of police and prosecutors, and were frequently approached by their traffickers and pressured to change their testimony. In 2013, three victims were awarded compensation ranging from the equivalent of approximately $300 to $2,300. However, victims' ability to file suits against their traffickers for restitution was often undermined because the perpetrator must first be recognized as guilty by the criminal court and traffickers reportedly bribe judges to escape punishment. Moldovan law provided residency permits or extensions of permits to foreign or stateless victims of trafficking who are willing to participate in a law enforcement investigation. There were no reports of victims of trafficking being deported during the reporting period. The criminal code of Moldova exempts victims of trafficking from criminal liability for the commission of offenses related to human trafficking. Although victims are afforded by law a reflection period—time in which to recover before deciding whether to cooperate with law enforcement—in practice, authorities rarely provided victims a reflection period due to criminal procedure rules that require prosecutors to press charges within strict time limits. As a result, victims' rights were not always respected. The government was unable to combat trafficking in the separatist region of Transnistria, which is outside the control of the central government. Transnistrian victims received full support and assistance from Moldovan shelters, but law enforcement cooperation is rare, informal, and inadmissible in court.

PREVENTION

The government increased efforts to prevent trafficking in persons during the year by making permanent the secretariat for the national committee for combating trafficking in persons, and increased its staff to four members. The secretariat was responsible for coordinating the government's anti-trafficking response. In September 2013, the secretariat began drafting the 2014-2016 action plan. The secretariat provided training sessions and roundtable discussions to members of the regional commissions, mayors, city councilmen, and local leaders on combating trafficking. The government trained 375 school psychologists and teachers on issues related to victim identification and interview techniques with child victims. The government, in coordination with NGOs, trained 699 professionals on victim identification, current activities in victim identification, and principles of interagency cooperation. In 2013, in partnership with local authorities, the government re-trained more than 700 doctors, social workers, school officials, law enforcement personnel, and NGO representatives on trafficking prevention and combating trafficking. The government prosecuted and convicted Moldovan tourism firms for fraudulently recruiting foreigners and subjecting them to forced labor. Law enforcement revoked the licenses of eight employers for forced labor violations and temporarily suspended nine licenses and annulled ten illegally-issued licenses. The government launched a website dedicated to anti-trafficking featuring resources, information, contacts, reports, and news related to trafficking. The government also hosted a week long awareness-raising campaign centered on European Anti-Traffic Day. More than 120,000 people participated in the National Anti-Traffic Week, including students who attended public debates and lectures on trafficking. The government continued to invest in combating the sexual abuse of children online and the internet recruitment of children for exploitation by establishing a center for combating cyber crime. The government did not demonstrate efforts to reduce the demand for commercial sex acts or forced labor.

MONGOLIA (Tier 2)

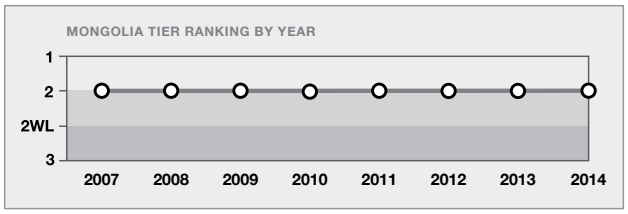
Mongolia is a source and destination country for men, women, and children who are subjected to forced labor, and is a source country for women and children subjected to sex trafficking. Mongolian men, women, and children are subjected to forced labor and women and children are subjected to forced prostitution abroad, including in China, Hong Kong, India, Indonesia, South Korea, Malaysia, the Philippines, Macau, and Singapore. China was the primary source of repatriated Mongolian trafficking victims in 2013. Mongolian men are also subjected to forced labor abroad, reportedly in Turkey, Kazakhstan, the United Arab Emirates, and the Czech Republic. Mongolian women and girls are also subjected to forced prostitution in Sweden. Mongolian women—including some who have been handicapped—are subjected to involuntary domestic servitude or forced prostitution after entering into commercially brokered marriages, often to South Korean or Chinese men. Mongolian girls, trained and employed as contortionists under contracts signed by their parents, are subjected to forced labor and sometimes forced into begging in Mongolia, Hong Kong, India, Singapore, and Turkey.

In Mongolia, women and girls are also subjected to forced prostitution in massage parlors, and girls are vulnerable to commercial sexual exploitation in hotels, bars, and karaoke clubs. Perpetrators sometimes use drugs to lure Mongolian victims into forced prostitution. Traffickers increasingly use social networking sites and online advertisements of job opportunities and English language programs to attract victims. Anecdotal accounts of South Korean and Japanese tourists engaging in child sex tourism in Mongolia have been reported. Mongolian children are forced—often by their parents—to beg, steal, or work in the informal construction, horse races, animal husbandry, mining, agriculture, and industrial sectors.

The number of undocumented Filipina domestic workers in Mongolia, some of whom may be vulnerable to trafficking, has increased in recent years. Approximately 2,500 North Koreans are employed in Mongolia as contract laborers to work in construction, production, agriculture, forestry, fishing, hunting, factory, wholesale and retail trade, automobile maintenance, and mining. North Korean laborers, present in Mongolia through a memorandum of understanding, reportedly do not have

freedom of movement or choice of employment, and received sub-minimum wages while being subjected to harsh working and living conditions.

The Government of Mongolia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In 2013, the government prosecuted four sex trafficking cases involving five defendants and initiated two forced labor trafficking investigations. The government also established an interagency Anti-Trafficking Sub-Council under the Ministry of Justice. The government did not fully implement the 2012 anti-trafficking law for the second consecutive year; the government allocated minimal trafficking-specific funding to conduct anti-trafficking training and provided limited victim assistance and protection. This hindered efforts of law enforcement officers and judicial authorities to successfully prosecute trafficking cases and assist victims.



