

# TRAFFICKING IN PERSONS REPORT



JUNE 2004



Dear Reader:

The fourth annual Trafficking in Persons Report reflects the growing concern of the President, Members of Congress, and the public over the serious human rights, health, and security implications of human trafficking around the world.

One way this concern has been expressed is through the enactment of the Trafficking Victims Protection Reauthorization Act of 2003 (TVPRA), which amends the Trafficking Victims Protection Act of 2000. Among other things, the TVPRA strengthens the tools U.S. law enforcement authorities use to prosecute traffickers and enhances assistance to victims of trafficking. It also requires the Department of State to scrutinize more closely the efforts of governments to prosecute traffickers as well as evaluate whether our international partners have achieved appreciable progress over the past year in eliminating trafficking in persons.

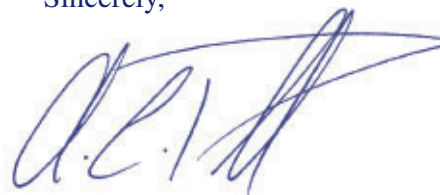
This report represents the collective work of our embassies, as well as foreign governments and NGO partners throughout the world who are committed to ending the scourge of slavery. We intend to use it as a guide in our efforts in the coming year to combat the trafficking of persons around the globe through improved laws, regulation, monitoring, enforcement, and the protection of victims.

This year's report focuses more attention on sex tourism and the demand it creates for children exploited by traffickers in commercial sex settings. The United States plays a leading role in fighting sex tourism by identifying and prosecuting our own nationals who travel abroad to engage in commercial sex with children. Through the PROTECT Act of 2003, American pedophiles who prey on foreign children around the globe for commercial sex are no longer beyond the reach of U.S. prosecution. I call on like-minded governments to join in the effort to prosecute these pedophiles through the application of similar laws.

The trafficking of people is, as President Bush stated at the opening of the UN General Assembly in September 2003, "a special kind of evil in the abuse and exploitation of the most innocent and vulnerable."

By reading this report, you contribute to the global awareness of the phenomenon of modern-day slavery. Together we can bring an end to the shadow it has cast on too many lives.

Sincerely,



Colin L. Powell





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### VICTIM PROFILES

*The victims' testimonies included in the report are meant to be representative only and do not include all forms of trafficking that occur. Any of these stories could unfortunately take place almost anywhere in the world. They are provided to illustrate the many forms of trafficking and the wide variety of places in which they take place. No country is immune. All names of victims that appear in this report are fictional. The photographs on this Report's cover and most uncaptioned photographs in the Report are not images of confirmed trafficking victims, but are provided to show the myriad forms of exploitation that help define trafficking and the variety of cultures in which trafficking victims can be found.*

## INTRODUCTION

**A** REBEL GROUP IN THE DEMOCRATIC REPUBLIC OF THE CONGO RECRUITED NATALIA WHEN SHE WAS 12: “One day, rebels attacked the village where I lived. I hid and watched as they killed my relatives and raped my mother and sisters. I thought if I joined their army, I would be safe. In the army I was trained to use a gun and I performed guard duty. I was often beaten and raped by the other soldiers. One day, a commander wanted me to become his wife, so I tried to escape. They caught me, whipped me, and raped me every night for many days. When I was just 14, I had a baby. I don’t even know who his father is. I ran away again but I have nowhere to go and no food for the baby. I am afraid to go home.”



◀ This boy along with 3 other children were detained at the international airport in El Salvador with an alleged child trafficker carrying fake passports for the children.



### What is the purpose of the 2004 Trafficking in Persons (TIP) Report?

The State Department is required by law to submit a report each year to the Congress on foreign government efforts to eliminate severe forms of trafficking in persons. This June 2004 report is the fourth annual TIP Report. Although country actions to end human trafficking are its focus, the report also tells the painful stories of the victims of human trafficking—21st century slaves. This report uses the term “trafficking in persons” which is used in U.S. law and around the world, and that term encompasses slave-trading and modern-day slavery in all its forms.

We cannot truly comprehend the tragedy of trafficking in persons, nor can we succeed in defeating it, unless we learn about its victims: who they are, why they are vulnerable, how they were entrapped, and what it will take to free them and heal them. In assessing foreign government efforts, the TIP Report highlights the “three P’s” of prosecution, protection, and prevention. But a victim-centered approach to trafficking requires us equally to address the “three R’s” – rescue, removal, and reintegration. We must heed the cries of the captured. Until all countries unite to confront this evil, our work will not be finished.

More than 140 years ago, the United States fought a devastating war to rid our country of slavery, and to prevent those who supported it from dividing the nation. Although we succeeded then in eliminating the state-sanctioned practice, human slavery has returned as a growing global threat to the lives and freedom of millions of men, women, and children.

No country is immune from human trafficking. Each year, an estimated 600,000-800,000 men, women, and children are trafficked across international borders (some international and non-governmental organizations place the number far higher), and

the expansion of international crime syndicates, foster government corruption, and undermine the rule of law. The United Nations estimates that the profits from human trafficking rank it among the top three revenue sources for organized crime, after trafficking in narcotics and arms.

The modern-day slave trade is a multidimensional threat to all nations. In addition to the individual misery wrought by this human rights abuse, its connection to organized crime and grave security threats such as drug and weapons trafficking is becoming clearer. So is the connection to serious public health concerns, as victims contract



the trade is growing. This figure is in addition to a far larger yet indeterminate number of people trafficked within countries. Victims are forced into prostitution, or to work in quarries and sweatshops, on farms, as domestics, as child soldiers, and in many forms of involuntary servitude. The U.S. Government estimates that over half of all victims trafficked internationally are trafficked for sexual exploitation.

Millions of victims are trafficked within their home countries. Driven by criminal elements, economic hardship, corrupt governments, social disruption, political instability, natural disasters, and armed conflict, the 21st century slave trade feeds a global demand for cheap and vulnerable labor. Moreover, the profits from trafficking fund

illnesses and diseases, whether from poor living conditions or from forced sex, and are trafficked into new communities. A country that elects to downplay its human trafficking problem in favor of other pressing concerns does so at its peril. Immediate action is desperately needed.

*KATYA, WITH A TWO-YEAR-OLD DAUGHTER and a failing marriage in the Czech Republic, followed the advice of a "friend" that she could make good money as a waitress in the Netherlands. A Czech trafficker drove her along with four other young women to Amsterdam where, joined by a Dutch trafficker, Katya was taken to a brothel. After saying "I will not do this," she was told,*

*“Yes you will if you want your daughter back in the Czech Republic to live.” After years of threats and forced prostitution Katya was rescued by a friendly cab driver. Katya is now working at a hospital and studying for a degree in social work.*

In 2000, the Congress passed and the President enacted the Trafficking Victims Protection Act (22 U.S.C. 7101 et seq.) (TVPA), recently amended by the Trafficking Victims Protection Reauthorization Act of 2003 (Public Law 108-193). The TVPA seeks to combat

human trafficking by punishing traffickers, protecting victims, and mobilizing U.S. government agencies to wage a global anti-trafficking campaign. The TVPA, as amended, contains significant mandates for the Departments of State, Justice, Labor, Homeland Security, Health and Human Services, and the U.S. Agency for International Development.

This report is mandated by the TVPA and is intended to raise global awareness and spur foreign governments to take effective actions to counter trafficking in persons. The report has increasingly focused the efforts of a growing community of nations

Magar was one of thousands of Nepali girls who were trafficked into Indian brothels to work as prostitutes. She escaped that life and returned home. Now Magar works at the border checking every vehicle that passes for trafficking activity.



### BUYING A VICTIM'S FREEDOM

Perhaps one of the more repugnant aspects of modern-day slavery is the commodification of human lives: the assignment of a monetary value to the life of a woman, man or child. Whether in an Indian brothel or a Sudanese slave camp, a price is placed on a victim's freedom.

Organizations and individuals seeking to rescue victims have sometimes opted to buy their freedom. Paying this ransom brings instant results. A victim is freed from the bonds of slavery. Yet the implications of this practice are more complicated.

If victims are freed from a brothel by an organization or individual, the trafficker can, using the proceeds from the sale, find new victims to perform the same service. It is difficult to determine whether there has been a net reduction in the number of victims. In any event, the enslavement may continue without any cost or punishment to the trafficker or exploiter.

A more lasting and effective way to secure a victim's freedom is through the application of law: holding traffickers and the exploiters of trafficking victims accountable under criminal justice systems. Through raids that rescue victims without monetary compensation, and arrests of those who enslave, judicial tools extract a high price from the merchants of this heinous trade. Applying criminal laws also provides society with a measure of justice, which is why U.S. law places a priority on governments criminalizing and punishing forms of trafficking in persons.



to share information and to partner in new and important ways to fight human trafficking. A country that fails to take significant actions to bring itself into compliance with the minimum standards for the elimination of trafficking in persons receives a negative assessment in this report. Such an assessment could trigger the withholding of non-humanitarian, non-trade-related assistance from the United States to that country.

We have much to learn about the scope and nature of human trafficking. We have tried in this report to point out areas where information is sparse and to raise issues that merit further investigation. Within these

constraints, the 2004 TIP Report represents an up-to-date and comprehensive look at the nature and scope of modern-day slavery, and the broad range of actions being taken in the global campaign for its elimination.

As a consequence of the TVPA and this annual report, strong leadership, enhanced government efforts, and increased attention from international organizations and NGOs, we are entering a new era of cooperation. Nations are increasingly working together to close down trafficking routes, prosecute and convict traffickers, and protect and reintegrate trafficking victims. We hope this report inspires even greater progress.



◀ *After a failed attempt to escape to Brazil, Dilaver Bojku, the suspected leader of a sex-trafficking ring in Macedonia is escorted by special police officers in Macedonia.*

## CORRUPTION INHIBITS PROGRESS ON TRAFFICKING

Government corruption is a major impediment in the fight against trafficking for many countries. The scale of government corruption relating to trafficking in persons can range from localized to endemic. Countries facing such official corruption need to develop effective tools with which to tackle the problem. Some anti-corruption practices that have been effectively used by Central and Eastern European countries to bolster the fight against human trafficking include: performing psychological testing of law enforcement officers, including tests for stability, intelligence, character, ethics, and loyalty; requiring mandatory ethics briefings; issuing standard identification badges; conducting random integrity tests; distributing and using best practices manuals; randomly checking officials' personal belongings and cash; publicizing anonymous anti-corruption hotlines; rotating personnel, particularly at high volume border checkpoints; increasing wages; giving performance incentive awards; providing training to help personnel to better understand the importance of their work; requiring an oath of service; and, instituting routine administrative checks, for example, of immigration records.

*DENG, IN HER LATE 20'S, WAS RECRUITED in her native Thailand to travel voluntarily to Australia where she was told she could make lots of money as a prostitute. Upon arrival in Australia, however, she was met by traffickers who took away her passport and locked her in a house. She was told that she would have to pay off a debt of over \$30,000 by servicing 900 men. She was given little food to eat and was forcibly escorted to a brothel seven days a week, even when she was sick. She was told that if she tried to escape, criminal allies of the trafficking ring*

ments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs.

Many nations misunderstand this definition, overlooking internal trafficking or characterizing any irregular migration as trafficking. The TVPA addresses “severe forms of trafficking,” defined as:



*would catch her. Deng's exploitation ended when Australian Immigration officials raided the brothel in which she was enslaved.*

### What is trafficking?

The United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, defines trafficking in persons as:

the recruitment, transportation, transfer, harboring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of pay-

- a. sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age; or
- b. the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

These definitions do not require that a trafficking victim be physically transported from one location to another. They plainly apply to the recruitment, harboring, provision, or obtaining of a person for the enumerated purposes.

### What is the human and social toll of trafficking?

Victims of human trafficking pay a horrible price. Physical and psychological harm, including disease and stunted growth, often has permanent effects, ostracizing trafficking victims from their families and communities. Trafficking victims often miss critical opportunities for social, moral, and spiritual development. In many cases the exploitation of trafficking victims is progressive: a child trafficked into one form of labor may be further abused in another. In Nepal, girls recruited to work in carpet factories, hotels, and restaurants have been forced later into the sex industry in India.

guage, compounding the psychological damage from isolation and domination.

Ironically, the human capacity to endure unspeakable hardship and deprivation leads many trapped victims to continue to work, hoping for eventual freedom.

*TINA, A TEENAGER FROM A RURAL Indonesian village, incurred hundreds of dollars in debt for four months of domestic service training and board at an Indonesian migrant labor center. From there Tina, like many other Indonesian girls, was transported to Malaysia, believing she would work as a*



◀ *Beninese child laborers are handed over to the Beninese authorities in Krake. Skin broken and hands callused from months of hauling granite, 74 child laborers as young as 4 underwent emergency medical treatment after their rescue from traffickers who had sold them in Nigeria.*



In the Philippines, and in many other countries, children who initially migrate or are recruited for the hotel and tourism industry, often end up trapped in brothels. A brutal reality of the modern-day slave trade is that its victims are all too often bought and sold many times over.

Victims forced into sex slavery are often subdued with drugs and suffer extreme violence. Victims trafficked for sexual exploitation suffer physical and emotional damage from premature sexual activity, forced substance abuse, and exposure to sexually transmitted diseases including HIV/AIDS. Some victims suffer permanent damage to their reproductive organs. Moreover, the victim is typically trafficked to a location where he or she cannot speak or understand the lan-

*maid for a Malaysian couple. Forced to work up to 15 hours a day in a family business where she slept on the floor, Tina was told her salary would be withheld until she finished her two-year contract. After many instances of physical abuse, she sought refuge at a victims' shelter of a Malaysian NGO. Tina has filed a complaint with the police against her employer and has been given an extension of her immigration visa in order to pursue her case in Malaysia.*

**Trafficking in Persons Is a Human Rights Violation.** Fundamentally, trafficking in persons violates the universal human right to life, liberty, and freedom from slavery in all its forms. Trafficking of children under-

## THE FACTS ABOUT CHILD SEX TOURISM

The commercial sexual exploitation of children affects millions of children each year, in countries on every continent. One form of this exploitation is the growing phenomenon of Child Sex Tourism (CST). Persons who travel from their own country to a foreign country to engage in a commercial sex act with a child commit CST. The crime is fueled by weak law enforcement, the Internet, ease of travel, and poverty.

Tourists engaging in CST typically travel from their home countries to developing countries. Sex tourists from Japan, for example, travel to Thailand, and Americans tend to travel to Mexico or Central America. “Situational abusers” do not intentionally travel to seek sex with a child but take advantage of children sexually once they are in country. “Preferential child sex abusers” or pedophiles travel for the purpose of exploiting children.

In response to the growing phenomenon of CST, intergovernmental organizations, the tourism industry, and governments have begun to address the issue. World Congresses Against Commercial Sexual Exploitation convened in Stockholm and Yokohama in 1996 and 2001, drawing significant international attention to the issue. The World Tourism Organization established a task force to combat CST and promulgated a Global Code of Conduct for Tourism in 1999. Over the last five years, there has been a worldwide increase in the prosecution of child sex tourism offenses. Today, 32 countries have extraterritorial laws that allow the prosecution of their nationals for crimes committed abroad, regardless of whether the



offense is punishable in the country where it occurred.

Several countries have taken commendable steps to combat child sex tourism. For example, France’s Ministry of Education along with travel industry representatives developed guidelines on CST for tourism school curricula, and state-owned Air France allocates a portion of in-flight toy sales to fund CST awareness programs. Brazil implemented a national and international awareness campaign on sex tourism. Italy requires tour operators to provide information regarding its extraterritorial law on child sex offenses, and nearly every Swedish tour opera-

tor has signed a code of conduct agreeing to educate its staff about CST. Cambodia established police units focused on combating child sex tourism and has arrested and extradited foreign pedophiles. Japan prosecutes its citizens caught having sex with children in other countries.

The United States strengthened its ability to fight child sex tourism last year through passage of the Trafficking Victim Protection Reauthorization Act and the PROTECT Act. Together these laws enhance awareness through the development and distribution of CST information and increase penalties to up to 30 years for engaging in child sex tourism. In the first eight months of “Operation Predator” (a 2003 initiative to fight child exploitation, child pornography, and child sex tourism), U.S. law enforcement authorities arrested 25 Americans for child sex tourism offenses. Overall, the global community is awakening to the horrific issue of child sex tourism and is starting to take important initial steps.

mines the basic need of a child to grow up in a protective environment and the right to be free from sexual abuse and exploitation.

***Trafficking Promotes Social Breakdown.***

The loss of family and community support networks renders the trafficking victim vulnerable to the traffickers' demands and threats, and contributes in several ways to the breakdown of social structures.

Trafficking weakens parental authority, undermines extended family ties, and prevents the nurturing and moral development of children. Trafficking interrupts the passage of knowledge and cultural values from

parent to child and from generation to generation, weakening a core pillar of society. The profits from trafficking often allow the practice to take root in a particular community, which is then repeatedly exploited as a ready source of victims. The fear of becoming a trafficking victim can lead vulnerable groups such as children and young women to go into hiding, with adverse effects on their schooling or family structure. The loss of education reduces victims' future economic opportunities and increases their vulnerability to being trafficked in the future. Victims who are able to return to their communities often find themselves



◀ *An Albanian woman at her home with her son and the television set she was given by the Italian family to whom she gave one of her sons in 1999.*

**STATEMENT OF PRESIDENT GEORGE W. BUSH**  
**Excerpt of Address to the United Nations General Assembly**  
**The United Nations • New York, New York**  
**September 23, 2003**

**T**here's another humanitarian crisis spreading, yet hidden from view. Each year, ...human beings are bought, sold or forced across the world's borders. Among them are hundreds of thousands of teenage girls, and others as young as five, who fall victim to the sex trade. This commerce in human life generates billions of dollars each year—much of which is used to finance organized crime.

There's a special evil in the abuse and exploitation of the most innocent and vulnerable. The victims of the sex trade see little of life before they see the very worst of life—an underground of brutality and lonely fear. Those who create these victims and profit from their suffering must be severely punished. Those who patronize this industry debase themselves and deepen the misery of others. And governments that tolerate this trade are tolerating a form of slavery.

This problem has appeared in my own country, and we are working to stop it. The PROTECT Act,

stigmatized and ostracized, and require continuing social services. They are more likely to become involved in substance abuse and criminal activity.

*NOI CAME FROM A POOR COMMUNITY IN rural Thailand. At 15, seeking to escape rape and sexual abuse in her foster family, she found a foreign labor agent in Bangkok who advertised well-paid waitress jobs in Japan. She flew to Japan and later learned that she had entered Japan on a tourist visa under a false identity. On her arrival in Japan, she was taken to a karaoke bar where the owner raped*

*her, subjected her to a blood test and then bought her. "I felt like a piece of flesh being inspected," she recounted. The brothel madam told Noi that she had to pay off a large debt for her travel expenses. She was warned that girls who tried to escape were brought back by the Japanese mafia, severely beaten, and their debts doubled. The only way to pay off the debt was to see as many clients as quickly as possible. Some clients beat the girls with sticks, belts and chains until they bled. If the victims returned crying, they were beaten by the madam and told that they must have provoked the client.*



which I signed into law this year, makes it a crime for any person to enter the United States, or for any citizen to travel abroad, for the purpose of sex tourism involving children. The Department of Justice is actively investigating sex tour operators and patrons, who can face up to 30 years in prison. Under the Trafficking Victims Protection Act, the United States is using sanctions against governments to discourage human trafficking.

The victims of this industry also need help from members of the United Nations. And this begins with clear standards and the certainty of punishment under laws of every country. Today, some nations make it a crime to sexually abuse children abroad. Such conduct should be a crime in all nations. Governments should inform travelers of the harm this industry does, and the severe punishments that will fall on its patrons. The American government is committing \$50 million to support the good work of organizations that are rescuing women and children from exploitation, and giving them shelter and medical treatment and the hope of a new life. I urge other governments to do their part.

We must show new energy in fighting back an old evil. Nearly two centuries after the abolition of the transatlantic slave trade, and more than a century after slavery was officially ended in its last strongholds, the trade in human beings for any purpose must not be allowed to thrive in our time.

*The prostitutes routinely used drugs before sex “so that we didn’t feel so much pain.” Most clients refused to use condoms. The victims were given pills to avoid pregnancy and pregnancies were terminated with home abortions. Victims who managed to pay off their debt and work independently were often arrested by the police before being deported. Noi finally managed to escape with the help of a Japanese NGO.*

**Trafficking Fuels Organized Crime.** The profits from human trafficking fuel other criminal activities. According to the UN,

human trafficking is the third largest criminal enterprise worldwide, generating an estimated 9.5 billion USD in annual revenue according to the U.S. intelligence community. It is also one of the most lucrative criminal enterprises, and is closely connected with money laundering, drug trafficking, document forgery, and human smuggling. There have also been documented ties to terrorism. Where organized crime flourishes, governments and the rule of law are weakened.

**Trafficking Deprives Countries of Human Capital.** Trafficking has a negative impact



### ABUSE OF “ARTISTIC” OR “ENTERTAINER” VISAS

In many countries, artistic or entertainer visas are obtained to facilitate the movement and exploitation of trafficking victims. Thousands of women are granted these temporary visas in the expectation of legitimate employment in the entertainment or hospitality industries. Such visas are typically granted upon presentation of a work contract or offer of engagement by a club owner, proof of financial resources, and/or medical test results. Employment agencies, often licensed under the laws of the origin and destination countries, play a key role in the deception and recruitment of these women. On arrival at their destination, victims are stripped of their passports and travel documents and forced into situations of sexual exploitation or bonded servitude. Having overstayed or otherwise violated the terms of the visa, victims are coerced by their exploiters with threats to turn them over to immigration authorities.

Governments of countries that issue these types of visas in large numbers, such as (but by no means limited to) Switzerland, Slovenia, Cyprus, and Japan, should recognize that traffickers heavily exploit this mechanism. For example, it is reported that Japan issued 55,000 entertainer visas to women from the Philippines in 2003, many of whom are suspected of having become trafficking victims. Authorities should scrutinize the requirements for issuing these types of visas and implement screening procedures particularly for repeat applicants and sponsors. Awareness campaigns should be conducted in source countries to alert artistic visa applicants to the ploys that traffickers use to lure women into labor exploitation and forced prostitution situations.

## HOW PROSTITUTION FUELS TRAFFICKING

Considerable academic, NGO, and scientific research confirms a direct link between prostitution and trafficking. In fact, prostitution and its related activities, including pimping, pandering, and patronizing or maintaining brothels, contributes to trafficking in persons by serving as a front behind which traffickers for sexual exploitation operate. A Swedish government study revealed that much of the vast profits generated by the global prostitution industry go directly into the pockets of human traffickers. The International Organization for Migration estimates that each year 500,000 women are sold (trafficked) to local prostitution markets in Europe.

Of the 600,000 – 800,000 people trafficked across international borders every year, 70 percent are female and 50 percent are children. The majority of those women and girls fall prey to the commercial sex trade.



◀ *This Vietnamese woman was sentenced to 15 years for sex trafficking of underage girls in Cambodia.*



on labor markets, contributing to an irretrievable loss of human resources. Some effects of trafficking include depressed wages, fewer individuals left to care for an increasing number of elderly persons, and an undereducated generation. These effects further lead to the loss of future productivity and earning power. Forcing children to work 10 to 18 hours per day at an early age denies them access to education and reinforces the cycle of poverty and illiteracy that stunts national development.

### ***Trafficking Undermines Public Health.***

Victims of trafficking often endure brutal conditions that result in physical, sexual and psychological trauma. Sexually transmitted infections, pelvic inflammatory dis-

ease, and HIV/AIDS are often the result of forced prostitution. Anxiety, insomnia, depression, and post-traumatic stress disorder are common psychological manifestations among trafficked victims. Unsanitary and crowded living conditions, coupled with poor nutrition, foster a host of adverse health conditions such as scabies, tuberculosis, and other communicable diseases. Children suffer growth and development problems and develop complex psychological and neurological consequences from deprivation and trauma.

The most egregious abuses are often borne by children, who are more easily controlled and forced into domestic service, armed conflict, and other hazardous forms of work. Children may be subjected to progressive



exploitation, i.e., resold several times and subjected to an array of physical, sexual and mental abuse. This abuse complicates their psychological and physical rehabilitation and jeopardizes their reintegration.

*TANYA'S STORY: "MY FRIEND ORGANIZED for me to get a job in Egypt. We traveled together from Chisinau to Moscow where I got a plane to Egypt. When I got to the airport in Egypt, I was paired with a man in order to walk through customs and immigration. People were waiting for me and they took me to a five-star hotel. I gave up my passport at*

### **Trafficking Subverts Government Authority.**

Many governments struggle to exercise full control over their national territory, particularly where corruption is prevalent. Armed conflicts, natural disasters, and political or ethnic struggles often create large populations of internally displaced persons. Human trafficking operations further undermine government efforts to exert its authority, threatening the security of vulnerable populations. Many governments are unable to protect women and children who are kidnapped from their homes and schools or from refugee camps. Moreover, the bribes paid by traffickers impede a government's ability to



◀ *Women rescued in brothels in Indian cities line up to identify an alleged trafficker at a shelter in Nepal.*



*the reception of the hotel and never saw it again. They put me in a car and we drove for a really long time. We went to a place where Bedouins are [Egypt's Sinai Peninsula] and those Bedouins took us through the desert. They kill you or beat you if they don't like your attitude. We had to walk for hours and hours through the desert where there were landmines. They pointed out the mines to us in the sand. We hardly ate and I lost 10 kilos by the time I got to Israel. When we got out of the desert, we were taken to a town in Israel, where the Bedouins arranged for us to be sold. Many girls were traveling with me, and all the girls going to Israel go through the same route and the same situation."*

battle corruption among law enforcement, immigration, and judicial officials.

*NASREEN WAS A TAJIK GIRL WHO WORKED IN Moscow. Her boss asked her to become his mistress, promising money, housing, a car, and a better life. Nasreen agreed to this arrangement. One day, a houseguest offered Nasreen the opportunity to work in Turkey. Nasreen's boss pressured her to accept the offer. Nasreen was tricked, and trafficked to Israel for forced prostitution. With the help of a sympathetic journalist, Nasreen was able to escape and return home.*

**Trafficking Imposes Enormous Economic Costs.** There are tremendous economic bene-

fits to be gained from eliminating trafficking. The International Labor Organization (ILO) recently completed a study on the costs and benefits of eliminating the worst forms of child labor—which by definition include child trafficking. The ILO concluded the economic gains from eliminating the worst

forms of child labor are substantial (tens of billions of dollars annually) because of the added productive capacity a future generation of workers would gain from increased education and improved public health. The human and social consequences of trafficking often mirror those of the worst forms of child labor.

### THE FACTS ABOUT CHILD SOLDIERS

Child soldiering is a unique and severe manifestation of trafficking in persons. Tens of thousands of children under age 18 have been conscripted into armed conflicts, serving in government armies, armed militias, and rebel groups. Some children are kidnapped and forced to serve; others join in the face of threats, bribes, and false promises of compensation.

Hoping in many cases for food, clothing, and shelter, a child's decision to join an armed group cannot be considered a free choice. Children caught up in armed conflict are desperately searching for a means of survival. Because of their emotional and physical immaturity, children are easily manipulated and coerced into violence. Many child soldiers are forced to use alcohol or narcotics as a way to desensitize them to violence or to enhance their performance.

Children who are forcibly conscripted are typically inadequately trained, treated harshly, and rapidly pushed into combat. Boys and girls may be sent into combat or minefields ahead of older troops. Some children have been used for suicide missions or are forced to commit atrocities against their families and communities. Others, including some of the 15,000 involved in recent Liberian conflicts, are made to serve as porters, cooks, guards, servants, messengers, or spies. Many child soldiers, mostly girls, are sexually abused, and are at high risk of sexually transmitted infections and unwanted pregnancies.

Child soldiers are killed and wounded at far higher rates than their adult comrades. Some armed groups are known to “brand” child conscripts across the face or chest with a knife or broken glass. Survivors often suffer multiple traumas and psychological scarring from the violence and brutality they experienced. Their development as a person is often irreparably damaged. Their families and home communities often reject many former child soldiers seeking to return because of the violence they or their group inflicted on the community.

The use of children to fight adults' wars is a global phenomenon. The problem is most critical in Africa and Asia, but armed groups in the Americas, Eurasia, and the Middle East also use children. There has been a failure of political will among many countries to enforce laws and international obligations prohibiting or restricting the use of child soldiers. All nations must work together with international organizations and NGOs to take urgent action to disarm, demobilize, and reintegrate child soldiers.