RECOMMENDATIONS FOR MONGOLIA:

Fully implement the 2012 anti-trafficking law; commence serious efforts to investigate and prosecute labor trafficking cases, including those involving foreign workers; allocate more trafficking-specific government funds to support anti-trafficking activities, including law enforcement and judicial training, and victim assistance and protection; establish formal procedures to guide government officials in victim identification and referral of victims to protective services; train law enforcement officials, judges, and other government officials on how to effectively implement the 2012 anti-trafficking law, including by prosecuting internal trafficking and child (boys and girls) prostitution cases using Article 113; complete drafting and implement the new national plan of action on trafficking in persons; cease penalizing trafficking victims for offenses committed as a result of being trafficked; ensure that North Korean workers employed in Mongolia are not subjected to forced labor; reduce demand for commercial sex acts through proactive awareness campaigns in bus depots and other major transportation hubs; and investigate allegations of child sex tourism in Mongolia.

PROSECUTION

The Government of Mongolia maintained its anti-trafficking law enforcement efforts. Mongolia prohibits all forms of human trafficking through Article 113 of its criminal code. Article 113, which defines trafficking in accordance with international law, prescribes up to 15 years' imprisonment for trafficking offenses, penalties which are sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. A more commonly used statute which does not describe trafficking in persons offenses but is used to prosecute sex trafficking cases, is Article 124 (inducing others to engage in prostitution and organizing of prostitution). It prohibits offenses such as setting up, running, or financing brothels or providing transportation or premises for prostitution, as well as "induced" prostitution, and prescribes up to five years' imprisonment. Inducing a child into prostitution is a trafficking offense, but with regard to adults, it is only the use of force, fraud, or coercion that renders the crime of sex trafficking. Due to a general misconception that only girls can be victims of sexual exploitation, Article 113 is rarely used to prosecute sex trafficking cases involving boys; those cases that have reached trial have been charged under Article 125 (unnatural sexual gratification), which prescribes up to five years' imprisonment and carries no aggravating penalties.

In 2013, the government investigated seven sex trafficking cases, prosecuted four cases involving five defendants, and convicted five offenders as compared to six convictions obtained in 2012. Four traffickers received sentences between three and five years' imprisonment; one trafficker received a sentence of eight to 10 years' imprisonment. The government obtained no forced labor convictions under Article 113 for four consecutive years; an investigation alleging forced labor remained pending at the end of the year. The State Investigative Agency (SIA) reported that China deported nine Mongolian citizens to Mongolia on trafficking charges. The SIA referred these cases for investigation.

The government did not issue all of the implementing regulations needed to guide law enforcement and judicial authorities on the anti-trafficking law enacted in early 2012. In 2013, the Criminal Police Department's Organized Crime Division and SIA held regular training programs on trafficking investigations for 250 provincial and district law enforcement officers. In early 2014, the Sub-Council held three separate training events for law enforcement officers, prosecutors, and a range of other government and NGO representatives. However, frequent turnover among prosecutors, judges, and law enforcement officers undercut these training efforts and prevented government officials from gaining anti-trafficking expertise. In January 2014, the Law on the Police Service transferred some current responsibilities, including human trafficking, of the National Police Agency to the National Investigative Service (NIS). However, the law to establish the NIS has not yet passed, and the officers responsible for trafficking remained in an organizational limbo. Corruption among prosecutors, judges, and law enforcement personnel remained a significant problem in the country and a barrier to anti-trafficking progress. The Mongolian government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking.

PROTECTION

The Government of Mongolia made limited efforts to protect victims of trafficking. It did not employ systematic procedures for the proactive identification of trafficking victims, though authorities reported identifying 45 victims of forced prostitution in 2013, compared to 56 in 2012. The Mongolian government identified only two victims of forced labor. The Mongolian government provided the Gender Equality Center, an NGO that provided protective services to victims, the equivalent of approximately $4,000; this represents a decrease from the equivalent of approximately $5,000 to $8,000 the government provided two NGOs working on victim protection in 2012. The National Center against Violence (NCAV) reported receiving the equivalent of approximately $42,500 from the Ministry of Population Development and Social Welfare and the Ministry of Justice to renovate one of the NCAV's domestic violence shelters, which could be used for trafficking victims. During the reporting period, NGOs provided protective services to 82 trafficking victims, including shelter for 14 victims. The government did not provide long-term resources to victims of trafficking.

In January 2014, the Law on Victim and Witness Protection went into effect. This law requires the government to provide for the safety and psychological well-being of victims and witnesses during the investigation and prosecution of a crime. It further mandates that victim protection measures be put in place—including physical protection, use of safe houses, protection of victims' identity, and psychological counseling. In 2013, the Ministry of Justice, with an international NGO, administered a legal assistance fund for victims as an interim measure until the Law on Victim and Witness Protection is fully implemented. Several additional pending regulations will mandate the provision of psychological counseling, job assistance, and rehabilitation to victims in Mongolia, and shelter and repatriation funds for Mongolian victims identified abroad. The government reported that the relevant agencies will implement and fund the regulations for the new law; however, Mongolia's 2013 budget did not include any funding to assist trafficking victims support shelters. The law does not provide foreign victims with legal alternatives to repatriation where it would constitute a significant risk of hardship, torture, or death. Victims continued to be punished for unlawful acts committed as a direct result of their being trafficked, including Mongolian children in prostitution who were arrested and detained without screening to determine if third-party adults benefited from their prostitution. Foreign trafficking victims in Mongolia, especially Chinese laborers, were sometimes fined for violating their visa terms and expelled from Mongolia. Mongolian law does not provide incentives for victims to assist in trafficking investigations and prosecutions.