### How do traffickers operate?

Slave traders prey on the vulnerable. Their targets are often children and young women, and their ploys are creative and ruthless, designed to trick, coerce, and win the confidence of potential victims. Very often these ruses involve promises of marriage, employment, educational opportunities, or a better life.

lages to serve as soldiers and sex slaves. In East Asia, traffickers may visit cities such as Bangkok or Phnom Penh, befriend a young woman at a hotel, restaurant, or store, and offer to take her to another country for a “vacation.” Upon arrival, the woman’s passport is taken, she is turned over to a brothel operator, and the brutal indoctrination into a life of sex slavery begins.

## WHAT IS THE DIFFERENCE BETWEEN TRAFFICKING IN PERSONS AND HUMAN SMUGGLING?

The differences between migrant smuggling and trafficking in persons can be confusing. This confusion can make it difficult to obtain accurate information, especially from transit countries.

Trafficking often but not always involves smuggling; the victim may initially agree to be transported within a country or across borders. Distinguishing between the two activities often requires detailed information on the victim's final circumstances.

Smuggling is generally understood to be the procurement or transport for profit of a person for illegal entry into a country. But the facilitation of illegal entry into or through a country is not, standing alone, trafficking in persons, even though it is often undertaken in dangerous or degrading conditions. Smuggling sometimes involves migrants who have consented to the activity. Trafficking victims, on the other hand, have either never consented or, if they initially consented, their consent has been negated by the coercive, deceptive or abusive actions of the traffickers. Trafficking victims often are unaware that they will be forced into prostitution or exploitative labor situations. Smuggling may therefore become trafficking. The key component that distinguishes trafficking from smuggling is the element of fraud, force, or coercion.

Unlike smuggling, trafficking can occur regardless of whether the victim is moved internally or across a border. Under the TVPA it is not necessary for a victim to have been transported to an exploitative situation for a severe form of trafficking to occur. It is sufficient if the victim is recruited, harbored, provided, or obtained “for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.”

In India, for example, a trafficker may pose as a successful trader, persuading a girl’s parents that he is a suitable spouse. After the marriage, the girl is sexually abused and sold into prostitution. Some men are known to have “married” over a dozen women from different villages using this tactic.

In Uganda, rebels from the Lord’s Resistance Army roam the countryside at night, abducting young children from vil-

A Ukrainian girl, only 16, meets a young man at a dance and is offered a job in Germany as a nurse. Smuggled across borders at night, she is turned over to a brothel and forced to work as a prostitute. A rural Indonesian girl may be drawn to a domestic service job in a neighboring country with the promise of a salary that is not paid as promised. A rural girl from southern China may be drawn to Malaysia seeking the benefits of a vibrant economy, but she is forced

into sexual servitude. Or a young Vietnamese villager, seeking economic opportunity, may agree to travel to an island in the Pacific to work in a factory, not realizing that his travel documents will be confiscated and that his wages will be so minimal that he will be unable to repay the travel costs. The young and the helpless are often the most brutally exploited.

*BOPHA LIVED IN A RURAL CAMBODIAN village and married at 17. Her husband immediately took her to a hotel in another village and left her. Bopha discovered the hotel was a brothel and*

tempts constitute the supply, and abusive employers or sexual exploiters represent the demand.

The supply of victims is encouraged by many factors including poverty, the attraction of a perceived higher standard of living elsewhere, weak social and economic structures, a lack of employment opportunities, organized crime, violence against women and children, discrimination against women, government corruption, political instability, armed conflict, and cultural traditions such as traditional slavery. In some societies a tradition of fostering allows the third or fourth child to be sent to live and work in



◀ A group of school children commute to school in a specially-protected van in Bangladesh. Parents have stepped up their vigilance against kidnapping in a poor community where trafficking in humans is not uncommon.



*tried to escape, but she was forcibly detained and told she must pay off the price the hotel owner had paid for her. Bopha's debt kept increasing due to charges for her food, clothing, and other necessities. Bopha could not leave. Ravaged by HIV/AIDS, she was thrown out on the street and finally found her way to an NGO shelter in Phnom Penh. She has been there for two years receiving treatment; it is not known how much longer Bopha will live.*

### What are the causes of trafficking?

There are many different causes of human trafficking. These causes are complex and often reinforce each other. Viewing trafficking in persons as a global market, vic-

an urban center with a member of the extended family (often, an “uncle”), in exchange for a promise of education and instruction in a trade. Taking advantage of this tradition, traffickers often position themselves as employment agents, inducing parents to part with a child, but then trafficking the child to work in prostitution, domestic servitude, or a commercial enterprise. In the end, the family receives few if any wage remittances, the child remains unschooled and untrained, and separated from his family, and the hoped-for economic opportunity never materializes.

On the demand side, factors driving trafficking in persons include the sex industry, and the growing demand for exploitable labor. Sex tourism and child pornography

have become worldwide industries, facilitated by technologies such as the Internet, which vastly expand choices available to consumers and permit instant and nearly undetectable transactions. Trafficking is also driven by the global demand for cheap, vulnerable, and illegal labor. For example, one of the biggest demands in prosperous countries of East Asia is for domestic servants who sometimes fall victim to exploitation or involuntary servitude.

A new source of demand for young women as brides and concubines is a consequence of widening gender gaps in densely populated India and China. In India, there

are now only 933 girls born for every 1,000 boys, due largely to the perception that a girl child is an economic liability in that country's strongly patriarchal society. Many couples use inexpensive and widely available sonograms to determine the gender of the fetus, and if a female is detected the child is aborted. Data from India's 2001 census, analyzed in 2003, show that the gap is most serious in the prosperous northwestern states of Haryana and the Punjab, where in some localities the gender gap has dropped below 825 girl births for every 1,000 boy births.

A similar gap has emerged in parts of China due to the government's "one-child"



◀ *A victim of child trafficking breaks into tears upon arriving at Manila's port from the central Philippines. Youngsters continue to be recruited for child labor and abused because their parents need money.*



## VICTIM RESCUE

As this report shows, the number of trafficking victims the world over is enormous. Many victims are identified through the good work of NGOs and government agencies that investigate trafficking sites, such as brothels, sweatshops, and child soldier camps.

The need to rescue victims promptly is paramount but rescues do not always end the suffering. Some countries lack adequate protection facilities; victims, including children, are placed in jails and further traumatized. In others, foreign victims who lack adequate documentation may be deported summarily without regard to their health or safety. In such cases, many are re-trafficked with additional "debts" and abuses added to their misery.

The psychological and physical suffering by victims of sexual exploitation, involuntary servitude, bonded labor, or forced child soldiering present authorities with long-term challenges. Counseling, shelter, medical attention, and vocational training are required to fully rehabilitate the victims and successfully reintegrate them into their original communities.

Just as challenging as the rescue of victims is the long-term after-rescue care and rehabilitation, which requires planning and considerable resources. There is the need to deliver comprehensive services to ensure that victims are treated with dignity, and given viable opportunities to build a new life. The lack of well-developed protective facilities, however, should not serve as an excuse for not freeing the enslaved.

## INVOLUNTARY SERVITUDE

One of the severe forms of trafficking in persons most difficult to identify is involuntary servitude (see box on page 24 for legal definition). Many economic migrants who leave their homes in less developed communities and travel—short or far distances—to urban centers and other more developed communities for work are vulnerable to situations of involuntary servitude. The vast majority of economic migrants, often low-skilled laborers such as construction workers and domestic servants, find non-exploitative work situations that benefit them and their families.

However, some economic migrants suffer abuses by an employer. This could include verbal and physical abuse by the employer or the breach of the contract governing the employees' work—often seen in the form of withholding wages or denying time off from work. A yet smaller group find themselves exploited to the point that they perceive themselves to be captive.

So when does an exploitative, abusive work situation constitute involuntary servitude? The answer is guided by our law, the TVPA. When an employer uses verbal or physical abuse, or the threat of such abuse, in order to keep that worker in his or her service, this is involuntary servitude. If the employer intentionally causes the employee to believe that he or she cannot leave that work situation without facing abuse or physical restraint, this is involuntary servitude. Physically restraining the employee from leaving the workplace is not necessary if the employer's actions or threats induce a condition of servitude. An employer's withholding of an employee's travel documents—such as a passport, work permit, or identity card—is a form of physical restraint that may support a finding of involuntary servitude. For this reason, many governments have criminalized the holding of a foreign employee's travel documents—the key instruments that preserve the fundamental freedom of movement.

It is the employer's responsibility, and the responsibility of the government authority, to ensure that workers feel they are free to remove themselves from an abusive work environment and are afforded a fair hearing of any real or perceived abuses arising out of that labor.



policy, which has prompted many parents to abort pregnancies once the gender of the fetus is determined to be female. North Korean and Vietnamese girls and women reportedly are trafficked into Southern China as forced brides and prostitutes. These gaps between boy and girl births have existed for decades and now yield pro-

nounced deficits of brides in certain areas of both India and China.

### What strategies are effective in the war against trafficking?

Effective anti-trafficking strategies should target all three aspects of the trade: the supply side, the traffickers, and the demand side.

On the supply side, the conditions that drive trafficking must be addressed with programs that alert communities to the dangers of trafficking, improve educational opportunities and school systems, create economic opportunities, promote equality of rights, educate targeted communities on their legal rights, and create better and broader life opportunities.

At the trafficker level, law enforcement programs must identify and interdict trafficking routes; clarify legal definitions and coordinate law enforcement responsibilities; vigorously prosecute traffickers and those who aid and abet them; and, fight public

corruption that facilitates and profits from the trade, eroding the rule of law.

On the demand side, persons who exploit trafficked persons must be identified and prosecuted. Employers of forced labor and exploiters of victims trafficked for sexual exploitation must be named and shamed. Awareness-raising campaigns must be conducted in destination countries to make it harder for trafficking to be concealed or ignored. People must be withdrawn from slave-like working situations, and reintegrated into their families and communities.

Local, state, national, and regional programs to fight trafficking must be coordi-

Although the Government of the U.A.E. has imposed a restriction against the use of trafficked South Asian children as camel jockeys, the practice continues in other Gulf states. ▶



### WOULD LEGALIZING PROSTITUTION HELP CURB HUMAN TRAFFICKING?

The United States Government takes a firm stand against proposals to legalize prostitution because prostitution directly contributes to the modern-day slave trade and is inherently demeaning. When law enforcement tolerates or communities legalize prostitution, organized crime groups are freer to traffic in human beings. Where prostitution is legalized, the cost of sexual services includes brothel rent, medical examinations, and registration fees. Due in part to these costs, illegal prostitution has flourished in legalized areas as clients seek cheaper sex. In some countries where prostitution is legal there are from three to ten times as many non-registered women involved in prostitution as registered women. Many of these non-registered women are foreigners who have been trafficked. There is no evidence that legalization in any country has reduced the number of trafficking victims, and NGOs working in this field note that the number of trafficking victims often increases. In short, where prostitution is legalized, a “black market” in trafficking emerges, as exploiters seek to maximize profit by avoiding the scrutiny and regulatory costs of the legal prostitution market. Legalized prostitution is therefore a trafficker’s best shield, allowing him to legitimize his trade in sex slaves, and making it more difficult to identify trafficking victims.

## ESTIMATES OF TRAFFICKING VICTIMS

**D**uring the last year, the U.S. Government estimated that 600,000 – 800,000 people were trafficked across transnational borders worldwide. Analyses of data reveal that 80 percent of the victims trafficked across international borders are female and 70 percent of those females are trafficked for sexual exploitation. Estimates of people trafficked into the United States ranged from 14,500 to 17,500. These recently revised estimates reflect the use of an improved methodology for estimating trafficking flows. Estimates that include global intra-country trafficking in persons range from two to four million.

Estimates of the number of trafficking victims found throughout the world are inherently difficult to produce. Trafficking in persons, like drug trafficking and arms smuggling, is a clandestine activity made even harder to quantify by its numerous forms. It often is hidden as a subset of alien smuggling or extreme abuse of foreign migrant labor. Moreover, the availability of data on trafficking varies considerably from region to region: there is a noted paucity of data, for example, of persons trafficked to, from, or through the Middle East. The U.S. Government estimates cited in this report focus on persons trafficked across international borders, as those victims are not as difficult to identify as the populations trafficked within all countries.



nated. By drawing public attention to the problem, governments can increase anti-trafficking resource allocations, improve understanding of the problem, and enhance their ability to develop effective strategies. Coordination and cooperation, whether national, bilateral, or regional, will leverage country efforts and recruit volunteers to the fight. International standards should be harmonized, and nations should cooperate more closely to deny traffickers legal sanctuary.

Knowledge about trafficking must be improved, and the network of anti-traffick-

ing organizations and efforts strengthened. Religious institutions, NGOs, schools, community associations, and traditional leaders need to be mobilized in the struggle. Victims and their families require skills training and alternative economic opportunities. Anti-trafficking strategies must be periodically examined to ensure they remain innovative and effective. Finally, government officials must be trained in anti-trafficking techniques, and trafficking flows must be tracked statistically to illuminate the nature and magnitude of the problem so that it may be better understood. ■



## DEFINITION OF “SEVERE FORMS OF TRAFFICKING IN PERSONS”

### The Trafficking Victims Protection Act defines “severe form of trafficking in persons” as

- (a) **sex trafficking** in which a **commercial sex act** is induced by force, fraud, or **coercion**, or in which the person induced to perform such an act has not attained 18 years of age; or
- (b) the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to **involuntary servitude**, peonage, **debt bondage**, or slavery.

### Definition of Terms Used in the Term “Severe Forms of Trafficking in Persons”

“*Sex trafficking*” means the recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act.

“*Commercial sex act*” means any sex act on account of which anything of value is given to or received by any person.

“*Involuntary servitude*” includes a condition of servitude induced by means of (a) any scheme, plan, or pattern intended to cause a person to believe that, if the person did not enter into or continue in such condition, that person or another person would suffer serious harm or physical restraint; or (b) the abuse or threatened abuse of the legal process.

“*Debt bondage*” means the status or condition of a debtor arising from a pledge by the debtor of his or her personal services or of those of a person under his or her control as a security for debt, if the value of those services as reasonably assessed is not applied toward the liquidation of the debt or the length and nature of those services are not respectively limited and defined.

“*Coercion*” means (a) threats of serious harm to or physical restraint against any person; (b) any scheme, plan or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint against any person; or, (c) the abuse or threatened abuse of the legal process.

## ABOUT THE REPORT

The TIP Report is the most comprehensive worldwide report on the efforts of governments to combat severe forms of trafficking in persons. The TIP Report covers the period April 2003 through March 2004.



### What the Report Is and Is Not

The annual human trafficking report includes those countries<sup>1</sup> determined to be countries of origin, transit, or destination for a significant number of victims of severe forms of trafficking. Since slavery probably extends to every country in the world, the omission of a country from the report may only indicate a lack of adequate information. The country narratives are organized by region and describe the scope and nature of the trafficking problem in the country, the reasons for including the country in the report, and the government's efforts to combat trafficking. The narrative also contains an assessment of the government's compliance with minimum standards, and includes suggestions for actions to combat trafficking. The remainder of the country narrative describes the government's efforts to enforce laws against trafficking, protect victims, and

prevent trafficking, and explains the basis for rating the country as Tier 1, Tier 2, the Tier 2 Special Watch List, or Tier 3.

Some countries have established task forces and action plans to create goals and benchmarks for anti-trafficking efforts. However, plans and task forces, on their own, are not weighted heavily in assessing country efforts. Rather, the report focuses on concrete actions governments have taken to fight trafficking, highlighting prosecutions, convictions, prison sentences for traffickers, victim protection, and prevention efforts. The report does not give great weight to laws in draft form or that have not yet been enacted, though task forces, action plans, or draft laws are sometimes noted in a country narrative as examples of preliminary actions governments have undertaken to combat trafficking. Finally, the report does not focus on other government efforts

<sup>1</sup>Under Section 4 (b) of the Taiwan Relations Act, "[w]henver] the laws of the United States refer to foreign countries, nations, states, governments, or similar entities, such terms shall include and such laws shall apply with respect to Taiwan."



that contribute indirectly to reducing trafficking, such as education programs, support for economic development, or programs aimed at enhancing gender equality, although these are worthwhile endeavors.

#### **What Is Different in This Year's Report?**

The Trafficking Victims Protection Reauthorization Act of 2003 (TVPRA) made several important changes to the TVPA.

Three of the four minimum standards for the elimination of trafficking remain unchanged. The minimum standards are:

1. The government of the country should prohibit severe forms of trafficking in persons and punish acts of such trafficking.
2. For the knowing commission of any act of sex trafficking involving force, fraud, coercion, or in which the victim of sex trafficking is a child incapable of giving meaningful consent, or of trafficking which includes rape or kidnapping or which causes a death, the government of the country should prescribe punishment commensurate with that for grave crimes, such as forcible sexual assault.
3. For the knowing commission of any act of a severe form of trafficking in per-

sons, the government of the country should prescribe punishment that is sufficiently stringent to deter and that adequately reflects the heinous nature of the offense.

4. The government of the country should make serious and sustained efforts to eliminate severe forms of trafficking in persons.

The fourth minimum standard was amended and supplemented, and now calls for consideration of ten criteria rather than seven:

Criterion (1) now requires consideration not only of investigations and prosecutions, but also of convictions and sentences, and whether the government of the country is responsive to the State Department's requests for law enforcement data. Criterion (7), relating to anti-corruption measures, now also requires consideration of prosecutions, convictions, and sentences of government officials complicit in trafficking in persons, and the host government's provision or failure to provide such data. Three new criteria require consideration of:

8. Whether the percentage of victims of severe forms of trafficking in the coun-

try that are non-citizens of such countries is insignificant;

9. Whether the government of the country, consistent with the capacity of such government, systematically monitors its efforts to satisfy the criteria described in paragraphs (1) through (8) and makes available publicly a periodic assessment of such efforts; and,
10. Whether the government of the country achieves appreciable progress in eliminating severe forms of trafficking when compared to the assessment in the previous year.

The criteria used to assess whether a country is making serious and sustained efforts to come into compliance with the minimum standards for the elimination of trafficking are reproduced in an appendix to this report.

The TVPRA also created a “Special Watch List” of countries to receive special scrutiny during the following year. The list is composed of: 1) countries listed as Tier 1 in the current report that were listed as Tier 2 in the 2003 report; 2) countries listed as Tier 2 in the current report that were listed as Tier 3 in the 2003 report; and, 3) countries listed as Tier 2 in the current report, where

- a) the absolute number of victims of severe forms of trafficking is very significant or is significantly increasing;
- b) there is a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year, including increased investigations, prosecutions and convictions of trafficking crimes, increased assistance to victims, and decreasing evidence of complicity in severe forms of trafficking by government officials; or
- c) the determination that a country is making significant efforts to bring itself into compliance with minimum standards was based on commitments by the country to take additional future steps over the next year.

Countries on the Special Watch List will be reexamined in an interim assessment to be submitted to Congress by February 1, 2005.

### **Why Does This Year's Report Contain More Country Assessments than Last Year's Report?**

The 2004 report includes an analysis of trafficking and government efforts to combat it in 140 countries, a net increase of 16 countries over last year. In previous years, some





## THE TIERS

**TIER 1:** Countries whose governments fully comply with the Act's minimum standards.

**TIER 2 :** Countries whose governments do not fully comply with the Act's minimum standards but are making significant efforts to bring themselves into compliance with those standards.

**TIER 2 WATCH LIST:** Countries whose governments do not fully comply with the Act's minimum standards but are making significant efforts to bring themselves into compliance with those standards, and:

- a) The absolute number of victims of severe forms of trafficking is very significant or is significantly increasing; or
- b) There is a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year; or
- c) The determination that a country is making significant efforts to bring themselves into compliance with minimum standards was based on commitments by the country to take additional future steps over the next year

**TIER 3:** Countries whose governments do not fully comply with the minimum standards and are not making significant efforts to do so.

countries have not been included because it was difficult to gather reliable and complete information due to: the illegal and underground nature of trafficking; the absence or nascence of government programs; the difficulty in distinguishing between trafficking and smuggling; and, the fear and silence of

trafficking victims, who often cross borders illegally or are physically abused or coerced. For some countries, there was information available, but the data did not support a finding that on the order of 100 or more persons were trafficked to, from, or within a country, the threshold for inclusion in the TIP report.

Over the past year, we have witnessed a stronger response from many governments, more public awareness campaigns alerting victims to protection services, and greater transparency in anti-trafficking efforts. As a result of these positive actions, the Department gathered information on more countries this year. The Department intends to include all countries with a significant number of trafficking victims in future reports, as more and better information becomes available.

### How the Report Is Used

This report is a diplomatic tool for the U.S. Government to use as an instrument for continued dialogue, encouragement for the actions of some governments, and as a guide to help focus resources on prosecution, protection, and prevention programs and policies. After the release of this year's TIP Report, as in past years, the Department will continue to engage governments about the content of the report to strengthen cooperative efforts to eradicate trafficking. In the coming year, and particularly in the months before a determination is made regarding sanctions for Tier 3 countries and an interim assessment is made of Special Watch List countries, the Department will use the information gathered in the compilation of this report to more effectively target assistance

programs and to work with countries that need help in combating trafficking. The Department hopes the report will be a catalyst for government and non-government efforts to combat trafficking in persons around the world.

### Methodology

The State Department obtained information for this report from U.S. embassies and consulates around the world, foreign embassies in Washington, and non-governmental and international organizations working on human rights and trafficking issues. Our diplomatic posts reported on the trafficking situations and governmental actions based on thorough research, including meetings with a wide variety of government officials, local and international NGO representatives, international organizations, officials, journalists, academics, and victims.

The Office to Monitor and Combat Trafficking in Persons compiled an initial draft of the report using information from U.S. Embassy posts, meetings with foreign government officials, NGOs and international organizations, published reports, research trips to every region, and the information submitted to the e-mail address, [tipreport@state.gov](mailto:tipreport@state.gov), which was established for NGOs and individuals to report information on government progress in addressing



**I'm not a tourist attraction**

Stop child sex tourism.

World Vision

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trafficking. To compile this year's report, the Department took a fresh look at these sources of information on every country to make the following assessments. Assessing each government involved a two-step process:

### **Step One: Significant Numbers of Victims**

First, the Department determined whether a country is "a country of origin, transit, or destination for a significant number of victims of severe forms of trafficking," on the order of 100 or more victims, the same threshold applied in previous reports. Only those countries that reach this threshold are included in the report. Countries for which such information was not available were not included.

### **Step Two: Tier Placement**

The Department placed each of the countries included on the 2003 TIP Report into one of the three lists, described here as tiers, mandated by the TVPA. This placement is based on the extent of a government's actions to combat trafficking. The Department first evaluates whether the government fully complies with the TVPA's minimum standards for

the elimination of trafficking. Governments that do are placed in Tier 1. For other countries, the Department considers whether their governments made significant efforts to bring themselves into compliance. Countries that make significant efforts are placed in Tier 2. Those countries whose governments do not fully comply with the minimum standards and are not making significant efforts to bring themselves into compliance are placed in Tier 3. Finally, the Special Watch List criteria are considered and, if applicable, countries are placed on the list.

As required by the TVPA, in making tier determinations between Tiers 2 and 3, the Department considers the overall extent of human trafficking in the country; the extent of governmental noncompliance with the minimum standards, particularly the extent to which government officials have participated in, facilitated, condoned, or are otherwise complicit in trafficking; and, what measures are reasonable to bring the government into compliance with the minimum standards in light of the government's resources and capabilities.





### Penalties

Governments of countries in Tier 3 may be subject to certain sanctions. The U.S. Government may withhold non-humanitarian, non-trade-related assistance. Countries that receive no such assistance would be subject to withholding of funding for participation in educational and cultural exchange programs. Consistent with the TVPA, such governments would also face U.S. opposition to assistance (except for humanitarian, trade-related, and certain development-related assistance) from international financial institutions such as the International Monetary Fund and multilateral development banks such as the World Bank. These potential consequences would take effect at the beginning of the next fiscal year, October 1, 2004.

All or part of the TVPA's sanctions can be waived upon a determination by the President that the provision of such assistance to the government would promote the

purposes of the statute or is otherwise in the national interest of the United States. The TVPA also provides that sanctions shall be waived if necessary to avoid significant adverse effects on vulnerable populations, including women and children. Sanctions also would not apply if the President finds that, after this report is issued but before the imposition of sanctions, a government has come into compliance with the minimum standards or is making significant efforts to bring itself into compliance.

Regardless of tier placement, every country can do more, including the United States. No country placement is permanent. All countries must maintain and increase efforts to combat trafficking. The United States will continue to monitor progress throughout the world and work with its partners to strengthen international efforts to eliminate all forms of modern-day slavery. ■





## INTERNATIONAL BEST PRACTICES

A number of innovative anti-trafficking efforts came to light during the preparation of the 2004 TIP Report and through the State Department's engagement with foreign governments and international and non-governmental organizations throughout the year. Many of these efforts are particularly notable in that they demonstrate sustainable low-cost anti-trafficking measures. These activities and programs are characterized here as best practices because they are innovative and creative; they make a positive and tangible difference; they are sustainable; and, they have the potential to be replicated elsewhere.

**Discouraging Sex Tourism.** The Government of Panama enacted a new anti-trafficking law that seeks to address trafficking in the context of child pornography, sex tourism, and the use of the Internet. Among other features, the law obligates airlines, tour agencies, and hotels to inform customers in writing about the prohibitions of the new law.

**Intercepting Potential Victims.** The Colombian Government has authorized its Department of Administrative Security (DAS) to identify and approach outbound travelers that appear to be potential trafficking victims at airports before they board international flights. The DAS officials attempt to inform potential victims of the risks of trafficking and of fraudulent job offers. In 2003, nine potential victims were persuaded that their employment offers were fraudulent and convinced not to board their international flights.

**Cooperation Between Transit and Destination Countries.** The Government of Italy has provided funding to the Government of Morocco's "Project Textilia 2000," which funds micro-projects in the region around Khourigba, known for its involvement in clandestine emigration to Italy. The project is intended to provide gainful employment in Morocco that will prevent victims from

being trafficked. For victims already in Italy, the country's new anti-trafficking law created a separate budget category for victim assistance programs, and the central government provided 70% of the assistance funds, with regional and local governments providing the remaining 30%.

**Targeting the Sex Trade.** The City Council of Madrid in January 2004 announced a comprehensive effort to combat prostitution and trafficking. The plan includes prevention, training, victim assistance, and police action against customers. Based on the principle that the best way to combat trafficking for the purpose of sexual exploitation is to focus on customers as well as the victims, the effort enlisted the support of the Government of Sweden in developing law enforcement tools.

**Battling Traditional Practices.** The customary African practice of "fostering" feeds directly into the trafficking in persons trade. Child trafficking begins with a private arrangement between a trafficker and a family member, driven by the family's dire economic circumstances and the trafficker's desire for profit and cheap labor. Families, typically engaged in subsistence agriculture, are told that their child will receive an education and learn a useful trade. In all too many cases the child



*In late 2003, a Cambodian court found this trafficker, Songlang, guilty of enslaving the girls (to the right) and she was sentenced to 20 years imprisonment.*

is trafficked into a situation of forced domestic servitude, street vending, or sexual exploitation. In response, the Government of Ghana conducted “Operation Bring Your Children Home” to encourage parents who sold their children to traffickers to bring them home in exchange for business assistance, job training, micro-credit facilities, and assistance with school fees and uniforms. To raise public awareness of the program, the Ghana police conducted informational meetings at large truck stops in Accra to educate drivers and transport union representatives on the identification of trafficking victims.

**Confiscating Funds to Support Anti-Trafficking Programs.** Funding for anti-trafficking programs is a low priority in many countries, particularly following the recent shift in resources to anti-terrorism programs. In Germany, the State of Baden-Wuerttemberg uses funds confiscated from trafficking operations to finance future investigations.

**Linking Diplomats, Sharing Intelligence.** The Ministry of Foreign Affairs (MFA) of the Dominican Republic has created four “anti-trafficking networks” among diplomats in its consulates and embassies in countries that are major destinations for Dominican women being trafficked. There is a network in Central America, the Caribbean, South America and Europe. The diplomats seek to be pro-active in addressing trafficking

issues. They work with host governments to identify and assist Dominican victims (many of whom have escaped their traffickers and fled to their consulates for help), to collect information on trafficking patterns, and to identify traffickers. This information is reported back to the MFA’s consular affairs office and is shared with the Dominican Republic’s allies in the anti-trafficking fight.

**Using the Tools of Regulation, Inspection, and Training.** The Government of the Philippines regulates and performs surprise as well as routine inspections of the 1,317 licensed labor export agencies; it also provides training and skills tests for overseas foreign workers before they leave the country. Philippine Foreign Service officers are trained, and in some cases actively involved, in searching for housing, and repatriating Philippine trafficking victims. The Philippines has conducted training for other governments in the region, including Indonesia and Vietnam, on how to improve their labor export protections.