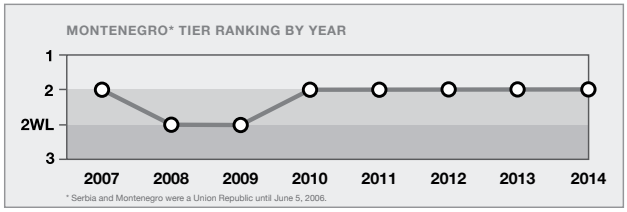
PREVENTION

The Government of Mongolia demonstrated moderate efforts to prevent trafficking. The Anti-Trafficking Sub-Council, the government's coordinating body for anti-trafficking efforts, was reconstituted in January 2013 and worked on revising the national action plan to account for the 2012 anti-trafficking law and judicial sector restructuring. The council, with financial assistance from an international NGO, organized a human trafficking training for journalists. The Ministry of Foreign Affairs (MFA) posted a message warning Mongolian citizens of fraudulent job or educational offers abroad on the MFA website. The National Police Agency, in conjunction with the Ministry of Justice, created an awareness poster and disseminated copies to police departments in all Mongolian provinces and Ulaanbaatar districts. Several ministries partnered to develop 300,000 passport inserts providing travelers the name and contact information of the Criminal Police; these were distributed at major transportation hubs. All 1,300 deployed Mongolian Armed Forces peacekeepers received anti-trafficking training. However, the government made no discernible efforts to prosecute recruiters and brokers, or to investigate the living standards or labor conditions of North Korean contract laborers working in Mongolia. The government did not take any measures to reduce the demand for commercial sex acts or to address child sex tourism in the country.

MONTENEGRO (Tier 2)

Montenegro is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. In previous years, victims of sex trafficking identified in Montenegro were primarily women and girls from Montenegro, Serbia, Macedonia, Bosnia, Kosovo, and to a lesser extent, other countries in Eastern Europe. Victims were subjected to sex trafficking within hospitality facilities, bars, restaurants, night clubs, and cafes. Children of ethnic Roma, Ashkali, and Egyptian descent, displaced families, and other vulnerable children from Montenegro, Kosovo, Bosnia, and Serbia were subjected to forced begging on the streets. There have been reports that ethnic Roma girls from Montenegro, who are often forced into domestic servitude, have been sold into servile marriages in Roma communities in Kosovo. Although uncommon, internationally-organized criminal groups subject Montenegrin women and girls to sex trafficking in other Balkan countries.

The Government of Montenegro does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government increased the anti-trafficking budget, elevated the National Coordinator position from under the Ministry of Interior to an independent agency, assigned a new National Coordinator in September 2013, and convicted more trafficking defendants. The government's law enforcement efforts remained limited; however, it initiated one new investigation and prosecution against a trafficking offender. Victim identification remained inadequate.



RECOMMENDATIONS FOR MONTENEGRO:

Vigorously investigate, prosecute, and convict trafficking offenders, including complicit officials; greatly increase proactive screening of potential victims, especially in vulnerable populations and potential victims of forced labor; develop a multi-disciplinary approach to proactive victim identification and include civil society groups and NGOs in the national referral mechanism; train law enforcement and judiciary officials on a victim-centered approach; continue to train law enforcement and border police on victim identification and trafficking awareness; ensure that police, social workers, and other officials working with high risk populations are trained to proactively identify and refer trafficking victims to services; ensure raids conducted are 'smart' raids to free trafficking victims while minimizing harm to others and include arrangements to segregate traffickers from victims, to conduct victim-centered interviews, to cross-reference victims' accounts, and to quickly transition to post-rescue care and shelter for identified victims; and encourage trafficking victims' participation in prosecutions against traffickers.

PROSECUTION

The Government of Montenegro demonstrated an overall low level of law enforcement efforts in 2013 with regard to trafficking, it investigated and prosecuted one new alleged trafficking offender, and convicted more defendants than in the previous reporting period. Montenegro prohibits sex and labor trafficking through Article 444 of its criminal code, which prescribes penalties of up to 10 years' imprisonment; these penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In 2013, Parliament adopted amendments to the criminal code to include criminalization of slavery and offenses similar to slavery, and to characterize the victim's consent to the intended exploitation as irrelevant. During the reporting

period, the government investigated one new suspected trafficking offender, equal to the number of investigations in 2012, and prosecuted one new defendant, a decrease from 23 defendants in three cases in 2012. The government convicted seven defendants for sex trafficking from cases originally opened in 2010 and 2012, compared to one conviction in 2012. Five defendants received sentences of three years' imprisonment; one was sentenced to two years' imprisonment; and one was sentenced to three years and six months' imprisonment. In January 2014, the Court of Appeals upheld a retrial verdict exonerating three police officers for human trafficking and acquitted six defendants, including the police officers complicit in human trafficking. The government did not report any investigations of government employees complicit in human trafficking offenses.

The government provided training to labor inspectors, approximately 60 regional anti-trafficking offices, police officers, and prosecutors to identify victims of forced labor. During employment reviews, labor inspectors failed to identify any cases of forced labor. The government organized seminars on combating trafficking in persons and victim identification for representatives of law enforcement, prosecution, and judiciary. The Judicial training center organized two trainings for more than 60 judicial representatives on criminal instruments used in transnational crime, including trafficking.

PROTECTION

The government had mixed protection efforts; although it increased funding for anti-trafficking efforts, including fully funding a shelter for victims, victim identification remained inadequate. The government adopted a new Law on Social and Child Protection in May 2013, mandating that persons who are victims of trafficking be offered special protection. The government reported identifying two female potential victims of trafficking in 2013, compared with eight victims identified in 2012. One victim was referred by an NGO and was accommodated in the government shelter. One was a victim of forced labor. The government coordinated with the Government of Serbia for the safe return of another victim who had been transported to Serbia for forced labor. The police organized crime unit, responsible for investigating trafficking cases, conducted regular and numerous anti-trafficking raids in commercial sex sites and bars. Police continued to follow up on tips of trafficking activities and investigated suspicious businesses, escort agencies, and places where undocumented migrants were found, but they failed to find evidence of trafficking. The government continued to fund the SOS hotline for victims of abuse and domestic violence, including trafficking victims. The police and NGOs continued to utilize the referral mechanism to identify potential victims. The government continued to fully fund a jointly-run shelter for trafficking victims that was open to both domestic and foreign victims; male victims were accommodated in separate living quarters in the shelter. Three victims were accommodated in the shelter during the reporting period. Children were accommodated in the shelter separately from adults. Victims had freedom of movement within the shelter, and could leave after an assessment made by police, or by the social welfare centers in the cases of children. Victims and potential victims were provided with free-of-charge protection, medical, psychological, and social assistance, as well as legal advice regarding their status. There was no difference between the treatment or access to care afforded to foreign and domestic victims. The government allocated a budget of the equivalent of approximately $227,000 to the anti-trafficking office, compared with the equivalent of approximately $182,000 in 2012. Approximately half of the funding was directly allocated to anti-trafficking efforts, including trainings and education, the operation of the shelter for victims, salaries for shelter staff, and the SOS hotline. The government encouraged victims to participate in investigations and prosecutions of trafficking offenders by providing free legal assistance and involving a psychologist when taking victims' statements. Seven victims cooperated with investigations in 2013. In practice, few victims have participated in the prosecution of their traffickers. NGOs report that victims often change their statements in favor of the traffickers and prefer not to participate in trial out of fear of reprisal. NGOs reported that the police provided adequate protection to victims at all stages of the legal process. Victims were permitted to leave the country and obtain employment pending trial proceedings. The law provided for the possibility of a victim's restitution, although there were no cases in which a victim requested or obtained restitution. The government had an agreement with NGOs to provide vocational training and reintegration assistance to victims. The government paid for the medical expenses of victims who did not have Montenegrin insurance. The law authorizes extension to foreign victims of a temporary residence permit lasting from three months to one year, although no victims applied for residency during the reporting period. NGOs reported that victims of trafficking were not punished for acts committed as a direct result of being subjected to trafficking. Experts reported that the number of trafficking cases and victims are underestimated, given the general stigma and fear attached to reporting a criminal case. Nevertheless, NGOs reported good cooperation with government agencies on projects and specific tasks from the action plans.

PREVENTION

The government increased prevention efforts by elevating the National Coordinator position from under the Ministry of Interior to an independent agency, giving it wider jurisdiction and influence, and by assigning a new National Coordinator in September 2013. The government had an anti-trafficking strategy for 2012-2018 and an implementation plan for 2012-2013. The strategy and action plan were monitored through semi-annual reports prepared through joint action of government agencies and civil society. The anti-trafficking office had the overall lead and oversight in coordinating anti-trafficking efforts. The head of the office was also the National Coordinator for the anti-trafficking taskforce, comprising members from the government, two NGOs, and the international community, for the purpose of coordinating anti-trafficking efforts. The government maintained a website for all anti-trafficking efforts conducted on the national and local levels. The government in coordination with NGOs organized training for approximately 120 social and health workers, law enforcement officers, the military contingent, and regional officials on victim identification. The government organized training for approximately 30 representatives from civil society and international organizations on indicators for early identification of victims. The government included trafficking awareness classes in elementary and high schools for the prevention and protection of children from becoming victims. In cooperation with international organizations, the government prepared a victim identification checklist that contains all key points of identification of persons and children who may be potential trafficking victims for both sexual and labor exploitation. The scorecards were disseminated widely to all law enforcement agencies, including border police and prosecutors, health and social workers, school directors, and to all institutions that may come in contact with potential victims. The government conducted a national campaign on trafficking awareness, which included a video played on public and commercial television stations, and promoted the SOS hotline.

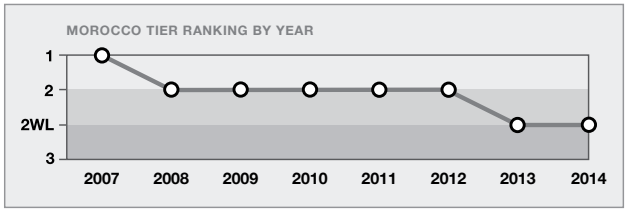
Posters listing the SOS hotline number were displayed at all border crossings. The government printed and distributed flyers and other advertising material with information intended for youth about the risks and dangers of trafficking, prevention methods, and government agency points of contacts. The government did not have a specific demand-reduction campaign targeting a decrease in commercial sex acts or forced labor during the reporting period. The Montenegrin government provided anti-trafficking training to its military personnel prior to their deployment abroad for international peacekeeping missions.

MOROCCO (Tier 2 Watch List)

Morocco is a source, destination, and transit country for men, women, and children who are subjected to forced labor and sex trafficking. Some rural Moroccan girls as young as 6-years-old are recruited to work as maids in cities and become victims of forced labor, experiencing nonpayment of wages, threats, restrictions on movement, and physical, psychological, or sexual abuse; however, an NGO reports that the incidence of child maids has decreased since 2005, in part due to government-funded programs promoted in primary school and awareness programs funded by UN agencies and NGOs. Some Moroccan boys experience forced labor while employed as apprentices in the artisanal and construction industries and in mechanic shops. Some men, women, and children, primarily from sub-Saharan Africa and South Asia, enter Morocco voluntarily, but illegally, with the assistance of smugglers; once in Morocco, some of the women and older girls are coerced into prostitution or, less frequently, forced into domestic service. International organizations and local NGOs report that unaccompanied children and women from Cote d'Ivoire, the Democratic Republic of the Congo, and Nigeria are highly vulnerable to sex trafficking and forced labor in Morocco. Some women from Cote d'Ivoire, the Philippines, and Indonesia are recruited for employment as domestic workers in Morocco; some report being subjected to forced labor, experiencing nonpayment of wages, withholding of passports, and physical abuse at the hands of their employers. Criminal networks operating in the northern border town of Oujda on the Algerian border force undocumented foreign migrant women into prostitution and begging; these networks also reportedly force children into begging. Some female migrants transiting Oujda, particularly Nigerians, are forced into prostitution once they reach Europe. There is some child sex tourism committed by foreigners in major cities in Morocco. Due to conflicts in the region, Morocco experienced a small increase in the number of irregular migrants and asylum seekers in 2013, including from Syria and the Central African Republic; these migrants are vulnerable to trafficking in Morocco.

Moroccan men, women, and children are exploited in forced labor and sex trafficking in Europe and the Middle East. Moroccan women are forced into prostitution primarily in the United Arab Emirates, Bahrain, Jordan, Libya, Syria, and European countries; some of them experience restrictions on movement, threats, and emotional and physical abuse. Recruiters reportedly offer Moroccan men jobs in the Persian Gulf, but seize the victims' passports and subject them to debt bondage after arrival. A few Moroccan men and boys are lured to Europe by fraudulent job offers and are subsequently forced to sell drugs.