**Victims Receive Diplomatic Protection.** The Indonesian Foreign Ministry operates shelters at its embassies and consulates in a number of countries, including Malaysia, Singapore, Saudi Arabia and Kuwait. Over the past year, these diplomatic establishments sheltered thousands of Indonesian citizens, a number of whom were potential trafficking victims. Indonesian diplomatic missions, in



*“International Justice Mission”, a U.S. NGO investigated their condition and, in partnership with Cambodian law enforcement officials, participated in a raid that rescued 37 children.*

coordination with other government agencies, also assisted with repatriations.

#### **Battling the Trafficking of Child Camel Jockeys.**

The government of the United Arab Emirates (UAE) instituted an innovative practice to effectively identify and rescue the children trafficked from South Asia to serve as camel jockeys on UAE racetracks. Most of these children are trafficked through the use of false documents from their home countries attesting to higher ages, and false

parents who accompany the children to the UAE. Using DNA testing beginning in January 2003, UAE authorities tested 446 children and exposed 65 false claims of parenthood by traffickers who brought these children to the UAE. In 2003, over 250 children from Bangladesh and Pakistan were identified and returned to their countries; many of their traffickers were arrested and are being prosecuted. Other countries in the Gulf are adopting the DNA testing of child camel jockeys and their purported parents.

## HEROES ACTING TO END MODERN-DAY SLAVERY

**G**overnment action, as mandated by law, is the focus of the Trafficking in Persons Report. However, many people and organizations from all walks of life, in addition to governments, are taking strong and effective actions to end human trafficking.

Having a broad-based and diverse array of players involved in this fight is crucial to its success. That’s why this year’s report includes the following stories of heroes in the effort to combat trafficking in persons. The individuals here are only representative of the many efforts undertaken by ordinary citizens around the world. They set an example for all of us and show that the

efforts of a single person can often make a difference. There are many others who continue to fight trafficking everyday in their own way.

#### **Pierre Tami Director of Hagar in Cambodia**

Pierre Tami delivered a Swiss businessman’s approach to helping victims of human trafficking in Cambodia. In his view, assistance programs must be innovative and financially sustainable so former victims have opportunities to change their lives for good rather than remaining permanently vulnerable to exploitation. Mr. Tami has helped create three viable victim-assis-



tance enterprises in Phnom Penh: a soy milk factory which delivers much-needed food to a malnourished country, a high-end silk design and manufacturing company, and a catering business which serves meals to garment factory workers. These enterprises are providing new hope to the people of Cambodia who have been traumatized by modern-day slavery, allowing some of them to receive paychecks for their work for the first time in their lives.

**The Honorable Francisco Sierra  
Colombian Ambassador to Japan**

Francisco Sierra has dedicated his attention and the attention of his embassy staff to assisting victims of human trafficking who have been brought from Colombia to Japan. The Ambassador has engaged the local police authorities and the Japanese Government on the issue and has encouraged Colombian officials to make it a greater priority at home. He has fostered cooperation in Japan with the embassies of some Southeast Asian and Latin American



countries. Ambassador Sierra sees the macro- and micro-perspective of the human trafficking problem as he has seen the damage done to individuals, but he also has seen the link to organized crime and the sophistication of changing trafficking patterns.

**Sister Eugenia Bonetti  
Italian Union of Major Superiors**

Eugenia Bonetti is responsible for the anti-trafficking in persons actions of the Italian Union of Major Superiors. She is committed



to fighting the injustice suffered by trafficked women because of what she has seen firsthand over her 24-year career as a missionary in Kenya, then as coordinator of anti-trafficking strategies in Turin and Rome. Sr. Eugenia and her team of some 200 Sisters throughout Italy working full-time in anti-trafficking in persons initiatives have opened their homes to provide shelter, security and care to hundreds of victims of human trafficking. Sr. Eugenia has also worked with nuns in Nigeria, encouraging local efforts in the remotest and poorest communities to prevent trafficking and to assist in the rehabilitation of repatriated victims. Sr. Eugenia is spreading the anti-trafficking in persons message at home and abroad, in word and in action.

**Bonnie Miller  
American Citizen**

Bonnie Miller has acted in many ways to fight trafficking in persons in Greece effectively, giving countless hours of her time to draw attention and resources to the issue. She helped Greek NGOs establish services for victims, lobbied the government to take strong anti-trafficking in persons actions, and worked to establish the first trafficking hotline in Greece. Mrs. Miller has been a

champion of the anti-slavery cause through extensive media efforts and has brought diplomats from many countries together to discuss ways to assist victims of human trafficking. She also played a key role in establishing the Doctors of the World shelter for victims. As the wife of Thomas Miller, U.S. ambassador to Greece, she also has demonstrated how diplomatic families can help change the communities in which they live.



ing. He has assisted in the reintegration of these child slaves, placing them in schools and reuniting them with their families. He has personally worked to secure micro-credit funds for parents to expand their business capacity so they can better provide for their families.

**Marilyn Carlson Nelson**  
**Chairman and CEO, Carlson Companies**

Marilyn Carlson Nelson became an American trailblazer in the fight against human trafficking when she committed her travel companies to a global code of conduct that seeks to protect children from commercial sexual exploitation in travel and tourism. As part of the code of conduct Mrs. Nelson signed, she agreed to train employees to identify and report perpetrators of child sex tourism; inform travelers about the legal penalties associated with such transgressions; and develop an ethical corporate policy repudiating sexual exploitation in tourism. The multi-line Carlson Companies, which includes hotel chains, cruises, restaurants, and the world's second largest travel agency, generated more than \$27 billion in sales last year and employs an estimated 198,000 persons in more than 140 nations. Carlson Companies is the first major North American travel company to adopt the code of conduct. ■



**Paramount Chief Togbega Hadjor**  
**New Bakpa, Ghana**

Chief Togbega Hadjor has worked extensively to stop trafficking in children for labor in Ghana's Lake Volta region. Over the past year, 228 children have been rescued from forced labor in the fishing industry, with Chief Hadjor's personal assistance in locating areas known for child traffick-





## TIER PLACEMENTS

### TIER 1

AUSTRALIA	FRANCE	MACEDONIA	SPAIN
AUSTRIA	GERMANY	MOROCCO	SWEDEN
BELGIUM	GHANA	THE NETHERLANDS	TAIWAN
CANADA	HONG KONG	NEW ZEALAND	UNITED KINGDOM
COLOMBIA	ITALY	NORWAY	
CZECH REPUBLIC	KOREA, REP. OF	POLAND	
DENMARK	LITHUANIA	PORTUGAL	

### TIER 2

AFGHANISTAN	CAMEROON	KYRGYZ REP.	SAUDI ARABIA
ALBANIA	CHILE	LATVIA	SINGAPORE
ANGOLA	CHINA	LEBANON	SLOVAK REP.
ARGENTINA	COSTA RICA	MALAYSIA	SLOVENIA
ARMENIA	EGYPT	MALI	SOUTH AFRICA
BAHRAIN	EL SALVADOR	MAURITIUS	SRI LANKA
BELARUS	FINLAND	MOLDOVA	SWITZERLAND
BENIN	THE GAMBIA	MOZAMBIQUE	TOGO
BOSNIA/HERZ.	GUINEA	NEPAL	UNITED ARAB EMIRATES
BRAZIL	HUNGARY	NICARAGUA	UGANDA
BULGARIA	INDONESIA	NIGER	UKRAINE
BURKINA FASO	IRAN	PANAMA	UZBEKISTAN
BURUNDI	ISRAEL	ROMANIA	
CAMBODIA	KUWAIT	RWANDA	

### TIER 2 WATCH LIST

AZERBAIJAN	GEORGIA	MALAWI	SERBIA-MONTENEGRO
BELIZE	GREECE	MAURITANIA	SURINAME
BOLIVIA	GUATEMALA	MEXICO	TAJIKISTAN
CONGO, DEM. REP. OF	HONDURAS	NIGERIA	TANZANIA
COTE D'IVOIRE	INDIA	PAKISTAN	THAILAND
CROATIA	JAMAICA	PARAGUAY	TURKEY
CYPRUS	JAPAN	PERU	VIETNAM
DOMINICAN REP.	KAZAKHSTAN	PHILIPPINES	ZAMBIA
ESTONIA	KENYA	QATAR	ZIMBABWE
ETHIOPIA	LAOS	RUSSIA	
GABON	MADAGASCAR	SENEGAL	

### TIER 3

BANGLADESH	ECUADOR	NORTH KOREA	VENEZUELA
BURMA	EQUATORIAL GUINEA	SIERRA LEONE	
CUBA	GUYANA	SUDAN	



## COUNTRY NARRATIVES

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# AFRICA



*SAMUEL LIVED IN EASTERN SIERRA LEONE. IN 1991, THE CIVIL WAR STARTED AND rebel groups roamed the countryside raiding villages for food. Samuel's family fled to the jungle but the rebels pursued them, demanding food and money. Samuel was abducted by the rebels and trained as a fighter. He was only nine years old. He survived and was among thousands of child soldiers rescued and reintegrated following the conflict.*

## ANGOLA (TIER 2)

Angola is a source country for women and children trafficked primarily within the country for the purposes of sexual exploitation and domestic and commercial labor. Angolan children are trafficked internally into forced labor situations, including work in commercial agriculture, as porters, and as street vendors; some children are reportedly trafficked to Namibia and South Africa to work as domestic servants and for sexual exploitation. There are anecdotal reports of Angolan women being trafficked to Europe and South Africa for sexual exploitation.

The Government of Angola does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government should increase its law enforcement efforts by vigorously investigating and prosecuting trafficking cases. It should also continue programs to reintegrate the approximately 11,000 former child soldiers that are at risk of becoming re-victimized by traffickers.

### *Prosecution*

The Government of Angola has failed to bring traffickers to justice. There are no specific laws that prohibit trafficking in persons, but Angola's constitution and statutory laws criminalizing forced or bonded labor, prostitution, pornography, rape, and kidnapping could be used to prosecute trafficking cases. The government did not arrest or prosecute any traffickers during the year. In March 2004, government authorities opened their first trafficking investigation into the case of six girls who were lured to farms in Huila province with promises of employment and then sexually abused. To protect the rights of children and hear cases referred by police, the government established a Juvenile Court in 2003 that could be used to prosecute traffickers. To date, 354 cases have been tried in the court covering a wide variety of crimes against children, such as child abuse and kidnapping.

### *Protection*

The government, in cooperation with the international community, is actively involved in initiatives to protect trafficking victims, particularly those resulting from the country's three decade-long civil war. In March 2003, the Ministry of Social Assistance and Reintegration (MINARS) hosted a roundtable to express the government's commitment to protect child victims who had been used as forced laborers, sex slaves and combatants during the conflict. MINARS created two separate programs to coordinate the reintegration efforts of international organizations, NGOs, and the national government. Under the National Government Special Program for Reintegration, the government is providing registration, family tracing assistance, transportation to home villages, and resettlement kits to demobilized rebel forces, including former child soldiers, "wives," and non-combatant children pressed into rebel service. A second program, the Program for Return and Resettlement of War-Affected Populations, provides similar services for escaped and freed child soldiers, "wives," and laborers who were living in internally displaced persons camps at the end of the conflict. These initiatives are partially funded with government money. Government officials work with international organizations to distribute food and other supplies to former victims. In addition, MINARS provides logistical support—transportation, customs clearance for supply shipments, and security—for a United Nations Children's Fund (UNICEF) program that provides former child soldiers with vocational training, social support, and access to education. The teachers and health care providers involved are government employees. In coordination with an International Committee of the Red Cross (ICRC) program to promote family reunification, the government has provided airtime on TV Angola to allow

those separated as a result of the war to make appeals for family members. The hour-long program airs weekly and includes recorded messages and images of those seeking lost family members. In January 2004, government ministries, provincial authorities, and UNICEF jointly conducted an advocacy and planning workshop in Cunene Province to raise local officials' awareness of child labor and cross-border trafficking.

### ***Prevention***

Recognizing that street children are at high risk of sexual abuse and forced child labor, the Luanda Provincial Government hosted a May 2003 conference on strategies to reunite children with their families and remove homeless children from the streets. To limit the recruitment of underage children by traffickers, the government concluded a child registration campaign that registered 2,182,902 children over a two-year period. In 2003, the government trained 539 activists in 10 provinces, and identified and registered 6,315 separated or unaccompanied children. The National Children's Institute relocated more than 45,000 orphans or children living alone, including some former child soldiers, to houses and family living situations.

## BENIN (TIER 2)

Benin is a source, transit, and destination country for children trafficked for the purposes of forced domestic and commercial labor, including child prostitution. Estimates on the numbers of trafficking victims range between a few hundred and several thousand each year. Beninese children are trafficked to Nigeria, Ghana, Gabon, Cote d'Ivoire, and Cameroon into forced labor situations, including agricultural labor, quarries, domestic service, and prostitution. The traditional practice of poor, rural Beninese families placing children with wealthier urban relatives has become corrupted, resulting in many situations of forced domestic labor. Beninese children are internally trafficked for forced work in construction, commercial enterprises, the handicraft industry, and roadside vending. Children from Niger, Togo, and Burkina Faso are trafficked to Benin for domestic labor and vending. Previously trafficked children often play a role in the recruitment of new victims.

The Government of Benin does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Benin's movement from Tier 1 to Tier 2 reflects its failure to provide evidence of increasing efforts to combat severe forms of trafficking, such as passing comprehensive trafficking legislation and prosecuting traffickers. Endemic corruption and the lack of government will to arrest and sentence traffickers have allowed trafficking to continue relatively unchecked. Benin needs to make a much stronger effort to investigate and prosecute trafficking cases, adopt a national plan to address trafficking, and enact specific legislation dealing with the protection of child trafficking victims. The government should also improve controls along its international borders to combat high rates of cross-border trafficking crimes.

### *Prosecution*

Benin's law enforcement efforts are inadequate. There is no law specifically prohibiting trafficking in persons. Consequently, laws criminalizing prostitution, kidnapping, forced or bonded labor, and the employment of children under the age of 14 have been used to prosecute traffickers. Anti-trafficking legislation remains stalled in Benin's parliament for the second year with no clear indication of when it will be passed. Nine suspected traffickers were arrested but have not yet been charged following the repatriation of more than 200 child trafficking victims from Nigeria in September and October 2003. The government did not provide official statistics for the number of prosecutions in 2003. The government doubled the complement of the Brigade for the Protection of Minors from four to nine officers.

### *Protection*

The government made modest progress toward improving protection services for trafficking victims in 2003. During the year, the government provided temporary housing for about 300 child trafficking victims until they could be transferred to facilities operated by various NGOs. Thorough medical screenings were provided, the children received vaccinations and food, and the government's "Brigade for the Protection of Minors" interviewed the victims. In March 2004, the government established a national child protection committee, comprised of child welfare organizations, government officials, and the police to oversee the fight against child trafficking and exploitation and the work of child protection organizations. The committee is expected to publish a directory of the country's child protection organizations and to evaluate their effectiveness in the fight against child trafficking.

***Prevention***

The Government of Benin continued modest efforts to prevent incidents of trafficking. Anti-trafficking education campaigns targeting vulnerable children and their families are conducted by NGOs with the support and collaboration of the government. As the result of an August 2003 summit on cross-border criminality, the Government of Benin has undertaken concerted efforts in conjunction with the Government of Nigeria to fight all types of illegal cross-border trafficking, including child trafficking.

## BURKINA FASO (TIER 2)

Burkina Faso is a source, transit, and destination country for children trafficked for the purposes of domestic and commercial labor. Some Burkinabe women are forced into prostitution after they have arrived in Europe anticipating work as domestic servants. Burkinabe children are trafficked throughout the country and to Cote d'Ivoire, Benin, Ghana, Nigeria, and Mali. Burkina Faso is a transit country for children trafficked from Mali and a destination country for children trafficked from Benin and Togo. Boys trafficked into and within Burkina are employed as forced agricultural laborers, domestics, metal workers, wood workers, and miners; girls typically work as domestics and vendors, though coerced or forced prostitution also occurs. Children trafficked to or within Burkina Faso are subject to violence, sexual abuse and forced prostitution, and are deprived of food, shelter, schooling, and medical care.

The Government of Burkina Faso does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government should intensify efforts to provide protection and assistance to trafficking victims. It should also increase the number of investigations and prosecutions of suspected traffickers.

### *Prosecution*

The Burkinabe Government took modest steps in 2003 to improve its prosecution of traffickers. In May 2003, the National Assembly adopted anti-trafficking legislation that prohibits child trafficking and imposes substantial fines and prison sentences of up to 10 years. In 2003, 17 child traffickers were arrested and prosecuted under a previous law. Two received a six-month suspended sentence; the remaining defendants were released for lack of evidence. There have been no prosecutions under the new trafficking law. The Ministry of Social Action and National Solidarity reported that 644 trafficked children were intercepted by regional surveillance committees and security forces in 2003; 620 were Burkinabe and 24 were from other countries. A committee comprised of government ministries and NGOs has drafted a national trafficking action plan that remains under consideration. In January 2004, the Ministry of Social Action published a report on its trafficking efforts during the period 2000-03. The government is negotiating with the Government of Mali to sign a cooperation agreement to address trans-border child trafficking.

### *Protection*

The government's efforts to protect trafficking victims over the reporting period were inadequate. The government has established two centers to help with the social reintegration of at-risk children. Only one of the centers has adequate facilities and resources. Five transit centers for trafficked children were established in cooperation with the United Nations Children's Fund (UNICEF), serving 644 children in 2003. Vigilance and Surveillance Committees in 11 regions disbursed small amounts of micro-credit for mothers of trafficked children. The government negotiated an agreement with the IOM and UNICEF to repatriate children from other countries.

### *Prevention*

Together with the United States, the government sponsored a 12-month project to train Burkinabe law enforcement officials in all 13 regions to identify and interdict trafficking in persons cases. In 2003, the Ministry of Social Action sponsored a program to establish Vigilance and Surveillance Committees to combat child trafficking in problem regions. Each committee is comprised of members from regional government, security forces, transportation companies, and

the agricultural sector. Members receive training on the nature and risks of trafficking, and means to identify trafficking when it occurs. The government's media outlets broadcasted anti-trafficking and child labor programs, often in collaboration with NGOs.



## BURUNDI (TIER 2)

Burundi is a source and transit country for children trafficked for the purpose of forced soldiering, and there are reports of coerced sexual exploitation of women by both government soldiers and rebel combatants. Armed groups have forcibly conscripted men, women, and children into combat.

Since the 1993 outbreak of the current civil conflict, the government and rebel groups have recruited or abducted about 14,000 children to serve in various capacities, including as porters, cooks, scouts, spies, and actual combatants. There were reports that some rebel groups forced girls into sexual slavery or to perform domestic duties. In conjunction with the UNICEF and the World Bank's Multi-Country Demobilization and Reintegration Program, the government initiated in late 2003 a program to demobilize child soldiers and reintegrate them into their communities, including those in the Burundian Army. Following issuance of an order from the Burundian Minister of Defense, the Burundian Army in early 2003 removed those under the age of 18 years from combat units, and relocated children associated with the armed forces from the front lines in preparation for demobilization. While the government no longer conscripts children into its ranks, rebel groups purportedly continue to recruit and use child soldiers. The government and UNICEF reported that prior to the commencement of the child soldiers' demobilization and reintegration program, there were approximately 1,000 child soldiers affiliated with the Burundian Armed Forces, 1,500 with a government paramilitary group, and 500 with two former rebel movements that signed cease-fire agreements in October 2002. An additional 3,000 to 4,000 child soldiers are associated with two other rebel groups, one of which joined the transitional government in November 2003.

The Government of Burundi does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The Burundian Army has made commendable progress toward demobilizing all child soldiers within its ranks. There is no legislation specifically prohibiting trafficking in persons. The government should continue its efforts to demobilize and reintegrate child soldiers, and enact specific anti-trafficking legislation.

### *Prosecution*

A draft law awaits passage that specifically prohibits pornography, child sexual exploitation, and trafficking in persons. Existing laws criminalize trafficking-related activities such as rape, kidnapping, slavery, smuggling, and prostitution. Trafficking for the purpose of sexual exploitation can be prosecuted under anti-slavery legislation and carries a penalty of up to life imprisonment or death, depending on the severity of the crime. Despite this legal framework, the government did not report any prosecutions, convictions, or sentences of traffickers during the year. However, the government is aggressively investigating cases of alleged trafficking in women that surfaced in late 2003. Air travel, the primary method by which individuals could be trafficked transnationally, is adequately monitored and law enforcement officials have identified some suspected traffickers.

### *Protection*

In 2003, the government pledged to stop the recruitment of child soldiers and initiate demobilization programs. The government engaged local and international organizations to demobilize and reintegrate these children, including the provision of medical, educational, and psychological services. A ministerial committee has identified child soldiers within government forces and provides training for army officers on the illegality of their use. The committee has released reports on the plight of child soldiers and tracked efforts to demobilize and reintegrate them. Since the demobilization program began in December 2003, 524 child soldiers have been demobilized.

***Prevention***

During the last year, the government made appreciable progress in preventing new incidents of trafficking. From June to August 2003, the government conducted a public advocacy and awareness campaign via local radio stations. It held seminars throughout Burundi, targeting army officers, civil servants, church groups, and civil society. The government has also trained army and other officials on the illegality of the use of child soldiers, and on the prevention of sexual abuse.

## CAMEROON (TIER 2)

Cameroon is a source, transit, and destination country for women and children trafficked for the purposes of sexual exploitation and forced labor. Women are lured to Europe by fraudulent marriage proposals offered through Swiss and French prostitution networks or marriage brokers. In July 2003, British police uncovered an international child trafficking ring sending Cameroonian children to the United Kingdom to work in the sex industry. Girls are internally trafficked from the Francophone Grand North and from the Anglophone northwest to the Francophone cities of Douala and Yaounde to work as domestics, street vendors, or prostitutes. Children are also internally trafficked to work on cocoa bean plantations. Cameroon is a destination country for Nigerian and Beninese children trafficked to work in commercial agriculture, bars, auto parts shops, prostitution, or as street vendors. It is also a transit country for the movement of children between Nigeria and Gabon.

The Government of Cameroon does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The country lacks a central repository for crime statistics and regional law enforcement bodies are not required to report cases to a central authority. It is believed that authorities prosecuted several trafficking cases during the year, but actual rates are difficult to determine since traffickers can be prosecuted under various sections of the penal code and there is no system for tracking outcomes. Cameroon should adopt specific anti-trafficking legislation and establish a repository of trafficking crime information.

### *Prosecution*

Cameroon's anti-trafficking law enforcement efforts are sporadic. A national action plan and legislation to fight child labor, including child trafficking, remains in draft form. Until this legislation is passed, courts prosecute traffickers using various provisions of the Penal Code that address related crimes, such as slavery, prostitution, and violations of minimum age requirements for workers. Four individuals were arrested for their involvement in trafficking a group of six children to Yaounde. One of these individuals was convicted and sentenced to eight years in prison. Police also intervened to protect a group of 12 victims of child trafficking, however no traffickers were arrested following this incident.

### *Protection*

Non-governmental organizations provide most of the assistance and protection for trafficking victims. The government provides minimal victim assistance—such as temporary residency, shelter, and medical care—through nine centers for abandoned children funded and staffed by the Ministry of Social Affairs. The government engages with NGOs to locate victims' families.

### *Prevention*

The Ministries of Social Affairs, Labor, and Women's Affairs; the General Delegation for National Security; and, the National Gendarmerie annually allocate funds to support anti-trafficking programs. In 2003, the government sponsored a three-day conference on sex tourism that was attended by hotel managers and travel agencies. The Ministry of Social Affairs conducted seminars in four provinces to discuss the sexual exploitation of children. Frontier police began requiring parental authorization for children traveling without their parents. The government, in conjunction with the ILO, launched a campaign to educate foreign tourists and law enforcement officers about the dangers of child trafficking. Anti-trafficking embarkation-disembarkation cards are now distributed to passengers on international flights leaving Yaounde. The government also supports the creation of anti-trafficking clubs in Cameroon's high schools.

## DEMOCRATIC REPUBLIC OF THE CONGO (TIER 2 - WATCH LIST)

Democratic Republic of the Congo (D.R.C.) is a source country for women and children trafficked for the purposes of sexual exploitation and forced labor, including soldiering. Uncontrolled armed groups continue to abduct and forcibly recruit Congolese men, women, and children to serve as laborers, porters, domestics, combatants, and sex slaves. The Congolese Armed Forces no longer actively conscript children, but still have child soldiers among their ranks despite express commitments to demobilize them. Credible estimates of the total number of child soldiers among all armed groups in the D.R.C. vary widely from 15,000 to 30,000. There are reports of armed groups in Ituri and Maniema forcing civilians, including children, to dig for minerals. There are confirmed reports of child prostitution involving female pimps.

Following several years of war, a unified transition government was formed in July 2003. Sporadic ethnic and political violence by uncontrolled armed groups continues in eastern Congo, and two-thirds of the national territory remains in former rebel hands.

The Government of the Democratic Republic of the Congo does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so in those areas of the country under government control. Congo has been placed on Tier 2 Watch List pending a removal of child soldiers from government forces and issuance of official demobilization certificates. The government should enhance its anti-trafficking coordination, and, in close partnership with humanitarian agencies, work toward demobilizing the remaining child soldiers in its ranks and freeing child soldiers who are captive in armed militias in remote regions.

### ***Prosecution***

No law specifically prohibits trafficking in persons, although Congolese laws prohibiting slavery, rape, and child prostitution could be used to prosecute traffickers. Involvement in child prostitution is a crime, but these laws are rarely enforced. The reunified government has not investigated or prosecuted any cases against traffickers. The country's criminal justice system—police, courts, and prisons—is decimated following years of war. The justice system must be rebuilt and rule of law improved before trafficking cases can be adequately addressed.

### ***Protection***

The government has taken concrete steps to disarm, demobilize, and reintegrate (DDR) child soldiers. In 2003, it established a DDR plan of action and an inter-ministerial coordinating committee, however this process has been seriously delayed by the failure of the Ministries of Defense and Interior to finalize procedures for the issuance of demobilization papers. Without this certification, child soldiers are at risk of re-enrollment, have difficulty obtaining assistance from humanitarian organizations, and usually cannot be reintegrated into their home communities. The DDR process is being implemented by international organizations and local NGOs, although the government actively coordinates, facilitates, and participates in the process. About 1,000 child soldiers were demobilized and reintegrated in 2003.

### ***Prevention***

In 2003, the government cooperated in a UN High Commissioner for Refugees (UNHCR) assessment on violence against women and children, including trafficking victims, by providing information and assisting in the program design.

## COTE D'IVOIRE (TIER 2 WATCH LIST)

Cote d'Ivoire is a source and destination country for children trafficked from Mali, Burkina Faso, Ghana, Togo, and Benin for the purposes of forced labor in commercial agriculture and domestic servitude. Young Ghanaian girls are trafficked to Abidjan to work in restaurants. Women are trafficked from Nigeria, Ghana, Liberia, and Asian countries for sexual exploitation in Abidjan and other urban centers. Some of these women are forced to prostitute themselves to earn money to reimburse the traffickers, to buy their release, or so their traffickers can send them to final destinations, including Italy, the Netherlands, and Scandinavia. Other victims originate in Cote d'Ivoire and are trafficked for forced domestic labor in Europe, North Africa, Lebanon and Syria. Some Ivoirian children are forced to beg at crossroads and give any proceeds to their traffickers. Ivoirian children are also forcibly conscripted into armed groups; some child soldiers in Cote d'Ivoire have also come from Liberia and Sierra Leone.

The government does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so despite an ongoing political/military conflict and its limited resources and capabilities. Cote d'Ivoire is placed on Tier 2 Watch List in this report because there is a failure to demonstrate increasing efforts to combat severe forms of trafficking in persons. The government should pass an anti-trafficking law and document investigations, prosecutions, convictions, and sentences of traffickers.

### ***Prosecution***

In February 2004, the Ministry of Family, Women and Children's Affairs met with National Assembly leaders to encourage quick passage of anti-trafficking legislation. The government currently prosecutes traffickers under laws addressing the kidnapping of children and forced labor. The government did not convict or intercept any traffickers during the reporting period.

### ***Protection***

The government does not operate shelters or programs for victims, but encourages the efforts of some 60 NGOs. The government worked with a German aid organization to repatriate several Malian children trafficked to Cote d'Ivoire for agricultural work.

### ***Prevention***

The Ministry of Family, Women and Children's Affairs conducted a seminar on the status of trafficking that was widely covered by the media. The government participates in a regional project to combat child trafficking in West and Central Africa.

### EQUATORIAL GUINEA (TIER 3)

Equatorial Guinea is a transit and destination country for women and children trafficked for the purposes of sexual exploitation, domestic servitude, and forced commercial labor. Women and children are trafficked to Equatorial Guinea from West and Central Africa, principally Cameroon, Nigeria, and Benin. Trafficked women work as prostitutes in Equatorial Guinea's booming oil sector. Boys are trafficked to work in the agricultural and commercial sectors of Malabo and Bata while girls are trafficked for involuntary domestic servitude and prostitution.

The Government of Equatorial Guinea does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The government's failure to make significant efforts to reduce trafficking in persons, especially in the absence of resource constraints common to the rest of the sub-Saharan region, requires a Tier 3 rating. Owing to revenues from its petroleum sector, the government has sufficient funding to support prevention and protection programs, but it has failed to take action in these areas, largely due to lack of capacity in the public sector and civil service. The country's borders are porous, corruption is rife, and there is no systematic monitoring or reporting on trafficking. The government should take steps to prevent trafficking by vigorously patrolling its borders, building its law enforcement capacity, and increasing public awareness of trafficking. Efforts should also be made to provide for the needs of trafficking victims.

#### ***Prosecution***

There is no law specifically prohibiting trafficking in persons. The Ministry of Justice drafted a new trafficking law in 2003, which awaits adoption. The Ministry of Justice has designated one of its lawyers as a trafficking specialist. In 2003, the government prosecuted its first trafficking case, convicting a woman of trafficking and enslaving a young girl from Benin. Corrupt law enforcement officials are known to facilitate trafficking in and through Equatorial Guinea.

#### ***Protection***

The government has taken little action to protect or assist trafficking victims. In fact, victims have been deported. The First Lady, in conjunction with NGOs, has led the government's minimal effort to shelter and care for perhaps two dozen poor and abandoned children, some of who may be trafficking victims. The government provides funding to these shelters.

#### ***Prevention***

The government sponsored an observance of the International Day of the African Child and staged a National Forum on the Rights of Children and Trafficking of Minors. National radio and television covered these events.

## ETHIOPIA (TIER 2 - WATCH LIST)

Ethiopia is a source country for women and children trafficked for the purposes of sexual exploitation and forced domestic and commercial labor. Ethiopian children and adults are trafficked internally from rural areas to urban areas, principally for involuntary domestic servitude, and also for prostitution and forced labor, such as street vending. A small number of young women are trafficked for commercial sexual exploitation to Lebanon. There are reports that women may be trafficked onward from Lebanon to Europe.

The Government of Ethiopia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so despite severe resource constraints. Victim protection is virtually non-existent, and the failure to obtain a single conviction in nearly 100 trafficking-related cases warrants Tier 2 Watch List status and sends a clear message to traffickers that they can operate with impunity. Ethiopia should take steps to enact comprehensive trafficking legislation, convict and punish alleged traffickers, and provide basic protection services to meet the needs of victims.

### *Prosecution*

Ethiopia lacks comprehensive trafficking legislation. However, the government began the process of strengthening trafficking-related penal code provisions. The criminal code narrowly defines traffickers as those who seduce, entice, or otherwise induce women and children to engage in acts of prostitution. Ethiopian law falls particularly short in that it fails to address internal trafficking and trafficking for forced labor. Despite 80 to 100 trafficking-related arrests in previous years, the government has failed to win a single conviction. In October 2003, police arrested five men suspected of trafficking children from Ethiopia's southern region. These cases are pending. No government official has been implicated in trafficking, but allegations of official collusion in trafficking are reportedly under investigation. Through airport controls, the government monitors immigration and emigration patterns for evidence of trafficking. In 2003, airport immigration officials rescued and repatriated several Burundians and Tanzanians being trafficked onward to the Middle East via the Addis Ababa airport.

### *Protection*

Minimal government assistance is available to trafficking victims. In 2003, the Ethiopian Consulate in Beirut increased its efforts to dispense limited legal advice and provide temporary shelter to victims.

### *Prevention*

In 2003, the IOM, with administrative support from the Ministry of Education, conducted about 400 anti-trafficking training and awareness sessions at schools and universities. A government committee is vested with authority to address trafficking issues. The government monitors the operations of five international labor migration firms, which are required to provide counter-trafficking training in their initial screening and pre-departure counseling programs.

## GABON (TIER 2 - WATCH LIST)

Gabon is a destination country for children trafficked from Benin, Nigeria, and Togo for the purposes of forced domestic servitude and commercial labor. The majority of the trafficked children are girls used for forced domestic work, market vending, and staffing roadside restaurants. Boys are forcibly employed in small workshops and as street hawkers. The victims are typically trafficked into the country by boat and deposited on one of many deserted beaches where the likelihood of detection by authorities is small. NGOs estimate that the number of trafficking victims is significant, but accurate statistics are unavailable.

The Government of Gabon does not fully comply with minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Gabon is placed on Tier 2 Watch List for failing to provide evidence of increasing efforts to combat severe forms of trafficking in persons, including investigating and prosecuting trafficking cases, and adopting measures to prevent trafficking. Gabon should strengthen its anti-trafficking efforts by improving its investigations, prosecuting traffickers, and undertaking regional cooperation to prevent children from being trafficked into the country.

### *Prosecution*

Anti-trafficking legislation was adopted by the National Assembly in late 2003 and was under consideration by the Senate in March 2004. In the absence of an applicable law, the government has not actively investigated or prosecuted any cases of trafficking. In October 2003, UNICEF trained 22 security officials on anti-trafficking measures. Those officials trained an additional 43 security agents, including labor inspectors, in recognizing and preventing child trafficking and protecting its victims. At least one trafficking-related arrest was made following this training.

### *Protection*

UNICEF estimates that more than 3,000 trafficked children have received assistance from the government and various NGOs in Gabon since 2002. In April 2003, the Ministry of Labor, with the help of UNICEF, set up a toll-free hotline for child trafficking victims. The call center provided child victims with 24-hour assistance and arranged free transport to a shelter. Of the 3,500 calls received in 2003, 100 calls were deemed actionable, 52 children were rescued, and 14 reunited with their families. No corresponding arrests were made.

### *Prevention*

The government has made only minimal efforts to prevent trafficking into Gabon. An inter-ministerial committee is tasked with leading the government's anti-trafficking efforts, but it meets infrequently and has no budget or office. The government is involved in the preliminary stages of the development of regional cooperation to prevent trafficking.



## THE GAMBIA (TIER 2)

The Gambia is a source, transit, and destination country for women and children trafficked for the purposes of sexual exploitation and forced domestic and commercial labor. Sex tourists from the Netherlands, the United Kingdom, Sweden, Norway, Germany, and Belgium exploit Gambian children and, in some cases, traffic them to Europe for prostitution and pornography. Children are internally trafficked from rural to urban areas for forced work, including begging, street vending, and domestic servitude. The Gambia is a transit point for West African women being trafficked to Europe, the Middle East, and the United States for sexual exploitation. It is also a destination country for West African children exploited as domestics, farm laborers, beggars, street vendors, and in the sex trade. Child prostitutes typically have “leaders” or pimps and operate from bars, hotels, and brothels with the approval of proprietors and managers.

The Government of The Gambia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During 2003, the government made tremendous efforts to confront trafficking, including the passage of the Tourism Offenses Act, the drafting of a trafficking bill, and the formation of a trafficking task force. The government should discontinue the practice of returning trafficking victims to their captors and take immediate steps to protect future victims. The government should also enact and implement comprehensive trafficking legislation to ensure that the legal mechanisms are in place to enable the prosecution of traffickers.

### *Prosecution*

No comprehensive law prohibits trafficking in persons, but the government began to draft a bill in late 2003. Provisions in the Gambian criminal code deal with kidnapping, abduction, buying, selling, and trafficking in persons for the purpose of exploitation. The penalty for trafficking is 10 years’ imprisonment. The Tourism Offenses Act of 2003 criminalizes child prostitution and pornography engaged in by tourists, and carries severe punishments. A task force reviewed existing laws on child protection and is preparing to submit draft legislation to the National Assembly. No trafficking cases have been prosecuted in the Gambian court system.

### *Protection*

In 2003, the government contributed to the construction of a shelter for trafficking victims. Authorities briefly rescued 100 Ghanaian children trafficked for commercial labor and sexual exploitation in February 2004. Due to an inability to provide protective services, the government returned the rescued Ghanaian children to their traffickers.

### *Prevention*

In 2003, the government formed a trafficking taskforce. Gambia attended the October 2003 ECOWAS regional meeting on trafficking in Abuja. Following that meeting, a trafficking office was created at the Department of State for Justice and charged with developing a national plan to implement the ECOWAS Action Plan. The Head of State publicly condemned child trafficking and vowed to take action to prevent it during the March 2004 opening of the National Assembly.

## GHANA (TIER 1)

Ghana is a source, transit, and destination country for women and children trafficked for the purposes of sexual exploitation and forced domestic and commercial labor. Ghanaian children are trafficked to work in fishing communities along Lake Volta, and to cities to work as domestic helpers, porters, and assistants to local traders. They are also trafficked to Cote d'Ivoire, Togo, Nigeria, and The Gambia for forced labor; some girls are trafficked to the Middle East for involuntary domestic servitude. Ghanaian expatriates return to Ghana under the guise of seeking to marry young girls, but then prostitute these girls upon arrival in Europe, mostly in Germany, Italy, and the Netherlands. International traffickers also target Ghanaian women by promising European jobs. Ghana is a transit country for Nigerian women trafficked to Western Europe and forced to work in the sex industry, and Burkinabe children bound for Cote d'Ivoire. Children from Cote d'Ivoire, Togo, and Nigeria are trafficked to Ghana for forced work as laborers, domestic servants, and prostitutes.

The Government of Ghana fully complies with the minimum standards for the elimination of trafficking. Ghana continued to excel at victim protection, particularly in regard to repatriating trafficked children and providing assistance to their families. It also demonstrated strength in trafficking prevention by mounting awareness-raising campaigns in source villages and training truck drivers to identify trafficking victims. However, Ghana's future law enforcement efforts depend heavily on the passage of pending trafficking legislation. The government should proactively seek the passage of this bill and its implementation.

### *Prosecution*

There is no specific law prohibiting trafficking in persons, although there are laws against slavery, prostitution, rape, underage labor, child stealing, kidnapping, abduction, and the manufacture of fraudulent documents under which traffickers are prosecuted. Government officials assert that these laws are inadequate and constrain law enforcement efforts. In 2003, the government worked on drafting a human trafficking bill that, in addition to criminalizing trafficking, would establish a victims' fund for protection, rehabilitation, and prevention efforts. The Ministry of Manpower Development and Employment conducted several workshops during which the National Human Trafficking Task Force reviewed the draft legislation; the government intends to submit the bill to Parliament in 2004. In 2003, police arrested four persons for trafficking-related offenses, but none were convicted. Two individuals were sentenced to two-year jail terms and fined for attempting to sell a child; a woman arrested in 2001 on charges of child trafficking to The Gambia is being prosecuted. There is another trial underway involving several traffickers who were intercepted with 50 children in 2002.

### *Protection*

More than 1000 children were repatriated to Ghana in 2003. The Ghana National Commission on Children has conducted community gatherings throughout the country to discuss the hazards of trafficking. These programs significantly raised the level of trafficking awareness and, in some cases, prompted women to withdraw their children from their traffickers. The Ministry of Women and Children's Affairs provided vocational training to girls engaged in portering. The Ministry also worked, through "Operation Bring Your Children Home," to encourage parents who had sold their children to bring them home in exchange for business assistance, vocational training, credit facilities, and assistance with school fees and uniforms. It established a Women's Development Fund, from which mothers of trafficked children received loans and

business training to help them start small enterprises. The government used a World Bank loan to assist street children in major metropolitan areas, many of whom are targets of trafficking.

***Prevention***

Ghana has a National Plan to Combat Trafficking. In June 2003, in recognition of the World Day against Child Labor, Parliament debated the issue of child labor and child trafficking. The Women and Juvenile Unit (WAJU) of the Ghana Police Force implemented trafficking awareness campaigns involving community meetings in three coastal villages known for sending children to work along the Volta Lake. In addition, WAJU conducted informational meetings at two large truck stops in Accra to educate drivers and their union representatives on identification of trafficking victims. The government pays approximately 10% of the costs of ILO programs to combat trafficking and child labor. The Ghana Education Service has an extensive program to promote girls' education and includes child labor issues in its curriculum.

## GUINEA (TIER 2)

Guinea is a source, transit, and destination country for women and children trafficked for the purposes of sexual exploitation and forced domestic and commercial labor. Guinean children are internally trafficked to Conakry from rural areas; girls are trafficked for domestic servitude, and boys for shoe shining and street vending. Guinea is a source country for women and girls trafficked to Benin, Senegal, South Africa, and Spain for domestic servitude and sexual exploitation. UNICEF estimates that 6,200 Guinean child soldiers await demobilization in the country's military garrisons, and an additional 2,000 are currently in Liberia. Guinea is a destination country for children trafficked from Mali, Guinea-Bissau, Sierra Leone, and Senegal for forced domestic servitude and street vending.

The Government of Guinea does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. More complete information on trafficking in Guinea makes it possible to include it in this report for the first time. Instability and armed conflict in neighboring countries contribute to a recent increase in trafficking and made prevention activities more difficult. Large numbers of refugees significantly drain government resources. Guinea should step up efforts to foster interagency cooperation on trafficking issues, curtail trafficking through border posts, and provide assistance to victims.

### *Prosecution*

Trafficking in persons carries a penalty of five to ten years imprisonment and the confiscation of any money or property received for trafficking activities. Guinean law also prohibits forced labor and the exploitation of vulnerable persons for unpaid or underpaid labor. Government officials are known to issue false passports for trafficking purposes, and deliberately overlook trafficking at border crossings. No actions have been taken against officials involved in trafficking in persons. In November 2003, a network of Guinean women that trafficked girls from Bamako into Guinea for domestic servitude was discovered in the aftermath of a car crash. Guinean authorities worked with IOM to repatriate the five surviving children. It is not known whether any charges were filed against the traffickers. Guinean border police intercepted six boys en route to Mali and returned the victims to their homes. Police are investigating the case of a Greek citizen intercepted while trafficking 36 Indian men through Conakry's port in 2003. The government is working in conjunction with the Malian Government to strengthen trafficking surveillance at the border.

### *Protection*

The government provides limited assistance to victims of trafficking due to severe resource constraints; the responsibility for victim care falls mainly to NGOs and missionary groups. The police assist victims in making contact with organizations that provide shelter and family reunification. Authorities also contact local embassies for non-Guinean victims and process necessary travel documents to permit trafficking victims to return home. The government provides limited assistance to families of returning children. The Guinean military includes training in child soldier identification, demobilization, and prevention as part of its curriculum. In 2003, a book entitled "Child Soldiers and Protection: Before, During, and After the War" became standard issue, and 862 military officers received training on the involvement of children in armed conflict.

### *Prevention*

The government has developed a national plan of action to combat trafficking, consisting of education campaigns and child registration drives. However, in the past year, the plan was poorly

publicized and largely ignored. An anti-trafficking workshop was held in Bamako in March 2004 to better coordinate regional action against trafficking. High-ranking Guinean delegates from the Ministry of Social Affairs and national police attended this meeting and presented the government's action plan for TIP issues. To better understand the local trafficking phenomenon, the Ministry of Social Affairs requested that UNICEF conduct a study of Guinean child trafficking in 2003. Completed with the assistance of numerous government personnel, the study provides limited statistics on the trafficking situation. In March 2004, government ministries met to discuss trafficking, including strategies to reduce the number of children being trafficked from Guinea. The meeting focused on ways to close off airports and ports, the major exit routes. To further reduce child trafficking, the government updated its passport technology; photos are now digitally scanned rather than pasted into passports.

## KENYA (TIER 2 - WATCH LIST)

Kenya is a country of origin, destination, and transit for victims trafficked for the purposes of sexual exploitation and forced labor. Victims are trafficked from South Asian and East Asian countries and the Middle East through Kenya to European destinations for sexual exploitation. Asian nationals, principally Indians, Bangladeshi, and Nepalese, are trafficked into Kenya and coerced into bonded labor in the construction and garment industries. Kenyan children are trafficked internally from rural areas to urban centers and coastal areas into involuntary servitude, including work as street vendors and day laborers, and into prostitution. Women and children are trafficked from Burundi and Rwanda to coastal areas in Kenya for sexual exploitation in the growing sex tourism industry.

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. Kenya has been classified as Tier 2 Watch List because the absolute number of trafficking victims is significant and there is a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year. Kenyan officials should recognize that trafficking in persons is a national problem and engage forcefully on the issue. The government should develop a national action plan, step up border security, provide training to law enforcement officials, and conduct anti-trafficking public awareness campaigns. The government needs to enact comprehensive anti-trafficking legislation and continue to combat official corruption.

### *Prosecution*

Kenya lacks a specific anti-trafficking statute and has no comprehensive law enforcement programs targeting trafficking. Some trafficking offenses could be prosecuted under laws addressing child labor, forced detention for prostitution, and the commercial exploitation of children, but no trafficking-related offenses have been prosecuted. Kenyan Government officials are increasingly engaged with the United States to develop anti-trafficking programs. A human trafficking unit in the police force was created in 2003 with U.S. assistance. Kenyan police officials continue to deny that trafficking is a problem. Immigration officials receive brief training on human trafficking. Government corruption is rife, but there were no reports that officials are directly involved in trafficking. It is illegal in Kenya to live on the income generated through commercial sex work.

### *Protection*

The government provides no assistance to trafficking victims in Kenya and does not train police officials in how to identify trafficking victims. Government assistance to NGOs is minimal due to resource constraints. The Ministry of Home Affairs established an office in Saudi Arabia to provide assistance to Kenyans who work there. It also implemented an employment program that targets orphaned and abandoned youth, which could be extended to trafficking victims. The fledgling program offers training and subsidized employment.

### *Prevention*

The government permits NGOs and international organizations to conduct awareness campaigns and collect information, but conducts no prevention programs of its own. In response to reports of Kenyan nationals being victimized by fraudulent employment schemes in the Middle East, the Ministry of Labor operated a program of education, awareness, and inspection for agencies that facilitate the employment of Kenyans overseas. The program seeks to educate Kenyans as to their rights and to lessen the possibility they could become victims, and to prevent the use of

illegal smuggling firms. Kenyans using legitimate employment agencies receive information on their legal rights and their contracts are filed with the government. The government recently began a registration program for coastal guesthouses, in part to deter sex tourism. The government lacks the resources to effectively monitor its borders.

## MADAGASCAR (TIER 2 - WATCH LIST)

Madagascar is a source country for children trafficked internally for the purpose of sexual exploitation. Child prostitutes from poor districts and surrounding rural areas are prevalent at tourist destinations. An estimated 2,000 to 3,000 minors are engaged in prostitution in the tourist areas of Nosy Be and Toamasina. Some child prostitutes are encouraged or facilitated by family members or third parties who, for a fee, locate clients, mediate disputes, or act as an interpreter.

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. Madagascar is included in this year's report based on newly available information indicating it has a significant trafficking problem. It is being placed on Tier 2 Watch List as a result of poor prosecution efforts and inadequate protection measures. The government lacks clear, comprehensive trafficking legislation, and has no national plan to combat trafficking in persons and sex tourism. Passage of anti-sex tourism and anti-trafficking laws would enhance Madagascar's law enforcement and prevention efforts. The government also needs to increase its investment in protection programs for victims, such as expanding shelter capacity and vocational skills training for victims.

### *Prosecution*

Madagascar's law enforcement efforts against trafficking remain weak, though the government is initiating reforms. Early in 2004, the Ministry of Justice launched a comprehensive review of Malagasy law to bring it into conformity with commitments made under international conventions. Madagascar has no law that specifically prohibits trafficking in persons. Domestic statutes on prostitution are inconsistent, particularly on the age of consent. A regulation bars minors from nightclubs and subjects offending owners to fines and jail terms, but it is not consistently enforced. Traffickers are liable for prosecution under several provisions of the Malagasy Penal and Labor Codes, including a provision prohibiting pedophilia or the procurement of minors for prostitution. In October 2003, a German national was arrested and charged with pedophilia and with hosting an Internet site promoting sex tourism in Madagascar. The court ordered the man deported in December, but his deportation is not confirmed. Also in 2003, five people were convicted of pimping and received prison terms ranging between two and 10 years. In 2003, the government failed to provide full statistics on trafficking-related prosecutions.

### *Protection*

The government's protection efforts are inadequate. The Ministry of Labor established a "Welcome Center" in Antananarivo to provide shelter and professional sewing skills to approximately 40 street children, some of whom had been engaged in prostitution. Plans are being formulated to build a network of centers in all six provinces of the country.

### *Prevention*

The government continued efforts to raise awareness of the sex tourism issue. In December 2003, the government, in conjunction with two international organizations, released its first report on child prostitution in Madagascar. The report included the results of a series of studies conducted by government ministries. The Ministry of Tourism established a committee to coordinate a strategy for combating sex tourism and the government established an inter-ministerial working group for children's issues. In addition, there are several small-scale initiatives supported by local government officials. These efforts offer after-school sports and craft opportunities to children, especially girls who are vulnerable to trafficking.



## MALAWI (TIER 2 - WATCH LIST)

Malawi is a source and destination country for women and children trafficked for the purpose of sexual exploitation. There are reports that small numbers of women and children are internally trafficked to locations along Lake Malawi for sexual exploitation in the sex tourism industry. Child prostitution is a growing problem in Malawi; due in part to the HIV/AIDS epidemic, child prostitutes are in greater demand. Women are reportedly trafficked for sexual exploitation from Malawi to South Africa and Europe, particularly the United Kingdom, Germany, and the Netherlands. There are also claims of Malawians being trafficked to Zambia and Tanzania for forced prostitution. Zambian women are reportedly trafficked for forced prostitution to brothels on the outskirts of Lilongwe and Blantyre.

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. Malawi has been placed on Tier 2 Watch List because of a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons, particularly evident in the complete lack of investigations and prosecutions during the year. The government should pass comprehensive legislation to criminalize all forms of trafficking and initiate broad victim protection programs that address the problem of child prostitution.

### *Prosecution*

No law specifically prohibits trafficking in persons. Legislation to criminalize trafficking was introduced in 2002, but was subsequently withdrawn in 2003. Some traffickers can be prosecuted under the penal code, which criminalizes the transport of a woman from Malawi for purposes of prostitution. Malawian law also prohibits prostituting other persons, receiving money from such practices, and procuring any girl under the age of 21 for sexual relations. The constitution prohibits slavery and servitude. Malawian police worked with Interpol and the Southern African Regional Police Chiefs Organization to identify and investigate potential traffickers, but the government did not actively investigate or prosecute any trafficking cases in 2003.

### *Protection*

The government provides limited protection services to trafficking victims. In 2003, the government provided counseling, rehabilitation, and relocation assistance to teenage boys sexually exploited at Lake Malawi.

### *Prevention*

The Ministry of Gender and Community Services periodically reviews trafficking cases, but was not presented with an opportunity to do so during the year. In 2003, the government worked with the ILO to study the magnitude of child labor, including child prostitution, in Malawi. The results of the study have not yet been released. The government began issuing machine-readable passports with anti-fraud protection to strengthen immigration controls, tighten border security, and decrease cross-border trafficking. Passport applicants must apply in person and provide supporting identity documents.

## MALI (TIER 2)

Mali is a source, transit, and destination country for women and children trafficked for the purposes of sexual exploitation and forced domestic and commercial labor. Children are trafficked to the rice fields of central Mali; boys are trafficked to mines in the southeast; and girls are trafficked for involuntary domestic servitude in Bamako. Malian children are also trafficked to Guinea for domestic servitude. Burkinabe children attending Koranic schools are sometimes forced to work on Mali's rice farms. Nigerian women and girls are trafficked to Mali for sexual exploitation. Traffickers are generally Malian, but include other West African nationals.

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. Increased prevention efforts would help Mali's fight against trafficking in persons.

### *Prosecution*

Malian law criminalizes trafficking in children, which is punishable by five to 20 years in prison. The Malian constitution prohibits forced or bonded labor, including by children. The government investigates trafficking cases and recently convicted and sentenced one trafficker. Three women are awaiting trial on trafficking charges and their 14 victims of child prostitution were encouraged to assist in the investigation and prosecution. In December 2003, Malian police arrested two suspected child traffickers conveying 112 Burkinabe children. Two Nigerian traffickers exploiting child prostitutes in Mali were arrested in March 2004. The government provided training for border police, customs officials, labor inspectors, and Ministry employees on recognizing and addressing trafficking. In an effort to coordinate regional efforts, Malian authorities signed a convention with Cote d'Ivoire to fight trafficking; agreements with Burkina Faso and Senegal are in preparation.

### *Protection*

The government works closely with international organizations and NGOs to coordinate the repatriation and reintegration of trafficking victims. Between 2000 and 2003, more than 600 trafficked children, mostly from Cote d'Ivoire, were hosted by transit centers in four major cities before being returned to their families. Following the December 2003 rescue of more than 100 Burkinabe children from traffickers, the government placed the children with a local NGO until they could be returned home. The government also funded income generation projects to assist in the resettlement and integration of these children. The Ministry of Women, Children, and the Family hosted a sub-regional trafficking conference in March 2004 that focused on regional coordination of anti-trafficking efforts and reintegration of trafficking victims.

### *Prevention*

The government has a national plan to prevent and address child trafficking. The Ministry of Women, Children, and the Family's anti-trafficking unit funds a trafficking awareness campaign. In 2003, Mali and Cote d'Ivoire established a commission to jointly study child trafficking.

## MAURITANIA (TIER 2 - WATCH LIST)

Mauritania is a source and destination country for men, women, and children trafficked for the purpose of forced labor. Although slavery was officially outlawed in 1980, vestiges of slavery remain, particularly in remote areas of the country, flowing from ancestral master-slave relationships inherited from one generation to the next. This relationship, though one of unequal status, can be likened, at times, to that of family, with the physical needs of the slave provided for, even into old age, in exchange for work performed. Instances of traditional slavery—defined as not receiving payment for work performed and being prohibited from leaving one's situation—reportedly exist, but are becoming less frequent as the population becomes increasingly less nomadic and more urbanized. However, these relationships have long been engrained in the collective mindset and are difficult to transform. Former slaves, though legally free, cannot realistically leave their situation, as they are uneducated and have no personal assets or marketable skills. Without viable work options, there is little possibility of economic independence and the traditional interdependence is perpetuated.

An official Department visit to Mauritania was conducted in March 2004 to gain a better understanding of the social complexities surrounding alleged vestiges of slavery. This investigation neither conclusively confirmed nor denied the continued practice of traditional forms of slavery.

A relatively small number of Mauritanian boys, almost always from Pulaar and related tribes, are sent to cities to work and to receive Koranic instruction under the tutelage of a marabout for whom they are forced to beg, sometimes in excess of 12 hours a day. Such boys, known as talibe, also come from Senegal, Mali, and Niger. While some marabouts provide comprehensive Koranic instruction, others have taken advantage of the tradition to run networks of forced child beggars. There are unconfirmed reports of child prostitution networks.

The Government of Mauritania does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Mauritania appears on the report this year as the result of newly available information indicating it has a significant trafficking problem. It has been placed on Tier 2 Watch List for failing to provide evidence of increasing efforts to combat trafficking. The government should manifest its commitment to eliminating slavery by vigorously publicizing the new anti-trafficking law and any convictions stemming from the law, particularly in remote sections of the country and among vulnerable population groups such as illiterate adults, Black Moors, and the economically destitute. It should also provide education for civil society on labor rights, including forced labor and child prostitution. Economic and social programs must be developed to integrate former slaves into society, and a grassroots awareness-raising campaign should be launched to educate them on their rights, freedoms, and opportunities.

### ***Prosecution***

The government passed the Law Against Human Trafficking in July 2003 that prohibits non-remunerated work, forced labor, and exploitation for prostitution. Penalties include five to ten years of forced labor and a substantial fine. To publicize the new law, the government ran radio, television, and newspaper campaigns in French, Arabic, and Pulaar in both July and December 2003. A later campaign, which focused on the legal context of the trafficking law, ran in early September. The government has not prosecuted any cases against traffickers under the new law.

***Protection***

The government does not provide victim protection services. In 2003, the human rights commission provided a small number of descendants of former slaves, known as Haratines, with vocational training via mobile centers sent to remote areas.