The Government of Morocco does not comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these measures, the government did not demonstrate evidence of overall increasing efforts to address human trafficking since the previous reporting period; therefore, Morocco is placed on Tier 2 Watch List. Moroccan law does not prohibit all forms of human trafficking and continued to conflate human trafficking and human smuggling. The government did not demonstrate progress in investigating, prosecuting, convicting, and adequately punishing trafficking offenders and provided limited law enforcement data. It continued to fail to identify or provide adequate protective services to trafficking victims in 2013, and it failed to refer victims of all forms of trafficking to protection services provided by civil society. Furthermore, it did not show progress in screening for trafficking victims among vulnerable groups, especially the sub-Saharan migrant community. It also did not ensure that foreign trafficking victims were not subject to arrest, detention, and deportation.



RECOMMENDATIONS FOR MOROCCO:

Complete drafting and enact legislation that prohibits all forms of trafficking and increases prescribed penalties for forced labor; ensure that victims are not punished for crimes committed as a direct result of being subjected to human trafficking, such as immigration violations; proactively identify trafficking victims, especially among the foreign migrant community, and institute a victim identification and referral mechanism to guide officials in the identification and provision of assistance to trafficking victims; provide additional funds to NGOs that provide specialized services for human trafficking victims, including foreign victims, and refer victims of trafficking to these service providers; significantly increase investigations, prosecutions, and convictions of trafficking offenders, as well as provision of sufficiently stringent penalties for all forms of human trafficking, distinct from human smuggling; significantly improve law enforcement data collection and reporting, including the disaggregation of data between human trafficking and human smuggling crimes; and conduct public awareness campaigns addressing all forms of trafficking and encompassing child sex tourism.

PROSECUTION

The government made little progress in its law enforcement response to human trafficking. Morocco lacks an anti-trafficking law, which remained a serious obstacle to successfully prosecuting human trafficking and contributed to confusion among officials in differentiating human smuggling and human trafficking crimes. Morocco's penal code prohibits forced child labor through Article 467-2, which prescribes punishment of one to three years' imprisonment.

The penal code also prohibits forced prostitution and child prostitution through Articles 497-499, which prescribe punishment of up to 10 years' or life imprisonment for crimes found to have occurred with aggravated circumstances. The penal code does not specifically define and penalize sex trafficking. Article 10 of Morocco's labor code prohibits forced labor of a

worker; this offense is punishable by a fine for the first offense and a jail term of up to three months for subsequent offenses. Penalties for coerced child labor under Article 467 range from one to three years' imprisonment. With the exception of the punishment for aggravated forced and child prostitution, the penalties are generally insufficiently stringent.

The government did not report data on investigations, prosecutions, or convictions of sex and labor trafficking offenders, though it reported general data on trafficking-related crimes. It did not have, nor did it develop, an effective system to collect anti-trafficking law enforcement data. In January 2014, the media reported that the Court of Appeals in Agadir sentenced an employer to 20 years' imprisonment for involuntary homicide of her 14-year-old female maid; the maid died in March 2013 after suffering third degree burns to her face and hands, in what appeared to be a forced labor case. The government, however, did not provide information regarding its investigation or prosecution of this case. The government reported cases of trafficking-related crimes from 2012—the most recent period for which data was available—including exploitation of children for begging and sexual exploitation; however, the government did not provide details of these cases. The government also reported disbanding 63 human smuggling and trafficking networks from January to November 2013; however, it did not provide additional details about this law enforcement action, and it frequently conflated human smuggling and human trafficking. The government reportedly cooperated with the Indonesian government to investigate trafficking allegations made by Indonesian domestic workers in Morocco, but the details of these cases were unclear. The Government of Morocco did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking. A former Moroccan official and his wife were arrested in the United States in March 2014 and charged with immigration offenses and one count of alien harboring for commercial advantage and private financial gain, in connection with allegations that they held a woman in their home as a domestic servant for three years. The government provided multiple training sessions and workshops for judicial, law enforcement, and labor officials on a variety of human trafficking issues. The Ministry of Interior also continued to provide border guards with trafficking awareness training at the Training Institute for Auxiliary Forces.

PROTECTION

The Moroccan government's efforts to protect victims of trafficking were not sufficient; it did not report its identification of and provision of services to all victims of trafficking. The government's provision of services was limited to assisting vulnerable and exploited women and children—some of whom may be trafficking victims. It did not develop or employ systematic procedures to proactively identify victims of trafficking, and it continued to show weak efforts in protecting victims of all forms of trafficking. The government provided limited to no social or protective services, including shelter, to victims of trafficking—especially foreign victims—and it relied heavily on NGOs and charitable organizations to provide such services. The government lacked sufficient and well-trained staff and funding resources to effectively protect victims of trafficking. Some local and international NGOs reported having an active working relationship with local law enforcement officials, who reportedly referred cases of vulnerable women and at-risk children, some of whom may be trafficking victims, to local NGOs for assistance. The government did not provide official statistics on the number of victims of trafficking it identified; however, an international organization reported its identification of 65 victims of trafficking during the reporting period, compared with 36 victims in the previous year. As part of the government's migration policy reforms and regularization program for irregular migrants initiated in this reporting period, it began the process of issuing official status cards and residency permits to refugees and irregular migrants in September 2013. However, some civil society organizations criticized the government for excluding several categories of migrants, including victims of trafficking and unaccompanied minors, through overly restrictive criteria for eligibility for this program. While international organizations and NGOs identified victims of trafficking among the irregular migrant and refugee populations, the government made no attempt to proactively identify victims among these highly vulnerable groups. The government failed to protect trafficking victims from being prosecuted for crimes committed as a direct result of being trafficked. International organizations, NGOs, and civil society groups reported that authorities continued to arrest, detain, and deport illegal foreign migrants, including trafficking victims, through individual arrests and mass raids; authorities often treated foreign victims, especially men, as illegal migrants. International organizations also reported that Moroccan authorities deported undocumented migrants, some of whom may be trafficking victims, back to the Algerian border—oftentimes through violence or threats of violence—with no access to an interpreter, legal services, or communication with the migrants' respective embassies before their deportation. International organizations reported that it was not uncommon for women, including pregnant women, and children to be deported at the Algerian border, many of whom may be unidentified trafficking victims and highly vulnerable to being re-trafficked. The government's migration reform efforts reportedly significantly reduced these deportations of undocumented migrants after September 2013. There was no evidence, however, to suggest that authorities made efforts to identify potential trafficking victims among those who were arrested and deported. As Moroccan authorities allegedly made no distinction between traffickers and victims, these groups were often deported together.

The Ministry of Employment and Social Affairs (MOESA) employed 492 labor inspectors for the entire country, designating 51 to child labor cases. In 2012—the most recent statistics available—MOESA conducted 279 inspections and identified hundreds of child laborers, but inspectors did not identify trafficking victims among this group. The inspectors were hindered by inadequate staffing and did not have the legal authority to enter homes, preventing them from investigating and identifying instances of child labor or trafficking in domestic service situations. The Ministry of Justice operated units that provided social assistance and referrals to police, medical services, and NGOs to women and child victims of crime; these services are reportedly available to foreign and Moroccan trafficking victims, but the government did not provide detailed information on assisted victims in 2013. The government continued to protect child victims of violence, some of whom may be unidentified victims of trafficking, through 75 children reception centers and five child protection centers. These centers and MOJ units, however, lacked adequate personnel and specialized services for trafficking victims, and it is unknown whether any victims of trafficking received services through the units or at these centers. The government reportedly provided assistance to Moroccan trafficking victims overseas through the issuance of travel documents and provision of transportation home; however, the government was unable to provide statistics

for the number of victims it provided such assistance or link any such assistance to subsequent investigations for prosecution. The government did not provide specialized care for repatriated Moroccan victims of trafficking. In coordination with an international organization, the government provided exit visas for over 500 migrants to be repatriated in 2013; an international organization identified 61 of these migrants as trafficking victims. The government reportedly encouraged victims to participate in investigations against trafficking offenders by providing testimony; however, it did not provide evidence that any victims testified in this reporting period. The government did not offer legal alternatives to the removal of foreign victims of trafficking to countries where they might face retribution or hardship. Decree No. 1-11-164 provided greater protections to victims and witnesses that testify against their traffickers, but no information was available as to the application of this law during the reporting period.

PREVENTION

The Moroccan government made some efforts to prevent human trafficking. In September 2013, the government's National Council for Human Rights released a report and recommendations to radically reform Morocco's migration policies, to include changes to policies on human trafficking as they pertain to migration. The report recommended that the government improve its anti-trafficking response, to include conducting a survey of trafficking in Morocco, developing a national plan of action to combat trafficking, establishing an anti-trafficking training program to strengthen law enforcement capacity, and strengthening inter-ministerial cooperation and partnerships with civil society. Immediately after the report's release, according to the media, Moroccan King Mohammed VI stressed that the government must "relentlessly pursue the fight against trafficking and human trafficking networks." In September 2013, the Inter-ministerial Delegation of Human Rights and the Ministry of Justice formed a committee to lead efforts to draft anti-trafficking legislation; this committee reportedly met once a week beginning in September 2013. The government did not implement public awareness campaigns specifically addressing human trafficking in this reporting period. However, the King publicly raised migrants' rights issues and the need for greater cooperation with African countries, from which many vulnerable migrants and trafficking victims in Morocco originate; he also publicly recognized that Morocco is increasingly a country of destination for sub-Saharan migrants. The government reported conducting an unknown number of inspections of private employment agencies that failed to follow employment regulations; however, it did not provide information on the outcomes of such inspections. The government did not take any reported measures to reduce the demand for commercial sex acts, child sex tourism, or forced labor. The government provided training on the issue of sexual exploitation, but not specifically of trafficking in persons, to Moroccan soldiers prior to their deployment abroad on UN peacekeeping missions.

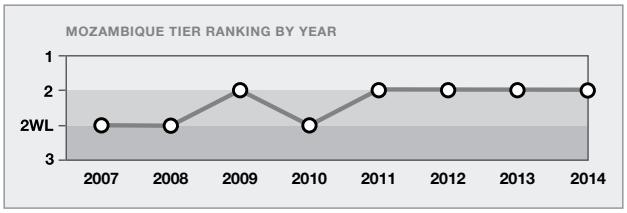
MOZAMBIQUE (Tier 2)

Mozambique is a source, transit, and, to a lesser extent, destination country for men, women, and children subjected to forced labor and sex trafficking. The use of forced child labor is common in agriculture, and market vending, often with the complicity of family members. Women and girls from rural areas, lured to cities in Mozambique or South Africa with promises of employment or education, are exploited in domestic servitude and the sex trade. Mozambican girls are exploited in prostitution in bars, roadside clubs, and restaurants in border towns and overnight stopping points along Mozambique's southern transport corridor that links Maputo, Swaziland, and South Africa. Child prostitution—which is most prevalent in Maputo, Nampula, and Beira—is increasing in Maputo, Beira, Chimoio, and Nacala, cities that have highly mobile populations and large numbers of truck drivers. A UNICEF study released in 2013 reported forced labor and prostitution of migrant Mozambican children in the border town of Ressano Garcia. As workers and economic migrants venture to Tete and Cabo Delgado, taking up employment in the growing extractive industries in the provinces, they serve to increase the demand for sexual services and the vulnerability to exploitation of children in prostitution within the surrounding communities. Some women and girls from Zimbabwe, Swaziland, and Malawi who voluntarily migrate to Mozambique are subsequently subjected to sex trafficking or domestic servitude.