***Prevention***

The government took no action in 2003 to prevent trafficking.

## MAURITIUS (TIER 2)

Mauritius is a source and destination country for women and children trafficked for the purpose of sexual exploitation. Mauritian children are internally trafficked for exploitation in the sex tourism industry. Mauritius has an estimated 2,600 child prostitutes. There are reports that women from Madagascar are trafficked to Mauritius for forced prostitution through the abuse of tourist visas.

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 year, the government has acted proactively and demonstrated strong political will to combat trafficking in persons within the country. To further its efforts to fight trafficking, Mauritius should strengthen its law enforcement efforts, increase nationwide awareness of child trafficking, and amend existing laws to cover the cross-border dimension of child trafficking and the sale of children.

### *Prosecution*

The government's performance in combating trafficking through law enforcement was weak in 2003. Mauritius continues to lack a law that specifically prohibits all forms of trafficking in persons. The Constitution provides protection against slavery and forced labor. The criminal code makes it an offense to procure, entice, and exploit prostitutes. While it is illegal to engage in sexual intercourse with children under the age of 16, Mauritian law fails to criminalize the prostitution of 16- and 17-year old children. In 2003, the government established a Tourism Police Force to monitor tourist sites for instances of trafficking, as well as victims of the sex tourism trade.

### *Protection*

During 2003, the Government of Mauritius made efforts to improve its protection of trafficking victims. Late in the year, the Mauritius Family Planning Association, in collaboration with the Ministry of Women's Rights, Child Development, and Family Welfare, opened a "Drop-In Center" to rehabilitate children who are victims of sexual abuse and exploitation, including child prostitutes. Trained child welfare officers offer psychological, medical, and legal assistance as part of an effort to reintegrate the children into society. The Ministry of Women and the Family Protection Unit of the Mauritian Police Force jointly conducted a three-day training for NGOs on combating commercial sexual exploitation of children.

### *Prevention*

The government's efforts are strongest in the area of prevention. It has a National Plan of Action on the Protection of Children Against Sexual Abuse including Commercial Sexual Exploitation. In 2003, the Ministry of Women's Rights, Child Development and Family Welfare launched a Child Watch Network, which, through collaboration of social workers, medical practitioners, psychologists, teachers, NGOs and community leaders, conducts surveillance of children who are being abused, including child prostitutes. Under the Ombudsperson for Children Act of 2003, the President appointed an Ombudsman for Children's Issues who is responsible for promoting children's interests, protecting victims of exploitation, investigating complaints of violations, and presenting proposals for preventing trafficking. In 2003, the Ministry of Tourism developed a strategy to discourage child prostitution at tourist destinations. The government sponsored anti-trafficking television, radio, and newspaper advertisements that educated the public about the problems of child prostitution. In addition, the government ran a "training for trainers" program to educate 200 community and youth leaders on how to train others to identify and combat child sexual exploitation, of which child prostitution is a primary element in Mauritius.

## MOZAMBIQUE (TIER 2)

Mozambique is a source country for women and children trafficked for the purpose of sexual exploitation. South Africa is the principal receiving country for trafficked Mozambicans. Traffickers are principally Mozambican or South African, though Chinese and Russian syndicates reportedly facilitate trafficking as well. The IOM estimates that 1,000 Mozambican women and children are trafficked every year and sold to brothels, or as concubines to mine workers.

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. Though trafficking is acknowledged as a serious problem at the highest levels of government, border controls remain inadequate and do not effectively monitor for evidence of trafficking. The government has difficulty investigating alleged trafficking cases due to untrained police officers, while equipment shortages limit its investigative capacity. The government should focus its efforts on strengthening border controls, bolstering investigative resources, and undertaking strong preventive measures.

### ***Prosecution***

Mozambican law does not specifically prohibit trafficking in persons. Traffickers could be prosecuted using laws on sexual assault, rape, abduction, and child abuse, but no such cases have been brought. The government has responded to trafficking-related allegations in the press by conducting follow-up investigations and issuing public awareness announcements. Two foreigners were detained in 2003 on allegations of child and organ trafficking; the investigation is ongoing. In September 2003, the government launched a program to enhance its child protection laws, including the development of legislation to specifically address trafficking in children. A pilot program of police stations dedicated to deal with trafficking victims was implemented in three provincial capitals and staffed with trained officers.

### ***Protection***

In 2003, the Ministry of Women and Social Action Coordination staffed hospitals in all provinces with persons trained specifically to work with trafficking victims. These personnel provide only short-term assistance to the victims; many provinces lack the funding to provide long-term assistance, shelter, or employment skills training. The Campaign against Trafficking in Children, in which the government actively participates, is establishing an assistance center at the border post of Ressano Garcia for repatriated victims of child trafficking.

### ***Prevention***

Prevention efforts on the part of the government are extremely weak. An individual from a local NGO has been seconded to the Ministry of the Interior to work on trafficking issues, but the level of resources devoted to prevention is not commensurate with the problem.

## NIGER (TIER 2)

Niger is a source and transit country for men, women and children trafficked for the purposes of sexual exploitation and domestic and commercial labor. Niger is a transit country for persons trafficked between Nigeria, Benin, Togo, Ghana, Burkina Faso, and Mali; final destinations also include North African and European countries. Nigerien girls are internally trafficked for involuntary domestic servitude and sexual exploitation. Young Nigerien boys are indentured to Koranic teachers, and vestiges of traditional slavery reportedly exist in parts of the country.

The Government of Niger does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government needs to prosecute trafficking crimes and take steps to provide for the protection of victims.

### *Prosecution*

Due to severe resource constraints, Niger's ability to punish traffickers was weak in 2003. There is no law specifically outlawing trafficking, but a 2003 revision of the penal code criminalizes slavery, for which a conviction carries a 10 to 30-year prison sentence. No prosecutions occurred during the year, but Niger's Judicial Police arrested two Nigerians attempting to transit 14 males and 14 females from Nigeria to Mali. These individuals were released to the Government of Nigeria for prosecution. Anti-trafficking training was conducted for police and border officials who cooperate with Interpol.

### *Protection*

The government does not offer any services for victims but it operates a general witness protection program that trafficking victims could potentially take advantage of. In addition, it supports the efforts of two NGOs that assist victims of trafficking.

### *Prevention*

In 2003, the Ministry of Justice created a National Commission for the Coordination of the Fight Against Trafficking in Persons, and an action plan is slated for approval in mid-2004. The government has sponsored anti-trafficking information and education programs, including an ILO-IPEC campaign that involved outreach to traditional chiefs. In addition, Niger has signed the anti-trafficking declaration issued by ECOWAS.

## NIGERIA (TIER 2 - WATCH LIST)

Nigeria is a source, transit, and destination country for trafficked women and children. Nigerians are trafficked to Europe, the Middle East, and other countries in Africa for the purposes of forced labor, domestic servitude, and sexual exploitation. Nigerian girls and women are trafficked for forced prostitution to Italy, France, Spain, the Netherlands, Cote d'Ivoire, and South Africa. Nigerian children are trafficked for involuntary domestic labor and street hawking within Nigeria and to countries in West and Central Africa. Nigeria is a destination country for Togolese, Beninese, Ghanaian, and Cameroonian children trafficked for forced labor.

The Government of Nigeria does not comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Nigeria is placed on the Tier 2 Watch List because of the continued significant complicity of Nigerian security personnel in trafficking and the lack of evidence of increasing efforts to address this complicity. Unlike other governments in the region, the Nigerian Government does not face severe resource constraints, yet it commits inadequate funding and personnel to the fight against Nigeria's serious trafficking problem. Nigeria is to be commended for its new anti-trafficking law and the new central government anti-trafficking in persons law enforcement unit created by that law. The government should move quickly to implement the new law through vigorous high court prosecutions of corrupt officials and traffickers; it should also give adequate support to the new anti-trafficking agency and improve protection facilities or funding for NGO protection activities.

### *Prosecution*

The criminal provisions in the comprehensive anti-trafficking law passed in June 2003 remain untested, although the government created the National Agency for the Prohibition of Trafficking in Persons (NAPTIP), as the law mandates, in August of the same year. However, Nigerian courts prosecuted no traffickers during the last year. The Nigerian Police reported 98 arrests of trafficking suspects, 44 of who remain under investigation. There were no known prosecutions during the last year and anti-trafficking efforts among the states appeared to diminish considerably over the reporting period. Reports indicated that government officials, particularly police and immigration and border officials, facilitate the trafficking of women and children; there is no discernible commitment to address this trafficking-related corruption. This corruption is reportedly very high, impeding the identification and prosecution of traffickers. In the one significant anti-trafficking enforcement action during the last year, Nigerian immigration authorities rescued and repatriated about 400 Beninese children enslaved in rock quarries in Ogun and Osun States. Authorities arrested six traffickers in this case, but later released the criminals after a traditional ruler in the area intervened. The government does not monitor its borders adequately. In November 2003, the Nigerian Attorney General signed an anti-trafficking law enforcement memorandum of understanding with the Italian government's Anti-Mafia Bureau.

### *Protection*

The central government provides minimal funding for protection activities, but refers cases to IOM and local NGOs that operate shelters in Lagos, Abuja, and several southern states. The federal government has mounted no national effort to assist with the shelter and training of trafficking victims.

Several state governments in the south of Nigeria continued strong efforts to protect victims. Imo State's government repatriated 29 victims from Gabon during the year. Edo and Abia States ran skills acquisition centers for trafficking victims. The Akwa Ibom state government worked



with the Government of Cameroon to effect the repatriation of Nigerian children trafficked there. During the last year, Nigeria's immigration service assisted in the repatriation of 10,703 victims of trafficking and identified some girls and women trafficked to Saudi Arabia during the Hajj. Witness protections do not exist. Trafficking victims repatriated from abroad are usually provided shelter, but the police often house internal trafficking victims in jails. Sex trafficking victims returned from abroad are usually forcibly tested for HIV/AIDS; the results of these tests are not kept confidential.

### ***Prevention***

The central government made little effort to sponsor or coordinate efforts to prevent new incidents of trafficking during the last year, though the NAPTIP in 2003 established a Stakeholders Forum comprising various governmental ministries and UN agencies. State governments made significant prevention efforts during the last year; Imo, Abia, and Cross-Rivers States conducted awareness and sensitization campaigns among at-risk populations using documentary films and by working through women leaders in and outside of the government.

## RWANDA (TIER 2)

Rwanda is a source country for women and children trafficked for the purposes of sexual exploitation, domestic labor, and soldiering. Small numbers of Rwandan women are trafficked internally or to Europe for prostitution. As a consequence of the 1994 genocide and the AIDS epidemic, children comprise 50% of the population; an estimated one million orphans are vulnerable to exploitation. A small number of child victims are trafficked to Burundi and the Democratic Republic of the Congo (D.R.C.). UNICEF estimates that 2,100 child prostitutes are active in Rwanda. Many impoverished children enter prostitution as a means of survival. Former adult prostitutes prey on children from rural areas, recruiting them to work in cities, often under false pretenses. The Rwandan Government has demobilized more than 500 child soldiers returning from the Congo; upwards of 2,500 are expected to return by the end of the repatriation effort.

The Government of Rwanda does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government should vigorously investigate and prosecute alleged traffickers and begin to systematically monitor the trafficking problem.

### *Prosecution*

Rwanda has no law specifically prohibiting trafficking in persons. However, traffickers could be prosecuted under laws that criminalize slavery, coerced prostitution, kidnapping, and child labor. In 2003, the Ministry of Justice and the Ministry of Gender and Family Protection began a review of trafficking-related laws to identify gaps and to develop a strategy to improve the legal framework. No traffickers have been prosecuted, but the government, under direct presidential order, vigorously prosecutes cases involving sex crimes, particularly those committed against children. Rwanda prosecuted 581 persons accused of sexual crimes against children in 2003. The police assisted local authorities in identifying and destroying homes being used as brothels. In 2003, the Swedish police trained 24 Rwandan law enforcement officers to identify and investigate cases of trafficking. They also assisted Rwanda in the opening of a forensic lab in 2004 to aid police in building stronger cases against traffickers. The government monitors immigration and emigration patterns, as well as border areas that are accessible by road.

### *Protection*

In January 2004, the government opened a residential demobilization center to prepare child soldiers returning from the D.R.C. for reintegration into their home communities. The children receive three months of rehabilitation, including counseling, medical screening, and schooling. This center is funded by the government and has received approximately 100 former child soldiers. The National Unity and Reconciliation Commission holds sensitization meetings to train the families of returning child soldiers to accept and avoid stigmatizing them. The Ministry of Local Government and Social Affairs supports these families financially, through the provision of school fees, uniforms, and supplies. In addition, the Demobilization Commission supports Centers for Youth Training, where older children not returning to school learn a vocation. Throughout the country, the National Police and the Ministry of Gender and Family Protection have set up a network of doctors on 24-hour call to treat victims of sexual assault. The doctors assist police in building stronger cases against accused perpetrators.

### *Prevention*

In November 2003, the Ministry of Public Service hosted a conference to develop a strategy to

address trafficking. The government conducted programs to prevent women and children from becoming victims of trafficking. During 2003, the Ministry for Gender and the World Food Program piloted a school lunch project in 200 schools to promote enrollment. The Ministry also ran solidarity camps to help street children reintegrate into their home communities and is studying the issue of child-headed households. Training on sex crimes and crimes against children is now a standard part of the police training curriculum, spurring officers to begin a program to educate primary school students on the common ploys used by traffickers. The Ministry of Labor deployed one inspector to each province to monitor hazardous child labor situations.

## SENEGAL (TIER 2 - WATCH LIST)

Senegal is a country of origin, transit, and destination for women and children trafficked for the purpose of sexual exploitation. A small number of children are trafficked to Senegal from Guinea-Bissau to secure Portuguese identification documents and further trafficked to Europe. Nigerian crime syndicates are known to be involved in the trafficking of Senegalese and other West African women from Senegal into Europe for purposes of sexual exploitation. Senegal is a destination country for women trafficked from the People's Republic of China.

The Government of Senegal does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. It has been placed on Tier 2 Watch List for failing to provide evidence of increasing efforts to combat trafficking. Better government coordination is badly needed, including the gathering of accurate statistics on the extent of trafficking. The government should also amend its laws to incorporate definitions of trafficking and trafficking crimes, and conduct programs to raise public awareness of trafficking in persons.

### *Prosecution*

Senegalese law does not specifically address trafficking in persons, which sometimes prevents trafficking victims from being identified as such and, in the past, has prevented convictions from being obtained. Recognizing this, the government has committed to strengthening the legal framework during 2004 by defining and criminalizing trafficking. Senegal has laws against hostage-taking, abduction, the sale of persons, illegal prostitution, and the sexual exploitation of minors. There were no trafficking-related investigations or prosecutions. During 2003, a small number of Congolese, Nigerian, and Cameroonian women were intercepted at the airport with false documents. Although they were en route to Europe for purposes of prostitution and sexual exploitation, it is not confirmed that they were trafficking victims. In an effort to monitor the flow of people across Senegal's borders, the Ministries of Interior and Justice began to work with the International Organization for Migration to establish computer networks linking regional courts, border posts, and Senegal's foreign missions to a common data analysis center. Eighteen officers of the Senegalese Police and Gendarmerie have completed a 5-week training course on recognizing, investigating, prosecuting, and preventing trafficking.

### *Protection*

Due to the lack of available funds, Senegal has no trafficking-specific protection or victim assistance programs. The government welcomes the work of NGOs.

### *Prevention*

In 2003, the government made considerable progress in acknowledging trafficking as a problem in Senegal by establishing a National Committee for the Fight against Trafficking in Persons. This committee drafted a national plan to combat trafficking that is currently under review by several ministries.

## SIERRA LEONE (TIER 3)

Sierra Leone is a country of origin, destination, and transit for victims trafficked for purposes of sexual exploitation and forced labor. Victims are trafficked to Freetown internally and from neighboring countries for involuntary domestic servitude, street labor, and commercial sexual exploitation. Children are trafficked from rural areas to Freetown and to diamond mining areas for forced labor and sexual exploitation. Some victims are trafficked for commercial sexual exploitation to areas where international peacekeepers are concentrated. Victims are trafficked from Sierra Leone to West African countries for forced labor and sexual exploitation. Some victims are trafficked to Lebanon, Europe, and the United States for these purposes. Some former abductees, including former child soldiers, remain with their captors due to a lack of viable options.

The Government of Sierra Leone does not meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Sierra Leone was assigned a Tier 2 ranking in 2003; its efforts are now reassessed as Tier 3 due to the lack of progress on law enforcement, protection, and prevention efforts. The government acknowledges that trafficking is a problem but has failed to take significant steps to address the problem. Sierra Leone should enact and implement a comprehensive anti-trafficking law, conduct a national awareness campaign, and train government officials in identifying and assisting victims.

### *Prosecution*

The Special Court, which is a hybrid UN-Sierra Leonean body, indicted 13 prominent persons for grievous violations of international law, including trafficking offenses involving child soldiers, sex slavery, and forced labor. Six of the indictees are currently being prosecuted for forced labor and sex slavery during the civil war. Two judges on the Special Court are Sierra Leonean and the national police made the arrests. There is no anti-trafficking law in Sierra Leone. The Family Support Unit of the police is assigned responsibility for trafficking in persons and has received anti-trafficking training, but its time is spent on domestic abuse cases. Government agencies have considered but not adopted an MOU to combat abuses in passport issuance to minors. Official corruption is endemic and impedes anti-trafficking efforts. Law enforcement efforts are also hampered by a lack of resources, personnel, and trafficking awareness. Penalties for child rape vary from two to 15 years' imprisonment according to the age of the victim and the circumstances of the crime.

### *Protection*

The government cooperated extensively with international organizations and NGOs involved in the reintegration of child soldiers. The activities of the National Commission for War Affected Children are limited by resource constraints. There are no screening or referral mechanisms for victims. The government has not conducted awareness campaigns. The Ministry of Social Welfare repatriated a 17-year-old girl from Nigeria and provided reintegration assistance.

### *Prevention*

Sierra Leone has discussed but not established a committee to coordinate anti-trafficking efforts. The government has been focused on establishing security throughout the country and lacks resources to conduct prevention programs or to train officials to identify and assist victims. The Family Support Unit sponsored a seminar on sex trafficking and commercial sexual exploitation and officials have attended conferences addressing trafficking issues. The Ministry of Social Welfare, Gender, and Children's Affairs maintains a register of children separated from their families as a consequence of the war; many of these children are trafficking victims. The government lacks the capacity to effectively monitor its borders.

## SOUTH AFRICA (TIER 2)

South Africa is a country of origin, destination, and transit for women, children, and men trafficked for the purposes of sexual exploitation and forced labor. Women and girls are trafficked to South Africa for forced prostitution, forced marriages, and forced labor. Mozambican women and street children from Lesotho, women from East Asia (Thailand and China) and South Asia (Pakistan), and women from the former Soviet Union and Eastern Europe are all trafficked to South Africa for sexual exploitation. South Africans are trafficked internally for domestic servitude, sexual exploitation, and forced labor, and some are trafficked to Macau, Hong Kong, and the Middle East for similar purposes.

The Government of South Africa does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. South African officials should engage more forcefully to implement the National Plan of Action, step up border security, and conduct anti-trafficking public awareness campaigns. The government needs to enact comprehensive anti-trafficking legislation and move vigorously to combat organized trafficking syndicates and lower-level government corruption.

### *Prosecution*

South Africa lacks an anti-trafficking statute and has no comprehensive law enforcement programs targeting trafficking. Some government agencies have developed their own anti-trafficking programs. Traffickers are prosecuted under a variety of statutes, including the Child Care Act, the Sexual Offences Act, the Prevention of Organized Crime Act and the general criminal law. Approximately 10 investigations and four prosecutions involving trafficking are underway. Government officials are moving expeditiously to address the trafficking problem on several fronts. The South African Law Commission is preparing comprehensive draft legislation on trafficking for consideration in 2004. The National Directorate for Public Prosecutions formed an inter-agency task force that drafted a national action plan on trafficking in persons. Police officials formed an anti-trafficking team at the Johannesburg airport. Police resources to address trafficking are limited in South Africa, which has among the highest crime rates in the world. The Department of Labor prepared a Child Labor Action Program that contains anti-trafficking components. Several provincial task forces address trafficking and this program is to be extended to every province. There is evidence of trafficking-related corruption among lower-level government and police officials. In 2003, six immigration officials, five police officers, and airport inspection officers were arrested for facilitation of illegal immigration into South Africa. The Department of Home Affairs, with U.S. Government assistance, is taking serious steps to improve border controls.

### *Prevention*

The South African Government is not directly involved in trafficking prevention campaigns. International organizations and NGOs, often in agreement with the government, conduct regional anti-trafficking public awareness campaigns, research, and information collection. The government provided funding in this area, including one NGO that is addressing child prostitution. Government campaigns against violence towards women and children are expected to have some positive impact.

### *Protection*

The government provides no assistance to trafficking victims per se, but operates a network of facilities to care for victims of sexual abuse. These facilities are networked with special Sexual Offences Courts. Foreign trafficking victims are often treated as illegal immigrants and deported. A few cooperating witnesses have been granted protection or immunity from prosecution.

## SUDAN (TIER 3)

Sudan is a source and destination country for trafficked persons; it also has a significant internal slavery problem. Sudan remains embroiled in civil war, with heavy fighting continuing in the western region. Government-sponsored militias and rebel groups have abducted thousands of Sudanese and Ugandan men, women, and children for use as sex slaves, domestic workers, agricultural laborers, and child soldiers. Women and children are also subjected to intertribal abductions for domestic servitude and sexual exploitation in southern Sudan. An estimated 17,500 persons have been abducted since 1980. The Lord's Resistance Army (LRA), a Ugandan rebel group, has conscripted many Sudanese children to serve as soldiers; 850 had been repatriated by December 2003. There are also reports of Sudanese boys trafficked to the Middle East as camel jockeys.

The Government of Sudan does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Government officials deny the existence of trafficking in Sudan; consequently, law enforcement and prevention efforts are non-existent. The government should expand its program to identify and return inter-tribal abductees and demobilize the thousands of child soldiers in Sudan.

### ***Prosecution***

No law specifically prohibits trafficking in persons, although criminal law (Shari'a law) and the current State of Emergency Law prohibit all forms of sexual and labor exploitation. No prosecutions took place under these laws during the past year.

### ***Protection***

The Committee for the Eradication of Abduction of Women and Children (CEAWC), a governmental organization and its 22 Joint Tribal Committees locate, identify, and facilitate the safe return of former abductees. Since 1999, approximately 3,500 persons have been released from bondage. CEAWC documented 764 abduction cases in 2003 and reunified 196 abductees with their families. CEAWC is working to return an additional 500 children to their families in rebel-controlled areas.

### ***Prevention***

The government does not conduct or support any trafficking prevention programs. In 2003, the government renewed a protocol allowing Ugandan armed forces to pursue the LRA within Sudanese borders.

## TANZANIA (TIER 2 - WATCH LIST)

Tanzania is a source country for women and children trafficked for the purposes of sexual exploitation and forced labor. Tanzanian girls are internally trafficked for forced domestic servitude and, to a lesser extent, for prostitution in the Middle East, South Africa, and Europe. Tanzania is a destination country for women and children from India, Kenya, Burundi, and Democratic Republic of the Congo who are trafficked for forced agricultural labor and forced prostitution.

The Government of Tanzania does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Tanzania has been placed on Tier 2 Watch List for lack of evidence of increasing efforts to combat trafficking from the previous year. The government should increase efforts to investigate and prosecute cases of trafficking, including the provision of trafficking-related training to law enforcement officials. It should also take concrete steps to prevent trafficking from occurring.

### ***Prosecution***

In 2003, Tanzania showed few signs of significant anti-trafficking law enforcement efforts. Tanzanian law criminalizes trafficking for sexual purposes, but the country lacks a comprehensive anti-trafficking law that addresses trafficking for the purposes of forced labor. Forced labor is, however, prohibited by the Constitution. Tanzania produced no prosecutions or convictions of traffickers during the reporting period. A Tanzanian man and woman were arrested in October 2003 for trafficking young girls from the rural Iringa region to Dar es Salaam; the government offered no further information on whether the couple faces prosecution. A 2002 prosecution involving 12 individuals for operating a brothel that prostituted underage girls continued during the last year.

### ***Protection***

The government does not provide protection services for trafficking victims, but supports the work of NGOs. At the village and ward levels, local government, in conjunction with ILO's "Time Bound" Child Labor Program, utilizes child labor councils to report trafficking cases. No information is available regarding the specifics of this work. In 2003, the government created a children's welfare desk at police headquarters in Dar es Salaam to serve as a focal point for reporting trafficking cases. This desk is the intended destination to which trafficked children can go for help, as well as liaison with and referral to local NGOs. On the other hand, there are known cases of police officers colluding with bar owners and others involved in commercial sexual exploitation, engaging in questionable practices involving children, and accepting bribes to ignore instances of trafficking. The government supports anti-child labor efforts by providing public buildings for classrooms and community centers.

### ***Prevention***

The trafficking working group founded by the Ministry of Labor in 2001 remained inactive. During 2003, a local-language public service announcement on child trafficking was aired on the government-owned television.



## TOGO (TIER 2)

Togo is principally a country of origin for children trafficked to Nigeria and Gabon for the purposes of forced domestic labor and forced prostitution. Some Togolese women are trafficked to Lebanon and Europe for sexual exploitation. Ghanaian children are trafficked to Togo to work in involuntary domestic servitude.

The government does not meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Anti-trafficking legislation has been stalled since December 2002; immediate efforts should be made to expedite its passage to the National Assembly. Clear lines of governmental authority to address trafficking should be established and efforts made to prosecute those arrested on trafficking-related charges.

### *Prosecution*

Togo has no specific trafficking law, but the government can use existing criminal statutes against child labor and sexual exploitation to prosecute some aspects of trafficking crimes. The Criminal Justice Investigation Department reported 28 arrests for trafficking in children and 11 arrests for trafficking young women during 2003, but no information was reported on trafficking-related prosecutions or convictions. Specific anti-trafficking legislation was introduced in 2002 but has not passed. The government cooperates with Ghana, Benin, and Nigeria on the return of trafficked children, but no statistics were available.

### *Protection*

No government-sponsored programs address the care of persons trafficked to Togo, but the government supports efforts of NGOs. With international help, the government established a small short-term care center for trafficked children in 2003, but this center does not provide medical care or rehabilitation, and trafficked children are quickly turned over to NGOs.

### *Prevention*

The president has publicly acknowledged the presence of trafficking in Togo and government ministers have called on NGOs for help in combating the problem. Efforts by NGOs and the ILO to create local trafficking councils led to the government's formation of a national committee on rehabilitation and reinsertion. This committee began collecting statistics on trafficking in rural areas. In early 2004, the Ministry of Justice hosted a regional anti-trafficking workshop on strategies to fight trafficking in Benin, Nigeria, and Togo.

## UGANDA (TIER 2)

Uganda is a source country for men, women, and children trafficked for the purposes of sexual exploitation and forced labor. The rebel organization “Lord’s Resistance Army” (LRA) abducts boys, girls, and adults in war-torn northern Uganda, a territory outside full government control. Children taken by the LRA are forced to work as cooks, porters, agricultural workers, and combat soldiers; girls are subjected to sex slavery under the guise of forced marriage. UNICEF estimates that not less than 10,000 children have been abducted since the June 2002 launch of military operations against LRA camps in southern Sudan.

The Government of Uganda does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. To strengthen its current efforts to combat trafficking, the government should draft and enact anti-trafficking legislation, protect children from recruitment into armed groups, and take further action to demobilize child soldiers from all armed groups.

### *Prosecution*

Uganda does not have a comprehensive law specifically prohibiting trafficking in persons. The Penal Code specifies penalties for several trafficking-related offenses, such as procurement of women for purposes of prostitution, detention with sexual intent, trading in slaves, and forced labor. There have been no prosecutions for trafficking-related offenses. When captured, LRA rebels are not charged with trafficking; instead almost all ex-combatants apply for and are granted amnesty. Those who do not seek amnesty are generally tried for crimes carrying greater penalties, such as treason and sedition.

### *Protection*

The government collaborates with NGOs involved in rescuing street children, rehabilitating abducted children, and combating child labor. The government assists former LRA abductees, including children. The Uganda Peoples Defense Force has a trained Child Protection Unit that receives and shelters former child soldiers and transfers them to NGO-run reintegration centers. The government has provided resettlement packages to disarmed rebels, some of whom are former child soldiers. In addition, the government has had a program in place since 2000 that provides blanket amnesty to rebels or abductees, including immunity from criminal liability. Since January 2003, there have been two cases of treason charges filed against ex-LRA combatants for crimes committed while they were children. The charges were dropped when the two were granted amnesty and turned over to NGOs for reintegration into society.

### *Prevention*

The Ministry of Gender, Labor, and Social Development speaks out publicly against child abductions, has drafted a national plan to combat child labor, and is mounting public awareness campaigns on local radio stations against child labor and the exploitation of children as domestic servants.

## ZAMBIA (TIER 2 - WATCH LIST)

Zambia is a source and transit country for women and children trafficked for the purpose of sexual exploitation. Child prostitution exists in most urban centers and constitutes the country's most serious trafficking problem. Anecdotal reports suggest that small numbers of Zambian women, lured by fraudulent offers of employment or marriage, may be trafficked to South Africa for forced prostitution. Zambia is reportedly also a transit point for regional trafficking of women to South Africa. There have been few verified cases of trafficking involving Zambia and there are no reliable estimates of the number of women trafficked from or through Zambia.

The Government of the Zambia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making efforts to do so. Zambia has been placed on Tier 2 Watch List for lack of evidence of increasing efforts to combat trafficking from the previous year, particularly in regard to protection of children trafficked for purposes of sexual exploitation. The government should institute assistance programs to meet the specific needs of child prostitutes, including vigorously addressing the root causes of this phenomenon and providing viable alternatives to victims.

### ***Prosecution***

The government does not have a comprehensive trafficking law. Several sections of the Zambian Penal Code criminalize various forms of sexual exploitation, particularly the abduction of women, procurement of women for prostitution, and engaging in sex with girls younger than 16. Slavery and forced labor are prohibited by the constitution, as is the trafficking of children under the age of 15. Child labor legislation is being drafted that would prohibit all forms of slavery and procuring or offering a child for illicit activities, including prostitution. An officer at the Zambia Police Service is responsible for human trafficking cases. In February 2003, Irish authorities found two refugee girls that had been trafficked from Zambia to Ireland. A criminal prosecution against the accused trafficker, a Congolese national, is underway in Zambia.

### ***Protection***

The government has made minimal efforts to protect trafficking victims. In 2003, through its social welfare agencies, the government provided counseling, shelter, and protection to two girls that had been trafficked to Ireland. It provides some building space for NGOs assisting child prostitutes and protective custody and security for trafficking victims and witnesses.

### ***Prevention***

In 2003, the Ministries of Labor and Information and Broadcasting presented public sensitization and awareness-raising programs on child labor laws and exploitative work. The government organized workshops on child labor and child prostitution for civil society that addressed removal and reintegration. It further publicized the problem of exploitative child labor through posters, billboards, drama, athletic competitions, television and radio programs, and celebrity publicity. In partnership with a local NGO, the government registered and repatriated 66 street children from Lusaka to their home villages.

## ZIMBABWE (TIER 2 - WATCH LIST)

Zimbabwe is a source and transit country for women and children trafficked for the purpose of sexual exploitation. There were reports that women and children were internally trafficked to southern border towns for commercial sexual exploitation, as well as to South Africa. There were unconfirmed reports that girls trafficked from Malawi to South Africa sometimes transited Zimbabwe.

The Government of Zimbabwe does not meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Zimbabwe has been placed on Tier 2 Watch List because of a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons, particularly evident in the minimal number of investigations and complete lack of prosecutions during the year. The government should take immediate steps to gather comprehensive trafficking data, implement a law enforcement action plan to combat trafficking crimes, and provide assistance to trafficking victims that are identified.

### *Prosecution*

The government has no law specifically criminalizing trafficking in persons, but the common law prohibits abduction and forced labor, and the Constitution prohibits slavery or compulsory labor. Under the Sexual Offenses Act, it is a crime to transport persons across the border for sex. The Criminal Code forbids any person from allowing a child to reside in or frequent a brothel, or from causing the seduction, abduction, or prostitution of a child. The government has not prosecuted any trafficking cases to date. In September 2003, police investigated allegations that several women had been trafficked to Europe for sexual exploitation and concluded that these claims were unfounded. Police officials met quarterly with Interpol to, among other things, discuss anti-trafficking measures. The Department of Immigration monitored the borders for trafficking. In January 2004, the Ministry of Home Affairs announced the start of a program to combat corruption at border posts and has since prosecuted several border officials for violating immigration laws and accepting bribes.

### *Protection*

The government funds no protection activities for victims. No NGOs have programs specifically designed to work with trafficking victims. No specific victims of trafficking were identified in 2003. "Victim Friendly Courts" were created in 1997 specifically for children and victims of sexual offenses, including trafficking. Though the government provided no information as to these courts' activities, one NGO reported that several perpetrators of child sexual abuse were prosecuted. "Victim Friendly Units" found within police stations throughout the country are staffed with officers trained to accommodate vulnerable victims, including trafficking victims.

### *Prevention*

One hundred immigration and police officials attended trafficking awareness workshops and have requested training manuals to teach other officials to recognize and respond to trafficking.



KREDTRAKARN HOME

# EAST ASIA & PACIFIC



*TRAFFICKERS TOOK KHAN, AN ELEVEN-YEAR-OLD GIRL LIVING IN THE HILLS OF Laos, to an embroidery factory in Bangkok. There she and other children worked fourteen hours a day for food and clothing, but no wages. After protesting, Khan was beaten. After further protests, Khan was stuffed into a closet where the factory owner's son fired a BB gun pellet into her cheek and industrial chemicals were poured over her. Khan was rescued and is now receiving plastic surgery and counseling at a Thai government shelter.*

Left: Baan Kredtrakarn, the Royal Thai Government's central shelter for trafficking victims.

## AUSTRALIA (TIER 1)

Australia is a destination country for Chinese and Southeast Asian women trafficked for the purpose of forced prostitution. Many of these women travel to Australia voluntarily to work in both legal and illegal brothels but are deceived or coerced into debt bondage or sexual servitude.

The Government of Australia fully complies with the minimum standards for the elimination of trafficking. Australia appears on this report for the first time as a result of new information indicating the scale of the trafficking problem in Australia. Its Commonwealth Action Plan to Eradicate Trafficking in Persons, launched in October 2003, provides substantial financial and personnel resources to combat the problem both domestically and internationally. The passage of a new law, creation of a dedicated police anti-trafficking unit, and intensified efforts by immigration authorities to detect and assist trafficking victims were among the many positive steps taken by the Australian Government in 2003.

### *Prosecution*

The government prosecutes trafficking offenses under various statutes including provisions in the Commonwealth Criminal Code, the Federal Crimes Act, and the Migration Act. Between June 1, 2003 and March 1, 2004, the Australian Federal Police (AFP) received 36 referrals from government and non-government sources. Thirty cases are being investigated, two were rejected and four are being evaluated. Ten suspected traffickers have been charged with Commonwealth people trafficking offenses; the 10 are being prosecuted in three cases. The Commonwealth Action Plan in October 2003 created a 23-member task force, the Transnational Sexual Exploitation and Trafficking Team located in the AFP. This team is specifically dedicated to investigating cases throughout the country. The AFP uses electronic surveillance, undercover operations, plea-bargaining, and other enforcement techniques to investigate traffickers. Reflecting the government's heightened determination to fight sex trafficking, a dozen cases have been filed against traffickers since the beginning of 2004.

Under Australian law it is an offense for Australian citizens and residents to travel abroad to engage in sex with minors less than 16 years of age. Since its inception in 1994, 12 pedophiles have been convicted under this law, which carries a maximum sentence of 17 years. Other penalties for trafficking offenses are as high as 20 to 25 years.

### *Protection*

The government took significant steps in 2003 to improve efforts by police and immigration authorities to distinguish trafficking victims from illegal migrants and provide assistance to those victims, including counseling and temporary shelter. In the past, some trafficking victims may have been unintentionally deported as illegal immigrants. Currently, the Australian Government is making determined efforts to identify and elicit the cooperation of trafficking victims in providing criminal evidence for the prosecution of traffickers. The Australian Government in late 2003 streamlined its police investigation and immigration procedures and identified a number of trafficking victims willing to cooperate with authorities to investigate or prosecute traffickers, thereby qualifying them to receive "bridging visas" or "criminal justice stay visas." Cooperative victims are eligible for social security benefits, housing, medical checkups and treatment, legal assistance, social support, and vocational training.

***Prevention***

The Government of Australia in 2003 expanded efforts to prevent new incidents of trafficking, largely through closer coordination with neighboring countries to prevent and investigate trafficking. During the last year, the government signed anti-trafficking agreements with Cambodia, Burma, Laos, and Thailand to improve international cooperation and police investigations of trafficking syndicates. The Australian Government also funds awareness campaigns in source countries, in addition to programs designed to sensitize the tourism industry to the child sex tourism problem, and has worked to raise the profile of trafficking issues in the region through its leadership role in the Bali Process on People Smuggling, Trafficking in Persons, and Related Transnational Crime. Within Australia, the government has started an awareness campaign targeting the sex industry and the community at large; it also widely publicizes criminal cases against traffickers. The government in 2003 intensified an awareness campaign to deter child sex tourism through the distribution of materials to Australians traveling overseas. Australia also seeks the cooperation of foreign governments in the local prosecution of Australian pedophiles or their extradition or deportation to Australia so they can be tried for the extra-territorial offense of sexual exploitation of a minor.



## BURMA (TIER 3)

Burma is a source and, to a lesser extent, destination country for persons trafficked for the purposes of forced labor and sexual exploitation. Internal trafficking of women and girls for forced prostitution occurs from villages to urban centers and other areas, such as truck stops, fishing villages, border towns, and mining and military camps. Burmese men, women, and children are trafficked to Thailand, China, Bangladesh, Taiwan, India, Singapore, Malaysia, Korea, Macau, and Japan for forced labor including commercial labor, domestic service, and prostitution. Burma is also a destination for Mainland Chinese and Eastern European women trafficked for forced prostitution. The military junta's economic mismanagement and its policy of using forced labor are driving factors behind Burma's huge trafficking problem.

The Government of Burma does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Burma's placement on Tier 3 is due to government complicity in forced labor. In 2003, the government took some steps to combat trafficking for sexual exploitation, but significant state-sanctioned use of internal forced labor continues, especially by the military. The military is directly involved in trafficking for forced labor, and there are reports that some children have been forcibly enlisted into the Burmese Army. The Burmese Government has been repeatedly censured by the ILO for its forced labor practices. Burma's actions have delayed implementation of an ILO Plan of Action on forced labor. However in the last year, the government has improved cooperation with UN agencies and NGOs in efforts to address trafficking in persons. Burma's complete failure to make progress on its large and serious forced labor problem entirely offsets the modest improvements in combating trafficking in persons.

### *Prosecution*

Burma lacks an anti-trafficking law, but uses kidnapping and prostitution statutes to arrest and prosecute traffickers. According to government data, Burma has prosecuted 294 traffickers since July 2002. No information is available on the convictions and sentences for these cases. According to the government, there were no prosecutions relating to forced labor. Corruption is a major problem as local and regional officials are suspected of complicity in trafficking. According to government reports, there have been no prosecutions of corrupt officials related to trafficking. The Burmese military continues to carry out trafficking abuses including forced portering and forced labor. The Burmese Government does not adequately monitor its borders to prevent trafficking. The government also does not fully control all of its internationally recognized territory.

### *Protection*

The Burmese Government provides no assistance to victims trafficked internally for forced labor. The government continues to provide limited counseling and job training for returning victims trafficked for sexual exploitation. In 2003, the government set up a repatriation center on the Thai-Burmese border and provided reintegration support for victims returning from Thailand and Malaysia. However protection efforts are hampered by a lack of funding. Although the government coordinated a limited number of victim repatriations with international NGOs, it does not provide funding for international or domestic NGOs for victim protective services.

### *Prevention*

The government's efforts to prevent trafficking are inadequate. Governmental measures to prevent trafficking for sexual exploitation include publicizing the dangers in border areas via gov-

ernment-sponsored discussion groups, distribution of printed materials, and media programming. These efforts remain under-funded. The government has worked with the UN to educate officials and potential victims on the dangers of trafficking for the purpose of sexual exploitation.

## CAMBODIA (TIER 2)

Cambodia is a source, destination, and transit country for persons trafficked for the purposes of sexual exploitation and forced labor. Cambodian men, women and children are trafficked to Thailand and Malaysia for forced labor and forced prostitution. Cambodian children are also trafficked to Vietnam and Thailand to work as street beggars. Cambodia is a transit and destination point for women from Vietnam who are trafficked for forced prostitution. There are no reliable estimates available as to the extent or magnitude of the problem.

The Government of Cambodia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so despite considerable resource constraints. Government officials recognize that trafficking is a major problem. In 2003, Cambodian authorities stepped up arrests and prosecutions of traffickers. Through collaboration with foreign and domestic NGOs and international organizations, Cambodia continued its support for prevention and protection programs, although Cambodia's anti-trafficking efforts continue to be hampered by endemic corruption and an ineffectual judicial system. Cambodian Government officials and their family members are reportedly involved in or profit from trafficking activities. Government action should concentrate on enhancing its capacity to tackle trafficking at all levels and removing officials, law enforcement personnel, and judicial members involved in or profiting from trafficking.

### ***Prosecution***

Cambodia does not have a comprehensive anti-trafficking law, although it has used existing statutes to prosecute traffickers. The Council of Ministers is reviewing a draft anti-trafficking bill that would provide law enforcement and judicial officials with more powers to arrest and prosecute traffickers. According to available data, the Cambodian police in 2003 investigated over 400 trafficking-related cases. The Ministry of Interior claims that 153 individuals were arrested for trafficking and trafficking-related offenses. Of these, 142 individuals are currently serving sentences and 11 are awaiting trial. Sentences ranged from 5 to 20 years imprisonment. Victims were awarded modest financial compensation by the courts. Corruption and a weak judiciary remain the most serious impediments to the effective prosecution of traffickers. Cambodian authorities, particularly the police anti-trafficking unit, cooperated with the U.S. Government in arresting and turning over three U.S. citizens for prosecution for the extra-territorial crimes of child sex tourism, contained in the PROTECT Act. One of these arrests became the first U.S. conviction under the PROTECT Act. Cambodia has also cooperated with other foreign governments seeking to prosecute their nationals for child sexual exploitation.

### ***Protection***

Although hampered by severe resource constraints, the Cambodian Government continued its efforts to provide assistance to trafficking victims. The Cambodian Government operates two temporary shelters for victims and attempts to place victims with NGOs for long-term sheltering. The Cambodian Government relies primarily on foreign and domestic NGOs to provide protective services to victims. Victims in Cambodia are not treated as criminals and have the right to seek legal action against traffickers. In 2003, Cambodia signed a memorandum of understanding (MOU) with Thailand to regularize the repatriation of Cambodian citizens/trafficking victims. Cambodia has proposed to enter into similar MOUs with Vietnam and Malaysia. Law enforcement officials have received training to sensitize them to trafficking and victim protection issues.

***Prevention***

Throughout the reporting period the government cooperated with numerous NGOs and international organizations on prevention, including the strengthening of community-based networks to inform potential victims of the risks of trafficking. The Cambodian Government, through the Ministry of Women's and Veterans Affairs, continued to carry out information campaigns, including grassroots meetings in key provinces. It also worked with NGOs to produce workshops, pamphlets, and videos informing the public about the dangers of sex tourism, including child sex tourism.

## PEOPLE'S REPUBLIC OF CHINA (TIER 2)

The People's Republic of China is a source, transit, and destination country for persons trafficked for the purposes of forced labor and sexual exploitation. The domestic trafficking of women and children for marriage and forced labor is a significant problem. Chinese women are also trafficked to Australia, Burma, Canada, Malaysia, Japan, Taiwan, the Philippines, Europe, and the United States for forced prostitution. Women from Malaysia, Burma, North Korea, Nepal, Russia, Vietnam, and Mongolia are trafficked to China for forced prostitution. Many Chinese are smuggled abroad at enormous personal cost and are forced into prostitution or other forms of exploitative labor to repay their debts.

The Government of the People's Republic of China 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 adopted laws to fight trafficking and is working with NGOs and international organizations to improve law enforcement training and victim support services. The government needs to closely examine its policy of returning North Korean migrants and refugees to ensure that trafficking victims are protected rather than subjected to the harsh treatment migrants receive on their return to North Korea. It should also vigorously investigate allegations of coercive labor practices, including alleged situations of involuntary servitude and forced labor.

### *Prosecution*

China's 1992 Law on the Protection of Rights and Interests of Women specifically outlaws trafficking or kidnapping of women. It also outlaws coercion into prostitution. The criminal code imposes the death penalty for traffickers who coerce girls under 14 into prostitution. In the period 2001 to 2003, the Chinese Government investigated 20,360 cases in which 43,215 women and children were rescued and 22,018 traffickers arrested. While the police reported a 27% decline in investigations in 2003, there were 3,999 suspects and 774 "snakeheads" (traffickers) punished for trafficking. In 2003, the Ministry for Public Security (MPS) and the Government of Thailand agreed on a framework for repatriating trafficking victims. The MPS is working on a similar agreement with Vietnam.

### *Protection*

Most of China's trafficking is internal. While funding is limited, the government funds programs operated by an NGO to reintegrate trafficked women into their local communities and relieve the stigma attached to trafficking victims. The police has established a national DNA databank to match rescued children to their natural parents.

### *Prevention*

UNICEF is working with the National Working Committee on Women and Children to develop a national plan of action. The government has launched awareness campaigns to warn of the potential dangers of trafficking through its law enforcement agencies and its school systems. Posters, videos, and pamphlets are distributed throughout the country.

## HONG KONG (TIER 1)

Hong Kong is a transit and destination point for persons trafficked for the purposes of sexual exploitation and forced labor; specifically, women from the People's Republic of China (P.R.C.) and Southeast Asia are trafficked to and through Hong Kong for forced prostitution.

The Government of Hong Kong fully complies with the minimum standards for the elimination of trafficking. Hong Kong authorities implement robust anti-trafficking measures. The government maintains effective border and immigration controls, carries out information campaigns to increase awareness of possible trafficking activities, has comprehensive criminal ordinances designed to punish traffickers, and provides access to protective services for trafficking victims. The government has improved its ability to identify victims, document their cases, and help them find assistance. In particular, the Hong Kong Security Bureau has implemented a system among the police, the Immigration Department, and the Customs and Excise Department to carefully screen illegal immigrants for potential cases of trafficking.

### *Prosecution*

Hong Kong has no specific anti-trafficking law, but related criminal ordinances are used to prosecute traffickers. The government reported the prosecution of 18 people for trafficking violations or trafficking-related offenses. While one case is still pending, 17 of the 18 have been convicted with sentences ranging from 18 months for more serious acts to two months for breach-of-stay offenses. Most of these cases involved causing prostitution, breaching condition of stay, or defrauding the Immigration Department. In the cases of forced prostitution, police made concerted efforts to arrest the traffickers. The government has devoted additional resources to combat trafficking. Law enforcement officers deployed to monitor security at borders, airports, flights, and shipping operations, also monitor for potential trafficking. Hong Kong has taken preliminary steps to identify and document cases of possible trafficking-related activities but could improve its data collection capabilities. Hong Kong maintains effective border and immigration control.

### *Protection*

Hong Kong provided sustained support for victim protection services in 2003. In most cases involving possible victims of trafficking for forced prostitution, Hong Kong's policy has been to grant immunity and repatriate the victims without charging them with an offense. Hong Kong provides trafficking victims with a range of protective services regardless of legal status or offenses charged. Government-funded services include welfare, counseling, legal, and medical assistance. Trafficking victims are granted access to temporary lodging in women's refugee centers. Hong Kong provides foreign domestic workers with access to support services in labor suits, particularly domestic labor. The government provides training to police officers and social workers in the handling of witnesses and victims.

### *Prevention*

There is a degree of interagency coordination on trafficking among the police, immigration and customs authorities, private industry, and the NGO community. Hong Kong authorities regularly share information on local trafficking and smuggling patterns with the P.R.C. and foreign law enforcement entities. The government also carries out information campaigns to increase public awareness of possible trafficking activities. Hong Kong's Human Smuggling Police Unit publishes a biannual report that provides updates on tactics used by traffickers. The government has also distributed multi-lingual pamphlets in key public areas to inform foreign domestic workers of their legal rights.

## INDONESIA (TIER 2)

Indonesia is a source, transit, and destination country for persons trafficked for the purposes of sexual exploitation and forced labor. Indonesian victims are trafficked to Malaysia, Saudi Arabia, Kuwait, United Arab Emirates, Hong Kong, Taiwan, Japan, South Korea, Singapore, and Australia. Extensive trafficking occurs within Indonesia's borders for forced labor and sexual exploitation. Indonesia, to a lesser extent, is a destination for victims trafficked for sexual exploitation from the People's Republic of China (P.R.C.), Thailand, Taiwan, Uzbekistan, the Netherlands, Poland, Russia, Venezuela, Spain, and Ukraine.

The Government of Indonesia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government recognizes that trafficking is a problem and has made strides to combat it. In 2003, the government made concerted efforts to increase media coverage and public awareness, collect law enforcement data, and provide shelters for victims abroad. Despite limited resources, the government also increased law enforcement efforts against traffickers. While local governments gave greater priority to trafficking, translating national commitment to local action remains a problem. The Indonesian Government must take immediate corrective action to address internal trafficking, arrest and prosecute officials involved in trafficking, and step up anti-trafficking efforts at the local level.

### ***Prosecution***

The government has not passed a comprehensive anti-trafficking law, but a draft bill is currently pending. Indonesian law criminalizes trafficking, but it lacks a comprehensive definition of the crime. Officials used existing statutes to carry out an increasing number of arrests. In 2003, the government reported 125 trafficking-related investigations, 67 prosecutions, and 27 convictions, resulting in sentences from five months to six years. The Indonesian Government also formed a dedicated anti-trafficking police unit and cooperated with Malaysian and Australian Governments in the investigation and prosecution of trafficking cases. Although law enforcement efforts increased, convictions for trafficking-related offenses often carried light sentences. Corruption and a weak judiciary remain serious impediments to the effective prosecution of traffickers. The Indonesian Government has recognized that action must be taken against officials involved in trafficking, although it is often difficult to conclusively identify trafficking-related official corruption. The government has dismissed civilian and police officials involved in producing false identification documents, but has provided little information concerning specific actions it has taken against corrupt officials who may be complicit in trafficking.

### ***Protection***

Despite limited resources, national and local victim assistance efforts improved, but victim protection remained inadequate given the scope of the problem. In 2003, government assistance to Indonesians trafficked abroad increased, although assistance for internal trafficking victims was minimal. Despite limited resources, the Indonesian Government operates shelters at its embassies and consulates in Singapore, Malaysia, Saudi Arabia, and Kuwait. The Indonesian Government operates crisis centers and provides funding to domestic NGOs and civil society organizations that provide services for victims. The government also provides training to officials and law enforcement officers in the handling of witnesses and victims. Although the national action plan calls for proper treatment of trafficking victims, implementation varies widely at the local level.

***Prevention***

The government made concerted efforts to increase media coverage and public awareness of trafficking. In 2003, Indonesia's president approved a campaign against child sex tourism. Although the government has a limited ability to fund prevention programs, it welcomed international assistance. The government continued to work with NGOs on anti-trafficking and education initiatives. Government-sponsored public awareness campaigns often featured senior officials and included television, radio, and print media. In June 2003, Indonesia hosted a meeting of the United Nations World Tourism Organization on efforts to end child sex tourism. Thereafter, the Indonesian Government announced a campaign to end the commercial sexual exploitation of children in tourism, beginning with the major tourist destination points of Bali and Batam. The relevant ministries are working with local government officials in both places to strengthen law enforcement, and assist and protect victims.



## JAPAN (TIER 2 - WATCH LIST)

Japan is a destination country for Asian, Latin American, and Eastern European women and children trafficked for the purposes of forced labor and sexual exploitation. There have also been cases of Asian and Latin American men trafficked to Japan for criminal, labor and/or sexual purposes. Japan's trafficking problem is large, and Japanese organized crime groups (yakuza) that operate internationally are involved. The Japanese Government must begin to fully employ its resources to address this serious human rights crime within its borders.

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. Its placement on Tier 2 Watch List is based on its commitments to bring itself into compliance with the minimum standards by taking additional steps over the next year. The government needs to increase its efforts to combat severe forms of trafficking in persons, including increased investigations, prosecutions, and convictions of trafficking crimes and better assistance to victims. The government should pursue efforts to prosecute the powerful organized crime figures behind Japan's human trafficking. Considering the resources available, Japan could do much more to protect its thousands of victims of sexual slavery, although the government did provide support for international anti-trafficking programs and conferences. Japan must speed its review of anti-trafficking legislation and ensure trafficking-related punishments are commensurate with the severity of the crimes.

### *Prosecution*

Japan lacks a comprehensive law against trafficking, and, until recently, there was no official, clearly defined policy to coordinate anti-trafficking efforts. The Prime Minister and his Cabinet have made a significant effort to mobilize the resources of the bureaucracy to address the trafficking issue, creating a senior coordinator presiding over an inter-ministerial committee for anti-trafficking efforts in March 2004. The government currently employs the penal code and a variety of labor, immigration, and child welfare/protection statutes to carry out limited trafficking-related prosecutions. These laws provide for up to 10-year prison terms and steep fines, but actual penalties have been far less severe. Efforts are underway in the government to draft legislation to improve Japan's anti-trafficking statutes. The National Police Agency (NPA) has instructed prefecture offices to increase law enforcement efforts against traffickers, investigate suspect locations and possible organized crime connections, report any foreigners arrested for prostitution who may have been trafficked, provide female officers to interview female victims, and provide counseling and medical assistance as required. An Organized Crime Control Department was established in the Japanese police in early 2004 to carry out these anti-trafficking activities.

Last year, the NPA arrested 41 individuals for trafficking-related offenses, eight of whom were traffickers. Thirty-six of these individuals were convicted, resulting in 14 defendants receiving prison terms, 17 receiving fines, and five receiving both a fine and a prison term. In February 2003, 17 prefecture police offices and the Tokyo Metropolitan police simultaneously raided 24 strip clubs and rescued 68 trafficking victims. The NPA also participated in 16 transnational investigations. Victims were generally not encouraged to participate in investigations or prosecutions of traffickers, although the Immigration Service is revamping its training programs to include the proper treatment and questioning of victims. Efforts are also underway to improve screening of travelers arriving in Japan from key source countries of trafficking and to tighten the issuance of "entertainer" visas, which are often used by traffickers to bring victims to Japan.

***Protection***

Over the past year, the Japanese Government offered victims of sexual slavery little in the way of legal advice or psychological or financial support. Generally, victims were deported as illegal aliens. This year, the Japanese Government administratively decided not to treat victims as immediately deportable criminals. A short grace period for the victims will allow the government to develop its cases against traffickers. Some victims are temporarily housed in detention facilities for illegal immigrants prior to deportation. The government's prefectural shelters are open to female victims of violence and to foreign trafficking victims, but few foreign trafficking victims utilize the shelters for fear that they will be sent to an immigration shelter and be deported. The prefectural governments of Tokyo and Kanagawa provide modest funding to assist NGOs that operate shelters for trafficking victims in Tokyo and Yokohama. The government is examining new ways of assisting shelters and NGOs.

***Prevention***

In 2003, the Cabinet Affairs Office conducted a campaign to heighten public awareness of violence against women and trafficking. The NPA also produced a training video on trafficking and distributed it to all police offices to improve their awareness of trafficking, but little effort has been made to lessen the domestic demand for trafficking victims. Tighter "entertainer" visa issuance and entry control procedures were instituted in 2004 for nationals from Colombia, a major source of trafficking victims. Japan disbursed \$3 million to UNICEF, ILO, UNDP and the Philippine Government to alleviate poverty, raise awareness of the dangers of trafficking, and promote alternative economic opportunities for women.

## LAOS (TIER 2 - WATCH LIST)

Laos is a source, and to a lesser extent, transit and destination country for persons trafficked for the purposes of forced labor and sexual exploitation. Laotians, many of whom are economic migrants, are trafficked to Thailand, where some wind up in involuntary servitude or forced prostitution. A small number of victims from the People's Republic of China (P.R.C.) are trafficked to Laos.

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 despite considerable resource constraints. Laos' placement on Tier 2 Watch List reflects the lack of evidence of increasing Lao government efforts to prosecute traffickers and to provide adequate protection for victims. In 2003, the government took steps to combat trafficking but its efforts to prosecute traffickers remained weak and uncoordinated. While the government does not conduct extensive protection and prevention programs, it recognizes that trafficking is a problem and strongly supports NGO and international organization efforts.