Young Mozambican men and boys are subjected to forced labor on farms, in mines, or as street vendors in South Africa, where they often labor for months without pay and under coercive conditions before being turned over to police for deportation as illegal migrants; at times, Mozambicans return from South Africa to recruit men and boys for these purposes. Mozambican boys migrate to Swaziland for work washing cars, herding livestock, and selling goods; some subsequently become victims of forced labor. Some Mozambican adults and girls are subjected to forced labor and forced prostitution in Angola, Italy, and Portugal. Mozambican or South African trafficking networks are typically informal; larger Chinese and Nigerian trafficking syndicates are reportedly also active in Mozambique. South Asian people smugglers who move undocumented South Asian migrants throughout Africa reportedly transport trafficking victims through Mozambique; recent reports indicate that South Asian citizens and companies in Mozambique pay the initial travel costs of illegal Bangladeshi and Pakistani migrants who they later maintain in bonded labor.

The Government of Mozambique does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government reported continued vigorous prosecution of trafficking offenses, leading the South African Development Community region and providing a strong deterrent to would-be traffickers through significant sentences; one defendant received 19 years' imprisonment for the enslavement of his family members in South Africa. The Attorney General's office continued to serve as the government's *de facto* anti-trafficking lead, by sponsoring the establishment of coordinating bodies, known as "reference groups," in seven provinces—enabling complete national coverage—and continuing its efforts to finalize a national action plan to combat trafficking, including implementing regulations. The government continued its strong cooperation with South African officials by coordinating cross-border meetings and awareness campaigns and, most notably, by supporting case investigations and oversight of victim care in several transnational trafficking cases. The government's provision of protective services remained weak. Despite enactment of a victim protection law and development of a referral mechanism for victims of all crimes in 2012, the government demonstrated limited ability to provide victim services or track the number of victims identified, referred and assisted. The government continued to provide some in-kind

support to an NGO protecting victims, but protection services remained insufficient and sporadic nationwide.



RECOMMENDATIONS FOR MOZAMBIQUE:

Finalize and implement the national action plan, including necessary regulations to implement the protection and prevention provisions of the 2008 anti-trafficking law; develop a formal system to identify proactively trafficking victims among vulnerable populations; build the capacity of the police anti-trafficking unit, the labor inspectorate, and the Women and Children's Victim Assistance Units (GAMC) to investigate trafficking cases and provide short-term protection to victims; expand the availability of protective services for victims via increased funding to the Ministry of Women and Social Action (MMAS) and NGOs; continue training law enforcement officers in victim identification, particularly at border points; monitor the reported growth of commercial sex in Tete and Cabo Delgado provinces and train officials to investigate and prosecute those facilitating child or forced prostitution; investigate reports of official complicity in human trafficking and vigorously prosecute cases against those implicated in trafficking offenses; consider establishment of an inter-ministerial body to coordinate anti-trafficking efforts nationwide; institute a unified system for collecting trafficking case data for use by all stakeholders; and launch anti-trafficking awareness campaigns in additional provinces.

PROSECUTION

The government continued to make strong anti-trafficking law enforcement efforts. The Law on Preventing and Combating the Trafficking of People, enacted in 2008, prohibits recruiting or facilitating the exploitation of a person for purposes of prostitution, forced labor, slavery, or involuntary debt servitude. Article 10 prescribes penalties of 16 to 20 years' imprisonment for these offenses, penalties that are sufficiently stringent and exceed those prescribed for other serious crimes, such as rape.

The government continued compiling anti-trafficking law enforcement data; however, it did not provide details on specific cases or report on the number of investigations and prosecutions initiated in 2013. During the year, two defendants were acquitted and 24 were convicted—roughly equivalent to the 23 convictions obtained in 2012; however, as the 2008 anti-trafficking law includes prohibitions against organ trafficking, which is known to exist in Mozambique, these case totals likely included cases beyond sex and labor trafficking. All sentences included prison terms ranging from 10 months to 19 years. In one case, the Judicial Court of the City of Maputo sentenced one convicted offender to 19 years' imprisonment for transporting his two granddaughters to South Africa for the purpose of prostitution. Despite this case, officials noted that the reporting and trial of cases is often inhibited by the involvement of family members in trafficking schemes.

The government, in partnership with UNICEF, continued to offer a two-week anti-trafficking course at the police training center for all newly recruited police officers, border guards, customs and immigration agents, and rapid intervention (riot) police. In 2013, approximately 5,000 recruits took the course, which covered recognition of trafficking cases, protection of victims, child rights, and child custody law. In addition, 50 judges were trained on trafficking at the Judicial Training Academy. As part of two partially donor-funded trainings, the Attorney General's office organized a May 2013 seminar for 30 prosecutors from across the country on how to prosecute trafficking cases or use other legal provisions if the trafficking offense was not proven. In November 2013, the GAMC organized a week-long session with 40 prosecutors and criminal investigative police on how to improve efforts to respond to trafficking, including case identification and processing techniques. Nonetheless, police investigative techniques, training, capacity, and forensic abilities continue to be weak, particularly outside of the capital. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking or trafficking-related offenses, including those bribed to allow traffickers and smugglers to move persons within the country and across national borders into South Africa and Swaziland. In addition, during the reporting period, allegations arose of prison officials forcing women to provide sex acts in exchange for food and necessary supplies, although officials denied these claims. During the year, the government continued its strong cooperation with South Africa by holding three cross border meetings with officials from South Africa's Mpumalanga provincial anti-trafficking task team to discuss the repatriation of children, including child trafficking victims, and jointly investigating and providing oversight of victim care in an ongoing case being tried in Nelspruit, South Africa.

PROTECTION

The Government of Mozambique maintained limited efforts to protect victims of trafficking. The government lacked formal procedures for identifying potential victims of trafficking and failed to provide detailed information on the number identified and assisted during the year. Government officials continued to rely on NGOs to provide shelter, counseling, food, and rehabilitation to victims, and offered only limited in-kind government support. An NGO managed the country's only permanent shelter for child trafficking victims, with the MMAS funding the shelter staff's salaries and the district of Moamba providing the land. MMAS psychologists at the shelter coordinated both the search for trafficking victims' families and, if necessary, their placement with foster families; in advance of victims' return or placement, they counseled children and families, which were also able to receive government funding on a case-by-case basis. In 2013, two victims repatriated from South Africa received care at this NGO-run shelter and MMAS officials coordinated their return home.