### *Prosecution*

Laos lacks a specific anti-trafficking law but uses various other laws, including kidnapping and prostitution statutes, to arrest and prosecute traffickers. An inter-ministerial committee is drafting an anti-trafficking law, which it plans to present to the National Assembly in September 2004. Law enforcement is decentralized and the central government does not keep data on efforts of local officials to prosecute traffickers. The government does not normally make public information on trials or their results, but three prosecutions were reported in 2003, two of which resulted in convictions with sentences of one to three years imprisonment. The Ministry of Labor and Social Welfare (MOLSW) coordinates government action on trafficking, including the Lao Immigration Department's 2003 opening of an anti-trafficking office. Overall, judicial and law enforcement institutions are extremely weak and corruption is widespread. Some local government officials likely profit from trafficking. The Lao government does not effectively control its long and porous borders.

### *Protection*

The Lao government provides limited protection for victims. The government has sponsored a program for housing returnees and offers them limited vocational training. Some provincial or district level authorities reportedly levy fines for immigration violations on those who departed the country illegally. This includes some who may be trafficking victims. Laos is negotiating a memorandum of understanding (MOU) with Thailand that addresses trafficking.

### *Prevention*

The government does not fund any anti-trafficking prevention measures in part because of a lack of resources. Most trafficking prevention projects are carried out by international organizations and NGOs, and include awareness raising and skills development for at-risk populations. The Lao government has provided in-kind support and staff for anti-trafficking efforts. It contributed manpower to a comprehensive ILO study on trafficking and migration and for the Immigration Department's anti-trafficking office. In cooperation with several NGOs, the government sponsored two day-long seminars on preventing the exploitation of children in sex tourism. The government, with NGO funding, has sponsored media messages on the dangers of trafficking. Through establishing high-level bodies to deal with trafficking, the government has improved its cooperation with NGOs and international organizations to monitor, document, and develop remedies for trafficking-related problem.

## REPUBLIC OF KOREA (TIER 1)

South Korea is a source, transit, and destination country for women from the Philippines, Thailand, and other countries of Southeast Asia who are trafficked for the purposes of sexual exploitation. Also, some Chinese and Russian women are trafficked to South Korea. Korean women are trafficked to Japan and to the United States, sometimes via Canada.

The Government of the Republic of Korea fully complies with the minimum standards for the elimination of trafficking. It acknowledges the problem and has shown a steady commitment to support victims, prosecute traffickers, and improve national laws to fight trafficking.

### *Prosecution*

The South Korean Government made further progress in addressing trafficking crimes during 2003. South Korea does not have a comprehensive law prohibiting the trafficking of persons, though law enforcement authorities rely on several statutes including the criminal code, the Law on Juvenile Protection, and the Act on Additional Punishment for Specific Crimes to prosecute traffickers. A new law—the Law on Punishment of Procuring and Facilitating Prostitution—prohibits pimping, procuring, or the advertising of prostitution. It further punishes those who use threats, violence, or debt bondage to force prostitution. This law declares that victims' debts to their employers are invalid. Under these statutes, punishments range from three years to life imprisonment and impose fines of up to \$83,000. The Ministry of Justice conducted 792 investigations, compared with 450 in 2002. The investigations resulted in 119 indictments and 92 felony convictions. In 2003, the Ministry for Gender Equality developed a curriculum for the national police to aid in identifying trafficking victims.

### *Protection*

The South Korean Government has the means and the political will to protect victims. The Ministry of Gender Equality reported it provided over \$800,000 for two shelters for foreign trafficking victims and \$188 million for 26 facilities for domestic victims. Between January and June 2003, 33 foreign victims made use of the shelters and 1,001 Korean women used the guidance and protection facilities. In addition, the government resettled 1,280 North Korean females who were trafficked to China and provided counseling, social, and economic assistance to integrate victims into South Korean society. Beginning in 2003, victims received free legal assistance on demand. The 2004 budget for legal assistance is expected to be over \$700,000. While there is no victim restitution program as such, this legal assistance allows victims to file civil suits against their traffickers. In 2003, the Seoul District Court found a club owner guilty of forcing 11 Filipino women into prostitution and ordered restitution payments of \$3,400 to \$5,100 to each victim. During 2003, the Korean Government cooperated with the U.S. forces in Korea in identifying brothels suspected of exploiting trafficking victims and barring U.S. soldiers' access to them. In January 2004, the national police spoke to 777 foreign women near the U.S. military bases to advise them of trafficking issues and their rights.

### *Prevention*

South Korea employs a variety of tools in its prevention efforts. In June 2003, the government stopped issuing E-6 visas to foreign entertainers. Under the leadership of an active female police chief, the Korean National Police (KNP) printed a series of posters warning of the punishment for prostitution and met with Korean business representatives to encourage displaying the posters in conspicuous locations. The KNP also republished brochures warning about traf-

ficking as well as a new comic book graphically depicting the hazards and illegality of debt bondage. The Ministry of Gender Equality produced English- and Russian-language pamphlets on shelters and distributed them to South Korean embassies overseas and to the Immigration Bureau. The Commission for Youth Protection established an Internet homepage and a hotline for victims' use. The Ministry of Justice Training Institute conducts 10 classes annually on various aspects of detecting and handling trafficking cases.

## MALAYSIA (TIER 2)

Malaysia is a destination and to a lesser extent a source and transit country for trafficking for the purpose of sexual exploitation. Foreign trafficking victims come from Indonesia, China, Thailand, and neighboring countries of Southeast Asia. A small number of Malaysian women (primarily of Chinese origin) are trafficked to Western Europe, North America, Japan, Australia and Taiwan.

The Government of Malaysia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government acknowledges that trafficking is a problem, and has taken initial steps to combat it. Comprehensive counter-trafficking legislation is needed to help enable officials to deal with the problem. The government's National Human Rights Commission recently made positive recommendations regarding foreign victim protection.

### *Prosecution*

Malaysia does not have a law that specifically and comprehensively addresses trafficking in persons, but there are existing laws, including the Penal Code, that are used against traffickers. Malaysian law criminalizes most of the acts involved in severe forms of trafficking in persons.

In 2003, Malaysia prosecuted 70 cases of suspected trafficking under the country's Immigration Act. Malaysia prosecuted 24 cases under a trafficking statute; seven of these led to convictions. In addition, 40 suspected traffickers were detained without trial under the Internal Security Act; another 49 individuals suspected of trafficking-related crimes were detained without trial under the Restricted Residence Act. The lack of a specific law addressing trafficking in persons, as well as use of the Internal Security Act and Restricted Residence Act in lieu of the criminal court system, makes it more difficult to accurately identify and quantify trafficking statistics. The government should institute a witness protection program, encouraging knowledgeable victims to testify against the criminal syndicates that are responsible for much of the trafficking in persons in Malaysia.

The Government of Malaysia provided training for some of its higher-ranking officials. There is no systematic anti-trafficking training program to sensitize front-line police and immigration officers who conduct raids on brothels and could identify potential victims. While illegal migration is a major national security issue, it does not detract from the government's commitment to combat trafficking. The lack of government translators to interview foreign trafficking victims has significantly hampered efforts to assist victims. An NGO activist who maintains a shelter for abused women and trafficking victims was appointed to the newly created royal commission on police reform.

### *Protection*

Malaysia in 2003 continued an inadequate performance of protecting and assisting trafficking victims. Malaysian law does not codify the difference between trafficking victims, illegal migrants, and asylum seekers. Thus, victims, especially those who do not usually speak Bahasa Melayu, are sometimes detained. Royal Malaysian Police lack the training and language skills to screen trafficking victims from illegal migrants. Foreign trafficking victims are often not recognized as victims and are treated as immigration offenders. The government arrested and detained 5,564 foreign women suspected of prostitution, many of whom were likely trafficking victims. The Malaysian Human Rights Commission "Suhakam," reported in April 2004 that it

questioned 1,544 foreign women imprisoned for prostitution and identified 356 trafficking victims. The Government of Malaysia released from incarceration 300 victims to the care of the Indonesian and Thai embassies last year. The Malaysian Government does not engage the IOM in repatriating trafficking victims. Victims who are arrested for prostitution are usually examined for HIV/AIDS. In a recent case, 14 victims rescued from a high-rise apartment building were sent to a hospital for care and subsequently turned over to the Indonesian embassy for repatriation.

NGOs do not receive government funding for trafficking victims specifically, although the government provides general operating funds for women's welfare. In 2003, the Ministry of Women's Affairs and Family Development opened five centers for women in need of shelter, counseling and job skills training. These shelters in early 2004 were made available to trafficking victims.

### ***Prevention***

Given the relatively small number of Malaysian trafficking victims, the government has made only modest efforts to prevent new incidents of trafficking through public awareness or education campaigns. Domestically, Malaysian television broadcasts UN-sponsored public service announcements that warn of the dangers of trafficking. The Malaysian Chinese Association, within the Government's ruling political coalition, publishes warnings about trafficking in its Chinese-language publications, makes public statements to caution potential victims about overly lucrative job offers abroad, and holds periodic press conferences highlighting the plight of returned Malaysian trafficking victims. Internationally, Malaysia places great importance on working with Association of Southeast Asian Nations (ASEAN) countries to fight trafficking and shares trafficking intelligence with Australia and Interpol.

## NEW ZEALAND (TIER 1)

New Zealand is a destination country for men and women trafficked from the People's Republic of China (P.R.C.) and elsewhere; it also faces a large problem of children internally trafficked for the purpose of sexual exploitation. A multi-year study published in early 2004 identified 145 prostitutes working in New Zealand that were 15 years old or younger. Another report indicated that a majority of prostitutes who responded to a survey started in the trade before the age of 18. Some women smuggled into the country are forced into prostitution to repay substantial debts to traffickers.

The Government of New Zealand fully complies with the minimum standards for the elimination of trafficking. New Zealand appears on this report for the first time as the result of newly available information indicating a significant number of trafficking victims.

### *Prosecution*

New Zealand's laws criminalize trafficking, slavery and child sexual exploitation. Penalties for trafficking crimes are sufficiently severe. The Prostitution Reform Bill of 2003 legalized prostitution in New Zealand and attempts to clamp down on child sexual exploitation. There were three trafficking-related prosecutions in 2003. Criminal penalties for child exploitation, assisting in illegal migration, and for knowingly hiring unlawful workers can range as high as 20 years in prison and \$350,000 in fines. New Zealand lacks a centralized data collection center to monitor human trafficking.

### *Protection*

The government supports many NGOs, including one that provides services to commercial sex workers and some trafficking victims. The government provides victims with physical protection, medical services, travel documents, and repatriation. There are no reports of trafficking victims who have been jailed, fined, or deported. In 2003, a Thai trafficking victim who had been freed from debt bondage won restitution in a civil suit against her traffickers.

### *Prevention*

The New Zealand police and the Ministry of Education have programs geared to protecting children. There is no national action plan directed exclusively to trafficking, but a national plan for human rights, that is expected to be issued in 2004, will include anti-trafficking policies.



## **NORTH KOREA (TIER 3)**

The Democratic People's Republic of Korea (D.P.R.K.) is a source country for persons trafficked for the purposes of forced labor and sexual exploitation. The D.P.R.K. operates forced-labor prison camps to punish criminals and repatriated North Koreans. Thousands of North Korean men, women, and children are forced to work and often perish under conditions of slavery. Many nations provide humanitarian assistance and food to the North Korean people, but deteriorating economic conditions continue to pressure thousands into fleeing to China, Russia, and Mongolia. The North Koreans' illegal status in other nations increases their vulnerability to trafficking schemes and sexual and physical abuse.

The Government of North Korea does not fully comply with the minimum standards for the elimination of trafficking and is not making efforts to do so. The government does not recognize trafficking as a problem and imposes slave-like labor conditions on its prisoners.

### ***Prosecution***

There are no reports that the D.P.R.K. prosecutes traffickers.

### ***Protection***

The Government of North Korea makes no effort to protect trafficking victims.

### ***Prevention***

There are no reports of any government anti-trafficking efforts.

## THE PHILIPPINES (TIER 2 - WATCH LIST)

The Philippines is a source, transit, and destination country for persons trafficked for the purposes of sexual exploitation and forced labor. There is internal trafficking from rural to urban metropolitan areas. Filipino women who are trafficked for sexual exploitation to destinations throughout Asia, the Middle East, Africa, Europe, and North America are often lured abroad with false promises of legitimate employment. The Philippines is a transit point and destination for victims from the People's Republic of China (P.R.C.). The sexual exploitation of children within the country is also a growing concern. Endemic poverty, a high unemployment rate, a cultural propensity toward migration, a weak rule-of-law environment, and sex tourism all contribute to significant trafficking activity in the Philippines.

The Government of the Philippines does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The Philippines is placed on Tier 2 Watch List due to the government's failure to provide evidence of increasing efforts to combat severe forms of trafficking, particularly in terms of its weak implementation of the anti-trafficking law and a lack of progress in law enforcement. The government recognizes that trafficking is a problem and has been engaged internationally to combat it. Despite limited resources, the government supports several programs in the areas of prevention and protection. In 2003, the government passed anti-trafficking legislation that protects women and children from sexual exploitation and forced labor. The Philippine Government should take immediate corrective action through the prosecution of traffickers, aggressive implementation of the new law, and the arrest and prosecution of officials involved in trafficking.

### ***Prosecution***

Anti-trafficking law enforcement efforts in the Philippines remained weak in 2003. The government enacted a comprehensive anti-trafficking law in May 2003 that imposes harsh penalties against traffickers and clients, but there has been no improvement in the government's enforcement efforts. The government has investigated cases of trafficking-related offenses but prosecuted only three trafficking cases under the new anti-trafficking law. Government sources reported two convictions for trafficking-related offenses under other laws, resulting in sentences ranging from time served to life in prison. The paltry number of prosecutions and convictions is a serious shortcoming, and available data on prosecutions is also incomplete. Corruption and a weak judiciary remain serious impediments to the effective prosecution of traffickers.

### ***Protection***

In 2003, the government continued to sponsor adequate protection efforts for trafficking victims. Under the 2003 anti-trafficking law, the government recognizes trafficked persons as victims and does not penalize them. The government provides a range of protective services, including temporary residency status, relief from deportation, shelter, and access to legal, medical, and counseling services. The government in 2003 also devoted anti-trafficking resources to protect overseas Filipino workers. The Philippine Government continued to train law enforcement officials and consular officials in all of its embassies to deal with trafficking victims.

### ***Prevention***

Fourteen government agencies coordinate the government's anti-trafficking efforts, much of which is prevention-oriented. In 2003, the government reported a decline in illegal recruitment and recruitment violations due to an intensified information campaign on overseas employment. Government offices continued to conduct information campaigns on child labor and sexual exploitation for the hotel and tourism industries.

## SINGAPORE (TIER 2)

Singapore is a destination country for a limited number of girls and women trafficked for the purpose of sexual exploitation; while small, this number is likely more than 100 cases per year. Some of the women and girls from Indonesia, Thailand, Malaysia, the Philippines, Vietnam, and the People's Republic of China (P.R.C.) who travel to Singapore voluntarily for prostitution or non-sexual work are deceived or coerced into sexual servitude. A small minority of foreign domestic workers face seriously abusive labor conditions; in a few such cases, these circumstances may amount to involuntary servitude.

Singapore was not in the 2003 Trafficking in Persons Report but is included this year because of newly available information indicating it has a significant trafficking problem. The Government of Singapore does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government acknowledges the existence of the problem of trafficking in persons but does not consider trafficking for sexual exploitation to be a major problem in Singapore. However, the government over the last year identified cases of potential trafficking for sexual exploitation and has taken steps to improve its response to this form of trafficking. Prostitution is not illegal and procurement of sex from 16- and 17-year-old prostitutes is not criminalized. Authorities generally tolerate prostitution, which largely involves foreign women, a few of whom are trafficked. The government should consider changing its laws to enhance penalties against persons who facilitate prostitution by 16- and 17-year-olds, and enact and publicize laws against customers involved in commercial sex acts with prostitutes of these ages.

Singaporeans employ an estimated 140,000 foreign domestic workers. A small minority of these workers experience serious abusive employment conditions; in rare cases, such conditions may amount to involuntary servitude, though documenting such cases is problematic. The Government of Singapore took several positive steps in the last year to address abuses of foreign domestic workers.

Singapore should consider adopting stronger anti-trafficking (for sexual exploitation) laws, and improved victim protection measures. It should also engage more with international and regional bodies involved in anti-trafficking activities. Singapore does not face the resource constraints of its neighbors and therefore has the capacity to increase funding for prevention and protection efforts.

### ***Prosecution***

There is no comprehensive law against trafficking in persons but Singapore's criminal code criminalizes some forms of trafficking. Such acts are punishable under laws prohibiting the trafficking of women or girls into the country for purposes of prostitution, unlawful custody or control of children, wrongful confinement, and trafficking of illegal immigrants. Laws against forced or coerced prostitution mostly carry maximum sentences of five years. Procurement of commercial sex from a prostitute 16 years or older is not a crime. The government tracks the number of trafficking-related prosecutions, repatriations of foreign women and girls who are suspected sex workers, and complaints from foreign domestics. Authorities reported seven alleged coerced prostitution cases in 2003, resulting in two convictions with sentences of up to 18 months' imprisonment. Singaporean police also reported the detection and detention of 21 minors under the age of 18 involved in prostitution during the last year. There is no information on the number of arrests made of violators of national prostitution laws (violations concerning

children and other exploitation). The government investigates cases involving allegations of abuse of foreign domestic workers and in 1998 raised the mandatory sentences for employers convicted of physically abusing foreign domestic workers to one-and-a-half times the sentences given to persons convicted of the same abuses against Singaporeans. There is no evidence that government officials are complicit in trafficking.

### ***Protection***

No NGOs in Singapore focus exclusively on trafficking, although several assist foreign workers and seek the enactment of enhanced labor protections. The government does not provide assistance to NGOs, except limited assistance to shelters. Trafficking victims are generally referred to shelters that offer counseling while abused foreign domestics are referred to such shelters or to shelters run by their embassies. Singapore in 2003 created an office in the Ministry of Manpower to promote the welfare of foreign domestic workers and to educate employees and employers on acceptable employment practices.

### ***Prevention***

There is no specific anti-trafficking campaign directed at the use of fraud or coercion to recruit foreign women as prostitutes. The government does not take measures to reduce the demand for sex tourism junkets organized in Singapore to foreign destinations, nor to publicize the problem of sex trafficking in these destinations. The government maintains effective border and immigration controls. Singapore has no national action plan to address trafficking.

## TAIWAN (TIER 1)

Taiwan is a source, transit, and destination point for women and men trafficked for the purposes of sexual exploitation and forced labor. Women from the People's Republic of China (P.R.C.), Thailand, Cambodia, and Vietnam are trafficked to Taiwan for forced prostitution. Some women are lured to Taiwan by fraudulent offers of employment or marriage to Taiwanese men. Women from Taiwan are trafficked to Japan for forced prostitution. Illegal migrants, mainly from the P.R.C., transit Taiwan on their way to North America, where some end up in forced labor conditions.

Taiwan authorities fully comply with the minimum standards for the elimination of trafficking. Taiwan recognizes the problem of trafficking in persons and has made concerted efforts to prevent the exploitation of minors and to investigate trafficking cases. Taiwan supports prevention programs, has comprehensive laws that criminalize trafficking, and provides access to protective services for trafficking victims.

### *Prosecution*

Taiwan has a statute that penalizes trafficking in children for sexual exploitation, and it has other statutes that criminalize other trafficking activities. According to official data, there were 195 trafficking-related arrests and 32 convictions under these statutes in 2003. Taiwan is strengthening investigations of trafficking. Taiwan authorities are concerned about the growing number of Vietnamese women lured to Taiwan as brides and then forced into prostitution. Officials have taken steps to address the problem by issuing stricter regulations designed to curb the rate of fraudulent marriages between Taiwanese citizens and foreign spouses.

### *Protection*

Taiwan provided strong support for victim protective services in 2003. The authorities cooperated with NGOs to assist trafficking victims. Local centers run by officials and NGOs offer a range of services to adult and child victims, including temporary shelter, medical and counseling services. Foreign victims discovered in Taiwan are not prosecuted and are provided assistance before they are repatriated to their home countries. Police and judicial officials receive training on trafficking issues and how to best assist a victim.

### *Prevention*

Taiwan continues its robust support of NGO trafficking prevention programs. Authorities in Taiwan have provided funding for public awareness programs targeting minors. Taiwan officials have also raised public awareness of the dangers of pornography and the use of the Internet to lure children into the sex trade. Tourism officials in Taiwan collaborate with NGOs, hotels, and travel agents to discourage sex tourism.

## THAILAND (TIER 2 - WATCH LIST)

Thailand is a source, transit, and destination country for persons trafficked for the purposes of sexual exploitation and forced labor. Thailand is a destination for men, women and children from Burma, Laos, Cambodia, and China who are trafficked for forced or bonded labor and prostitution. Thai women are trafficked to Australia, South Africa, Japan, Bahrain, Taiwan, Europe and North America for sexual exploitation. Internal trafficking also occurs, involving victims from Northern Thailand. Additionally, regional economic disparities drive significant illegal migration into Thailand, presenting traffickers opportunities to move victims into labor exploitation. Widespread sex tourism in Thailand encourages trafficking for forced prostitution.

The Government of Thailand does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Thailand's placement on Tier 2 Watch List is due to the government's failure to provide evidence of increasing efforts to combat severe forms of trafficking in one area: the protection of Cambodian trafficking victims, particularly those exploited in street work. The Thai Government needs to take measures to protect trafficking victims in order to demonstrate significant efforts to eliminate severe forms of trafficking. In September 2003, the Thai Government declared a national campaign against criminal organizations in Thailand including traffickers of women and children, the first time the issue has been publicly elevated to a national level priority.

### *Prosecution*

The Thai Government's law enforcement efforts showed some progress, with a significant increase in prosecutions and more seizures of assets related to trafficking cases. Thailand has a law specifically prohibiting trafficking. But as in previous years, the law was used sparingly in 2003. Some police and prosecutors seem to be unfamiliar with its provisions and therefore do not use it. In 2003, the government reported 211 trafficking-related arrests, 86 prosecutions, and 20 convictions. Most sentences in trafficking cases were light, although a number of sentences in trafficking cases were severe, with at least four sentences between 10 and 50 years. The government needs to reduce trafficking-related corruption in the police, immigration services, and judiciary. Only one of 18 police officers charged in 2003 with facilitating trafficking was prosecuted and convicted, although 11 others are under active investigation. Thailand is not able to adequately control its long land borders and there appears to be an increase in trafficking along the Thai-Malaysian border.

### *Protection*

The Thai Government continued to provide adequate protection to trafficking victims in 2003, operating 97 shelters throughout the country for abused women and children. Only four regional centers offer the secure conditions and counseling services needed by trafficking victims. In 2003, Thailand signed a memorandum of understanding (MOU) with Cambodia and a wider agreement between government agencies and NGOs to help regularize the protection and repatriation of foreign trafficking victims. Foreign victims in Thailand are no longer subject to deportation, although in an attempt to remove street children from Bangkok in advance of the Asia Pacific Economic Cooperation (APEC) summit in October of 2003, the Thai Government deported 620 Cambodians, some of who were trafficking victims, without any of the protections required by the MOU. An additional 236 Cambodian women and children were deported in March of 2004 without adequate protection. Thai missions overseas have provided support to Thai victims who wish to return home, but limited funding is available to assist their repatria-

tion. Thai police and consular officials have received training on trafficking issues and dealing with victims.

***Prevention***

The Thai police in 2004 began an information campaign to increase public awareness of trafficking, which included the distribution of pamphlets and creation of a hotline for reporting suspected cases. The government also supports the work of NGOs and international organizations to carry out public awareness campaigns and provide victim support services.

## VIETNAM (TIER 2 - WATCHLIST)

Vietnam is a source country for persons trafficked for the purposes of forced labor and sexual exploitation. Vietnamese women and girls are trafficked to Cambodia, the People's Republic of China (P.R.C.), Taiwan, Malaysia, Hong Kong, and Macau for sexual exploitation and forced marriages. Labor export companies recruit and send workers abroad; some of these laborers have been known to suffer trafficking abuses. There is also internal trafficking from rural to urban areas.

The Government of Vietnam does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Vietnam is placed on the Tier 2 Watch List due to the government's failure to provide evidence of increasing efforts to combat severe forms of trafficking, particularly its inadequate control of two state-controlled labor companies that sent workers to American Samoa from 1999 to 2001. Additionally, Vietnam's weak labor export regulations are vulnerable to abuse by unscrupulous employers to facilitate the trafficking of Vietnamese workers. Vietnam lacks adequate protection for victims of labor trafficking. The government does not yet have a separate national plan of action to address trafficking, but trafficking in women and children is an explicit component of the 2004-2010 National Plan of Action on Protection for Children in Special Circumstances and is also addressed in the 2000-2005 National Anti-Criminal Plan of Action. The government has also engaged neighboring governments to combat trafficking in persons. Vietnam has made increasing efforts to prosecute trafficking crimes. It is cooperating with Cambodia and other neighboring countries on the repatriation of victims and other cross-border issues.

### *Prosecution*

Vietnam's anti-trafficking law enforcement efforts in 2003 were uneven. Vietnam has a statute that prohibits sexual exploitation and the trafficking of women and children, with penalties up to 20 years in prison. It does not have a law against other forms of trafficking, including forced labor. The government actively investigates trafficking cases and prosecutes and convicts traffickers. In 2003, the government opened a crime statistics office to track arrests, prosecutions, and convictions. Officials have reported 296 arrests, 224 prosecutions, and 204 convictions specifically related to trafficking in women and children in 2003. Through cross-border cooperation, the Vietnamese and Cambodian Governments were able to crack down on several transnational trafficking rings and convict several kingpins. Government corruption impedes law enforcement efforts; in 2003 the government prosecuted three police officers who facilitated labor trafficking.

### *Protection*

The Vietnamese Government does not provide adequate protection to victims, although in 2003 it improved cooperation with NGOs and international organizations. Vietnam's labor export regulations allow labor companies to largely monitor themselves, creating opportunities for unscrupulous employers to abuse Vietnamese workers abroad. The American Samoa case prosecuted by the U.S. Department of Justice indicates that some Vietnamese police may have facilitated this trafficking by investigating Vietnamese workers labeled as "troublemakers" by the employers. Victims are usually not detained, arrested or otherwise punished, but the government routinely sends women who engage in prostitution within the country to "rehabilitation centers." The centers provide medical treatment, vocational training, and counseling and seek to deter the women's return to prostitution. The government's rehabilitation efforts include "re-education" and limit freedom of movement. Moreover, rehabilitation that takes place at provincial and local levels lacks adequate financial resources.



### ***Prevention***

The Vietnamese Government does not implement specific anti-trafficking programs, although the Ministry of Public Security in 2003 did establish a separate office dedicated to trafficking concerns and held a high-level inter-agency meeting on improving performance on trafficking issues, chaired by a Deputy Prime Minister. The government, moreover, cooperated with several international organizations on anti-trafficking studies in 2003 and sponsored public awareness campaigns using television and newspapers.





# EUROPE & EURASIA



*YELENA IS A 25-YEAR-OLD BELARUSIAN WITH A COLLEGE DEGREE. SHE RESPONDED TO a Minsk employment agency's advertisement seeking nightclub dancers in Cyprus. The agency provided Yelena with a work visa, a three-month employment contract, and a written guarantee that the job would not require any sexual activities. Immediately upon arrival in Cyprus, the owners of the nightclub where she was to work confiscated her passport and told her she would be forced to work as a prostitute at the club. They also told Yelena that she would have to repay a "debt" to cover her travel and visa expenses. Over the next three months she was forced to work in the Cypriot sex industry, suffering physical and psychological abuse. The club owners confiscated her earnings as "debt" payments. Once the owners recovered their expenses, they released Yelena with nothing.*

## ALBANIA (TIER 2)

Albania is a source country for women and children trafficked for the purposes of sexual exploitation and forced labor, mostly to Greece and Italy, and to a lesser extent, the United Kingdom, France and The Netherlands. Children, especially from the Roma and Egyptian communities, are trafficked internationally for forced begging. Regional and international experts consider Albania to have significantly decreased as a transit country to Western Europe.

The Government of Albania does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Arrests and prosecutions for trafficking-related offenses increased significantly, and the government continued its prevention of human trafficking by speedboat across the Adriatic. The government improved its monitoring of government officials involved in trafficking; however the government should take further steps to prosecute and convict complicit government officials, and improve its prevention and reintegration programs.