The Interior Ministry's GAMC continued to operate facilities in more than 215 police stations and 22 "Victims of Violence" centers throughout the country that provided temporary shelter, food, limited counseling, and monitoring following reintegration for victims of crime; it is unknown whether trafficking victims received these services during the year. GAMC staff also referred and transported victims to NGOs or foster families for longer-term assistance. The Institute for Judicial Support offered legal assistance to abused women and children, but did not provide such assistance to trafficking victims during the year. In 2013, the Ministry of Justice drafted an action plan, to guide the efforts of the Central Office for the Protection of Victims and outline implementation of the 2012 Law on the Protection

of Witnesses and Victims of All Crimes; such efforts would include trafficking victims and those who cooperate with law enforcement in the investigation and prosecution of human trafficking cases. The Multi-Sectoral Mechanism on Integrated Care for Women Who are Victims of Violence, approved in 2012, outlined the role of each ministry in providing assistance to victims of violence, including trafficking victims; however, this would not cover male trafficking victims. The government did not report improvements in its efforts to assist victims as a result of the new provisions in either the 2012 law or multi-sectoral mechanism and remained unable to collect data on victim service provisions.

The government encouraged victims to assist in the investigation and prosecution of trafficking offenders. For example, Mozambican police cooperated with South African officials in the investigation of a trafficking case discovered in the previous reporting period, and the Mozambican Attorney General's office—in their *de facto* leadership role—worked with South African authorities to provide adequate protection of the victims who remained under their care in support of the ongoing investigation. The government did not provide temporary residency status or legal alternatives to the removal of foreign victims to countries where they might face hardship or retribution and it continued to deport foreign nationals without screening them for possible trafficking victimization. NGO contacts reported no instances of trafficking victims having been detained, fined, or jailed for unlawful acts committed as a result of having been trafficked, and the 2008 anti-trafficking act exempted victims from prosecution for such acts. Nevertheless, the lack of formal identification procedures impaired the government's ability to ensure that no trafficking victims were inadvertently penalized.

PREVENTION

The government maintained its strong efforts to prevent trafficking in persons with the establishment of coordinating bodies in seven provinces and organization of several awareness-raising events. The Attorney General's office worked with the Ministry of Justice to draft a national action plan on trafficking in persons, which will outline the roles of all stakeholder ministries and have the same effect as implementing regulations. The government had not finalized the plan and submitted it for approval by the Council of Ministers at the end of the reporting period. Although the government lacked a single national body to coordinate anti-trafficking efforts across ministries, the Attorney General's office continued to demonstrate leadership in overseeing national anti-trafficking efforts. For example, in 2013, the Attorney General's office partnered with provincial governments and sponsored the establishment of inter-ministerial "reference groups" in seven provinces consisting of provincial officials, police, border guards, social workers, NGOs, and faith-based organizations. The reference groups coordinated regional efforts to address trafficking, domestic violence, and child abuse crimes. In 2013, reference groups in Nampula, Xai-Xai, and Ressano Garcia organized awareness campaigns, with prosecutors and police participating in marches through the regional capitals, reaching hundreds of community members. During the year, the GAMC formed trafficking interest groups in select schools in Maputo to carry out awareness activities for more than 3,500 teachers, students, and parents on preventing trafficking in persons. Although the Ministry of Labor acknowledged that child labor is pervasive and often abusive, it employed an inadequate number of labor inspectors, who lacked training and resources to adequately monitor for child trafficking and other labor violations, especially on farms in rural areas. The government did not make an effort to reduce the demand for commercial sex acts during the year.

NAMIBIA (Tier 2 Watch List)

Namibia is predominantly a country of origin and destination for children and, to a lesser extent, women subjected to forced labor and sex trafficking. Some victims are initially offered legitimate work for adequate wages, but eventually experience forced labor in urban centers and on commercial farms. Traffickers exploit Namibian children within the country in forced labor in agriculture, cattle herding, and domestic service, as well as prostitution in Windhoek and Walvis Bay. Foreign nationals from southern Africa and Europe are among the clientele of children in prostitution. Namibians commonly house and care for children of distant relatives in order to provide expanded educational opportunities; however, in some instances, these children are exploited by their relatives in forced labor. Among Namibia's ethnic groups, San girls are particularly vulnerable to forced labor on farms or in homes, and to a lesser extent, are exploited in prostitution. Children from Angola, Zambia, and Zimbabwe are subjected to prostitution, forced labor in the fishing sector, or forced labor in organized street vending in Windhoek and other cities. In particular, Angolan children may be brought to Namibia for forced labor in cattle herding or forced to sell drugs. During the year, there were reports of Angolan women in forced prostitution in Namibia and a Namibian national was identified as a trafficking victim in South Africa. There were reports of exploitative labor—perhaps including forced labor—involving foreign adults and Namibian adults and children in Chinese-owned retail, construction, and fishing operations.

The Government of Namibia does not fully 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 compared to the previous year; therefore, Namibia is placed on Tier 2 Watch List for a third consecutive year. Namibia 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 it has committed to devoting sufficient resources to implement that plan. In 2013, the government investigated four suspected trafficking cases, continued prosecution of two suspected sex trafficking offenders initiated in the previous reporting period, and developed an initial draft of anti-trafficking legislation. Officials discovered 14 potential victims, provided shelter for two, and provided financial assistance to an NGO that assisted two others. The government, however, failed to initiate any new prosecutions during the year and has never convicted a trafficking offender. Some Namibian officials continued to demonstrate a reluctance to acknowledge trafficking and incorrectly insist that transnational movement is a defining element of trafficking crimes. The government failed to fully institute formal victim identification and referral processes, leading to the possible penalization and deportation of potential victims in 2013. In addition, despite its efforts to renovate buildings and designate places of safety in each province for victims of gender-based violence, including trafficking, the government left such facilities understaffed and under capacitated to fulfill their intended mission. Lack of effective inter-ministerial