### *Prosecution*

Albanian law prohibits trafficking in persons for sexual exploitation and for forced labor, with penalties up to 15 years' imprisonment, with a maximum of life in prison for aggravating circumstances. In 2003, the government arrested 317 suspects for trafficking-related crimes, and imposed sentences in 75 of 102 convictions from two to over 10 years' imprisonment. Some of these resulted from the government's involvement in Operation Mirage II, a coordinated transnational law enforcement operation. Some courts released convicted traffickers pending appeal without offering protection for witnesses and victims. Trafficking-related corruption was a problem; the government arrested four police officers on related charges, and investigated 11 cases of police involvement in trafficking. In a joint Italian-Albanian operation against a child trafficking ring, the government arrested and placed 16 suspects in pre-trial detention, including high-ranking customs and law enforcement officials. The government attacked trafficking through the Organized Crime Task Force, made up of select police and prosecutors. Albania's borders remained porous, though the government continued to improve interdiction at the country's main ports of exit and entry. The Vlora Anti-Trafficking Center (VATC) became operational in gathering information and creating regional anti-trafficking responses.

### *Protection*

The government provided some facilities and personnel to assist trafficking victims. In July 2003, the government assumed operation of the National Reception Center for adult and child victims, previously known as the Linza Center. Police made ad hoc referrals to an NGO shelter in Vlora, which assisted 231 trafficking victims in 2003. In most cases, police screened victims at police stations then referred them to shelters. Under a new centralized referral system, police referred victims to the IOM for initial screening, and then to an appropriate shelter or international organization for further care. In remote prefectures, shelters were not available, and trafficking victims were at times held temporarily in overcrowded, unsanitary conditions until transported to shelters. While it finalized adoption of new witness protection legislation, the government signed a memorandum of understanding with the Organization for Security and Cooperation in Europe (OSCE) and several NGOs for ad hoc witness protection. In 2003, five witnesses were relocated to third countries under this arrangement.

***Prevention***

The government conducted few prevention programs, relying on NGOs and international organizations to carry out such activities. The Ministry of Education and the IOM jointly developed two trafficking awareness manuals for secondary schools. The first phase of the program targeted 36 schools in at-risk regions. The government formed a Child Trafficking Working Group, which drafted a national strategy on child trafficking, and prepared a draft memorandum of understanding with Greece to prepare for the repatriation of child victims in advance of the 2004 summer Olympics.

## ARMENIA (TIER 2)

Armenia is primarily a source and transit country for women and girls trafficked for sexual exploitation mainly to the United Arab Emirates (U.A.E.) and Turkey, as well as Russia, Greece, and other European countries. Trafficking to Russia, Turkey and the U.A.E. for the purposes of labor exploitation was an increasingly significant problem. There were a few cases of trafficking in women from Uzbekistan to Armenia for sexual exploitation. Advocates expressed concerns about internal trafficking and trafficking of orphans, but no confirmed cases were uncovered.

The Government of Armenia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Cooperation between police and NGOs increased the number of investigations, and provided police a greater understanding of international and domestic sources of trafficking. The government should improve legal instruments to create more effective tools for law enforcement and should improve the transparency of its anti-corruption programs.

### *Prosecution*

While prosecution efforts improved and victim identification increased, courts handed down few convictions, and only on related crimes with low sentences. Article 132 of the criminal code, adopted in August 2003, prohibited trafficking in persons for “mercenary purposes” with a maximum penalty for aggravating circumstances of four to eight years of imprisonment. These penalties were not commensurate with other grave crimes, such as rape. Previous reports highlighted trafficking to the U.A.E., and during the reporting period, police investigated suspected trafficking operations to Dubai involving an estimated 90 women. Police initiated two criminal investigations under Article 132 on trafficking in persons and 17 under Article 262 (operating a brothel), nine of which referred to pimping abroad or trafficking in persons for sexual exploitation. The sentences handed down ranged from substantial fines and correctional labor to one year imprisonment. Prosecutors noted a continuing problem with definitional elements and weak penalties; the National Assembly was expected to consider amendments to the criminal code. Corruption was a problem, and two police officers and two airport officials received administrative penalties for abuse of power related to a trafficking operation to the U.A.E. Police conducted in-service training using examples from actual trafficking investigations. The government cooperated with Georgia and the U.A.E. in investigating and apprehending traffickers, including cooperating in the return of a suspected trafficker from the U.A.E. to stand trial in Armenia.

### *Protection*

Law enforcement improved its record of victim identification and referrals to a service-providing NGO. In one operation, police identified eight foreign prostitutes, suspected they were victims and referred them to an NGO for assistance. Armenian NGOs provided most victim assistance, but cooperated well with police. In order to alleviate vulnerabilities of an at-risk group, the government adopted a program to provide apartments to children who graduated from orphanages, and provided assistance to poor families with needy children.

### *Prevention*

Prevention activities increased during the reporting period, especially through the use of mass media. The National Police were featured in several training films and TV shows on trafficking, and the Ministry of Education approved anti-trafficking educational lectures for secondary and university students. In January of 2004, the government approved an anti-trafficking national

action plan for 2004-2006. The government contributed the equivalent of \$11,000 of its own funds to support the work of the National Anti-Trafficking Commission, and foreign donors provided the remaining funds. The government's Department for Migration and Refugees conducted extensive outreach on migration issues, which prevented a significant number of individuals from succumbing to trafficking, according to an independent survey.



## AUSTRIA (TIER 1)

Austria is a transit and destination country primarily for women trafficked to Austria from Eastern Europe and the former Soviet Union, particularly Bulgaria, Romania, Moldova and Ukraine, for the purpose of sexual exploitation. The final destinations for most victims transiting through Austria are other European Union (EU) countries. Austrian police continued to notice increased trafficking of Romanian boys and Bulgarian girls to engage in begging, stealing, and possible sexual exploitation. The Organization for Security and Cooperation in Europe (OSCE) Task Force on Trafficking estimates 4,000 victims of trafficking in Vienna alone.

The Government of Austria fully complies with the minimum standards for the elimination of trafficking. The government was particularly strong in mounting cooperative efforts with authorities from other countries, at both national and sub-national levels, to facilitate the investigation and prosecution of trafficking cases. Austrian authorities should take steps to ensure that convicted traffickers receive heavier sentences.

### *Prosecution*

Austria expanded efforts to punish trafficking in persons in 2003. Several articles in the criminal code specifically prohibit trafficking and trafficking-related situations and impose sufficiently severe penalties. In February 2004, the Austrian parliament adopted an amendment to article 217 of the criminal code that expands the definition of trafficking to include exploitation of labor and the trafficking of organs. Under article 217, the key provision for the prosecution of traffickers, the government prosecuted 223 cases. The most recent conviction statistics, from 2002, indicate that the government filed 70 cases against suspected traffickers under this article, with 27 convictions. Seventeen of these persons spent some time in prison, with the majority serving a year or less. Prosecutors often rely on other provisions that criminalize alien smuggling, due to the difficulty of proving unlawful coercion and deception. Austrian authorities reported 744 prosecutions initiated in 2003 for alien smuggling crimes, some of which may involve suspected traffickers. The Interior Ministry's Federal Bureau of Criminal Affairs has a division dedicated solely to combating human trafficking. Four Austrian judges specialize in trafficking cases. Austrian law enforcement officials have established contacts with authorities in countries of origin to facilitate the prosecution of suspected traffickers. Because of a rise in trafficked victims from Romania, Austrian police have improved their liaison with Romanian counterparts. The government supports and funds NGO and government sensitivity training for police and other public authorities in Austria and in other countries. In April 2003, the government helped fund the first judicial training program for Stability Pact countries.

### *Protection*

The Austrian Government continues strong efforts to protect victims of trafficking. The government funds NGOs that provide shelter, legal assistance, and health services to trafficking victims. Victims also have direct access to government-funded services, including women's shelters, located in each province. The Austrian Government commendably provides temporary resident status for trafficked victims. Officials have authority to delay repatriation proceedings pending completion of a court case. Victims of trafficking also have the opportunity to gain permanent residency in Austria. The Austrian Eastern European Cooperation, which forms part of the Austrian Development Assistance Organization, gave 1.7 million Euros to a women's shelter in Belgrade in 2003.

***Prevention***

The government worked actively with international and regional organizations (EU, Interpol, OSCE, and UN) and an NGO to carry out preventive programs domestically and throughout the region. The Ministry of Interior developed a new database to assist in tracking victims and perpetrators of trafficking. The Foreign Ministry developed and distributed information packets on trafficking for use in Austrian embassies and consulates in Eastern Europe.

## AZERBAIJAN (TIER 2 - WATCH LIST)

Azerbaijan is primarily a country of origin and transit for trafficked men, women, and children for the purposes of sexual exploitation and forced labor. Azerbaijani, Russian, and Central Asian women and girls were trafficked from or through the country to the United Arab Emirates (U.A.E.), Turkey and Pakistan for sexual exploitation. Men were trafficked to Turkey and Russia for forced labor and boys were trafficked internally for begging. Women and girls, some from orphanages, were trafficked internally from rural areas to the capital city for sexual exploitation.

The Government of Azerbaijan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. A more complete picture of trafficking in Azerbaijan warrants its inclusion in this report for the first time. In the absence of government identification, local and international experts catalogued a significant number of victims trafficked from or through Azerbaijan during the reporting period. The government merits the designation of Tier 2 Watch List because its efforts are in initial stages and progress is expected in the near future. Law enforcement officers were neither trained nor instructed on victim identification and did not adequately investigate trafficking, nor the extent to which government corruption facilitates it. The government should promptly adopt and fully implement its national action plan and undertake and implement necessary legal reform.

### ***Prosecution***

Trafficking was not specifically criminalized in the Azerbaijan criminal code. Slavery, rape, coercion into prostitution and inducing a minor into prostitution were used to prosecute trafficking crimes. In the absence of the crime of trafficking, the government reported 23 trafficking-related arrests, 20 of which resulted in convictions with sentences of imprisonment or fines. The government did not provide sentences, but most trafficking-related crimes carry maximum penalties between three to six years' imprisonment, except rape, which carries a maximum penalty of 15 years' imprisonment. Corruption was a continuing problem during the reporting period and the government dismissed the chief of a regional passport registration office and two inspectors for issuing illegal citizenship identification cards to several individuals.

### ***Protection***

The government had no measures in place to protect victims or to refer them to NGOs. The government provided mandatory health screening and treatment to prostitutes, many of whom fit the trafficking profile. The government did not provide these individuals with information on trafficking, nor did they have a method for systematically referring such information to law enforcement authorities.

### ***Prevention***

While the Ministry of Interior coordinated the government's anti-trafficking activities, international organizations and NGOs conducted the bulk of anti-trafficking prevention. A government working group, under the leadership of international organizations, drafted elements of a comprehensive national action plan. The plan had not been finalized by March 2004. The Ministry of Interior improved its capacity to track potential traffickers and victims transiting through the airport. The government regularly communicated with neighboring governments on transnational crime issues, including trafficking in persons.

## BELARUS (TIER 2)

Belarus is a country of origin for women and children trafficked to Western, Central, and Southern Europe, Russia, the Baltic states, Japan, Israel, Syria, Lebanon, and the United Arab Emirates for the purpose of sexual exploitation. Officials and experts estimate that thousands of Belarusian women are trafficked each year.

The Government of Belarus does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government has recognized that trafficking is a serious problem in Belarus and has increased investigative efforts and overall awareness, despite resource constraints. Although more remains to be done, particularly in the area of protection and assistance to victims, the government of Belarus has demonstrated its political will to combat trafficking in persons.

### *Prosecution*

The Belarusian criminal code provides specific penalties for trafficking for the purposes of sexual or other kinds of exploitation, though many prosecutors pursue trafficking crimes under sexual assault, abduction, or recruitment for sexual exploitation statutes. The government convicted 45 individuals for trafficking or trafficking-related abuses, with a majority of sentences ranging from two to five years. The Interior Ministry reported 191 investigations of alleged trafficking, including the trafficking of women abroad for sexual exploitation, the recruitment of women for the purpose of sexual exploitation abroad, and the abduction and recruitment of minors for prostitution. In April 2003, the Interior Ministry dismantled a criminal organization that had trafficked over 400 Belarusian women to Western Europe and the Middle East since 1997. In addition, it broke up 17 organized criminal groups connected to trafficking crimes. In an effort to improve police anti-trafficking operations, the government in 2003 collaborated with an international organization to produce a counter-trafficking operations handbook. Attention to trafficking at the borders has increased, but segments of the border remain largely uncontrolled. Corruption among government officials continues. The government uncovered a trafficking scheme in April 2003 involving two Belarusian officials, who are now under investigation. The Belarusian Government commendably collaborated with foreign governments to pursue trafficking investigations. For example, it assisted law enforcement agencies in Germany, England, Lithuania, Austria, and Poland on nine trafficking cases.

### *Protection*

The Government of Belarus cooperates with NGOs to provide limited assistance to trafficking victims, although it does not directly fund such assistance programs. Belarus authorities did not arrest, fine, or charge victims with prostitution or immigration violations. NGOs reported a sharp increase in victim protection referrals from law enforcement officials, due in part to better awareness and to an increase in the number of trafficking investigations. The criminal code contains procedures for witness protection, but government officials contend that financial restraints limited the government's capacity to implement those procedures.

### *Prevention*

The government's recognition of the trafficking problem in Belarus and its efforts to address the issue have increased trafficking awareness among government agencies. The government did not conduct an independent anti-trafficking information campaign during 2003, but state-controlled media outlets have increased news coverage of the issue. Labor and Education Ministry officials coordinated spot checks on organizations that arrange student exchanges and work-abroad programs. The Labor Ministry also continued to monitor and license activities of employment agencies offering Belarusian citizens labor contracts in foreign countries.

## BELGIUM (TIER 1)

Belgium is a destination and transit country for trafficked persons, primarily young women from Sub-Saharan Africa, Central Europe, and Asia. Victims are destined for Belgium's larger cities or other European countries, for the purposes of sexual exploitation. Chinese victims are often young men destined for manual labor in restaurants and sweatshops.

The Government of Belgium fully complies with the minimum standards for the elimination of trafficking. The government continued to show a well-coordinated system of protection and law enforcement, leading to numerous prosecutions and convictions. Despite sentencing guidelines allowing for higher penalties, actual sentences imposed by Belgian courts are often light. As a demand country, Belgium would benefit from domestic demand-reduction and awareness programs.

### *Prosecution*

Belgian police continued to take a sophisticated approach to trafficking investigations and obtained a significant number of convictions in 2003. Belgium's anti-trafficking legislation focuses on international trafficking for the purposes of both sexual and non-sexual exploitation. The law provides penalties for severe forms of trafficking commensurate with those for rape and sexual assault, ranging from one to 15 years of imprisonment with the possibility of life imprisonment for crimes against victims under 10 years of age. Penalties in recent years rarely exceeded eight years. In 2003, the federal police opened 126 new trafficking investigations; 97 involved sexual exploitation and 29 dealt with economic exploitation. Conviction data for 2003 was not yet available. In 2002, courts convicted 130 defendants on trafficking-related charges; prison sentences ranged from three months to eight years, with an average sentence of three years. A large proportion of sentences included fines averaging approximately \$5,800. In one notable case in 2003, a judge determined that the exorbitantly high transport fee and extremely exploitative transport conditions of a smuggling case amounted to human trafficking and sentenced the offender to 10 years. The government posted liaison officers in source countries to assist in case development, and signed numerous bilateral judicial agreements, most recently with Thailand.

### *Protection*

The government continued to financially support and refer victims to three specialized trafficking shelters. The shelter staff determines a victim's status and informs the police. Victims are initially provided a 45-day "reflection" period to consider whether to assist in the investigation of their traffickers; subsequent government protection is directly linked to a victim's willingness to testify. Residency permits, initially granted for three to six months, are renewable during legal proceedings. The government generally approves long-term residency for victims whose cooperation leads to a conviction. The government repatriates those who choose not to cooperate. Victims may qualify for a humanitarian visa based on a successful showing of hardship upon return. Shelters provide a full range of services, including legal assistance for victims initiating civil suits against their traffickers. The government eased its directive on work permits to allow victims to obtain temporary employment and to change employment without seeking permission. In 2002, the latest year for which statistics were reported, the three shelters reported assisting over 500 victims.

### *Prevention*

The government provided international assistance for preventive education campaigns in source countries; it was weaker with regards to demand-reduction campaigns in Belgium. Belgium

funds international organizations conducting regional and global anti-trafficking projects. The government also funds Belgium's independent Center for Equal Opportunity and the Fight Against Racism, which is charged with collecting trafficking data and making recommendations for government action. The King Baudouin Foundation sponsored a major anti-trafficking awareness-raising program in Belgium, which involved the participation of the royal family and the prime minister, and resulted in nationwide media coverage of the problem of trafficking in persons both domestically and abroad.

## BOSNIA AND HERZEGOVINA (TIER 2)

Bosnia and Herzegovina (BiH) is a country of transit and destination for women and girls trafficked for the purpose of sexual exploitation. Victims originate primarily from Moldova, Ukraine, and Romania, and to a lesser extent Russia, Belarus, and Serbia and Montenegro. Victims also transit to Slovenia and Croatia, and on to Western Europe. BiH is increasingly a country of origin for women trafficked internally and externally to Western Europe.

The Government of BiH 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 efforts were reclassified from Tier 3 to Tier 2 in September 2003 after it strengthened its law enforcement response and anti-corruption measures. The government successfully took control of policing in 2003 and prosecuted and convicted organized trafficking figures, but the government should increase its prevention activities by squarely confronting the problem of official corruption.

### *Prosecution*

The BiH Criminal Code prohibits human trafficking for the purposes of sexual, labor, and other kinds of exploitation, and prescribes penalties of up to 10 years' imprisonment, including increased penalties for aggravated circumstances. In March 2004, four defendants operating with a notorious trafficking kingpin were sentenced up to nine years in prison for human trafficking and sexual slavery. Fourteen associates were also charged and placed in detention. These convictions led to the dismantling of one of the largest human trafficking networks in the Balkans. In total, during the reporting period, courts initiated 17 prosecutions against 49 defendants, and handed down 15 convictions, all on trafficking and related crimes. Regrettably, courts imposed very low sentences averaging only a few months. The state level inter-agency Strike Force against human trafficking and illegal migration, in close cooperation with local law enforcement and international police advisors, gathered intelligence and directed investigations. The anti-trafficking National Coordinator established a system of police liaison officers stationed throughout the country to facilitate information-exchange and investigations. Official corruption remained a problem, but the government increased its anti-corruption efforts. In February 2004, Federal authorities arrested the local Interpol Deputy Director on corruption charges.

### *Protection*

In late March 2004, victim referral procedures were formalized into a by-law to the Law on Movement and Stay of Foreigners, but the addition had not yet been made formally binding. During the majority of the reporting period, the police anti-trafficking units made ad hoc referrals to NGOs who offered comprehensive services and shelter. Some law enforcement officials continued to criminally detain and remove potential trafficking victims without instituting proper screening or referral. In general though, the government improved its protection of victim witnesses. In a major prosecution, the government relocated six witnesses to third countries. Humanitarian visas were issued to provide victims with temporary residency, but the government had not reported official numbers of recipients.

### *Prevention*

Responding to criticisms that it failed to prioritize and coordinate efforts at the state level, the government instituted a National Coordinator's Office to report directly to the BiH Council of Ministers. In December and February, the National Coordinator's Office trained police officers, judges, prosecutors and State Border Service (SBS) Agents. The training sessions focused on

international and domestic anti-trafficking laws, victim identification and assistance, child trafficking, and case development. The SBS prevented several illegal border crossings and referred potential victims to IOM for screening. The government did not sponsor public awareness or educational campaigns.



## BULGARIA (TIER 2)

Bulgaria is a transit country, and to a lesser extent, a country of origin and destination for women and girls trafficked for the purpose of sexual exploitation. Bulgarian victims are trafficked to 12 countries across Western, Southern, and Eastern Europe. Women and girls of the Roma minority continue to be disproportionately represented among Bulgarian-origin victims. Victims are trafficked to Bulgaria from Ukraine, Romania, Moldova, Russia, and Uzbekistan.

The Government of Bulgaria does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government passed the Law on Combating Trafficking in Human Beings, which criminalizes trafficking and provides comprehensive victim assistance. The government should vigorously implement the new legislation, and strengthen its efforts on prevention.

### *Prosecution*

New anti-trafficking legislation criminalizes all forms of trafficking in persons and fulfills international obligations. Potential prison sentences range from 5 to 15 years and property may be confiscated. The courts sentenced one person to 12 years' imprisonment for acts relating to trafficking. The government reported six prosecutions against 13 defendants under the new legislation. The Anti-Trafficking Task Force headed by the Ministry of Interior's National Service for Combating Organized Crime (NSBOP) gathers intelligence on trafficking. Official corruption impedes Bulgaria's efforts, and the Prosecutor's Office launched 399 investigations against police officers, resulting in indictments against two officers for human trafficking charges, three for rape, and one for forced prostitution. The government assigned nine criminal liaison officers to destination countries. Although joint investigations were conducted, no information was available to confirm any resulting prosecutions.

### *Protection*

NGOs continued to provide the bulk of victim assistance in Bulgaria. With a grant from Germany, the State Agency for Child Protection cooperated with the IOM to train local experts and to monitor the reintegration and provision of services for child trafficking victims. In early 2004, the government passed regulations authorizing the establishment of shelters and centers for victims' assistance and protection. The Ministry of Interior identified 104 trafficking victims in 2003, and referred 86 of them to IOM. The new law provides foreign victims with the possibility of special residency status if they are willing to cooperate with police. Witnesses may remain in Bulgaria as long as their assistance is required and are provided with access to government work and education programs. Victims unwilling to cooperate may remain in country for 40 days, with the possibility of extension for children. The government has not provided information as to implementation of these provisions.

### *Prevention*

The government implemented numerous training sessions for law enforcement personnel and the media throughout 2003. As part of the Employment Protection Act, the Ministry of Labor and Social Policy implemented projects to address unemployment among at-risk populations for trafficking. The National Committee is intended to implement and coordinate activities between state bodies, local authorities and NGOs; however, the government provided no reports on its activities.

## CROATIA (TIER 2 - WATCH LIST)

Croatia is primarily a transit country for women trafficked into sexual exploitation, mostly from Ukraine, Moldova, Romania, Hungary, Bulgaria, Bosnia and Herzegovina (BiH) and Slovakia, to Western Europe. There are increasing reports that Croatia is becoming more of a destination country, particularly for women from BiH trafficked seasonally for the purpose of sexual exploitation in seaside resort towns.

The Government of Croatia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Croatia is on Tier 2 Watch List due to lack of evidence of sufficient progress from the previous year, especially in supporting the National Committee for the Suppression of Trafficking in Persons (the Committee), and in victim identification. While the government achieved its first trafficking-related conviction and provided some funds for a new trafficking shelter, it should be more proactive in all areas of anti-trafficking efforts, including providing sufficient financial and political support for the Committee. The government should also more vigorously investigate trafficking and pursue cases in a transparent and accountable manner.

### *Prosecution*

Croatia's ability to identify victims and follow through with appropriate law enforcement actions remained inadequate. Croatia does not specifically prohibit trafficking in persons, but prohibits related crimes such as slavery, international prostitution and illegal human transport, which carry penalties of from three months to 10 years. In December, for the first time, a Croatian court sentenced a defendant to three years in prison for slavery and importation of prostitution. In the past year, the government initiated 30 trafficking-related investigations on suspicion of illegal migrant smuggling, international prostitution, and slavery. Under the leadership of the IOM and domestic NGOs, 150 judges and prosecutors were trained to recognize, investigate, and prosecute trafficking cases. Two hundred and fifty police officers were trained through regular in-service training or through specialized courses on trafficking-recognition. The government provided some information to border guards on detection of trafficking victim identification.

### *Protection*

The government's support for victim protection improved during the reporting period, though financial assistance was minimal. The Croatian Parliament passed a Law on Foreigners that permits trafficking victims to apply for temporary residency status for 90 days, renewable for up to two years. The government, working with NGOs, supported a shelter for trafficking victims and three reception centers to accommodate victims on a temporary basis. The Ministry of Labor and Social Welfare signed a specific memorandum of understanding with IOM on victim protection and assistance. The government funded the operating costs for a national SOS hotline devoted solely to trafficking. The government was developing regulations for implementation of a new witness protection law that entered into force on January 1, 2004.

### *Prevention*

The government did not provide sufficient financial support for anti-trafficking activities nor did it provide adequate institutional support for the Committee. The Committee held only four meetings since May 2002. The newly elected government came into power in December 2003 and, as of March 2004, had not assigned the new members of the Committee. The former government formed a lower-level "Operational Team" to support the Committee, but it met infre-

quently with few concrete results. The government relied on NGOs to carry out most activities listed in the national action plan. The Ministries of Labor and Interior conducted training sessions for staff that included components on trafficking. The government provided limited funding for two NGOs to conduct general awareness raising activities regarding trafficking.

## CYPRUS<sup>1</sup> (TIER 2 - WATCH LIST)

Cyprus is a destination country for women trafficked from Eastern Europe, primarily Ukraine, Romania, Moldova, Russia, Belarus, and Bulgaria for the purpose of sexual exploitation. Traffickers who forced women into prostitution generally recruited their victims to work as dancers in cabarets and nightclubs on short-term “artiste” visas, for work in pubs and bars on employment visas, or for illegal work on tourist visas.

The Government of Cyprus does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Cyprus is included in this year’s report due to evidence of significant trafficking from source countries, advocates in Cyprus and the Ombudswoman’s 2003 trafficking report. Cyprus is on Tier 2 Watch List because its efforts against trafficking are based largely on the government’s commitments to implement the Ombudswoman’s recommendations in the near future. The government’s efforts were underway at the close of the reporting period. The government should focus specifically on understanding the nature of the problem better and developing a partnership with NGOs to improve victim identification and support.

### *Prosecution*

Cyprus’ comprehensive anti-trafficking law prohibits trafficking in women and children across international borders for the purposes of sexual exploitation and prescribes punishment of up to 20 years’ imprisonment. The law is gender-specific and does not address internal or labor trafficking. Officials pursued isolated cases of trafficking under forced prostitution and related crimes. In March, Cypriot courts convicted four individuals of forcing women into prostitution. Late in the reporting period, Cypriot police established the Office of Trafficking and Cyber-crime and the Human Trafficking Prevention Unit. Neither entity had sufficient time to measure successful results. In December, the government signed a legal cooperation agreement with Bulgaria dealing with international crime and trafficking.

### *Protection*

Anti-trafficking legislation provides protections for women and child trafficking victims, but such protections have rarely been mobilized. Anti-trafficking legislation designates the head of the Welfare Department as the “Guardian of Victims,” but the government did not identify specific resources for trafficking victims. During the reporting period, three victims were referred to the Welfare Department, and were offered general assistance. Like other foreign workers, “artistes” are required to undergo a medical exam upon arrival and renewal of their visas, but “artistes” must additionally be tested for sexually transmitted diseases. Towards the end of 2003, police began bringing “artistes” to district police stations for personal interviews without employers present, and they increased checks on cabarets. Such efforts were intended to expand opportunities to this vulnerable group to file complaints that would enable police to initiate investigations. The law provides victims the right to seek compensation, shelter and medical care, as well as to change employers or have a guardian appointed.

<sup>1</sup> The Republic of Cyprus exercises control over the southern two-thirds of the island. The northern part is ruled by a Turkish Cypriot administration that has proclaimed itself the “Turkish Republic of Northern Cyprus” (“TRNC”), and is not recognized by the United States or any other country except Turkey.

### ***Prevention***

In an attempt to prevent the exploitation of “artistes,” the government gave arriving “artistes” information sheets, available in several languages, explaining their rights and obligations and providing emergency information, but it had no anti-trafficking programs targeting other vulnerable groups, nor the public at large. The Ombudswoman’s report generated brief media attention and some ongoing inter-ministerial dialogue. The Attorney General’s office coordinated the work of the anti-trafficking Group of Experts, which included representatives from relevant ministries, police and NGOs. The Group of Experts was formulating a national strategy for official approval during the reporting period.

## CZECH REPUBLIC (TIER 1)

The Czech Republic is a source, transit, and destination country for women trafficked from the former Soviet Union (in particular, Russia, Belarus, Ukraine, and Moldova), Eastern Europe, the Balkans, and Asia into the Czech Republic and onward to Western Europe, and to a lesser extent, the United States, Japan, and Mexico for sexual exploitation. Small numbers of Czech men are trafficked to the United States and small numbers of men from former Soviet Union are trafficked to the Czech Republic for forced labor. Foreign and Czech women are also trafficked within the country.

The Government of the Czech Republic fully complies with the minimum standards for the elimination of trafficking. In 2003, the government approved a National Strategy of Combating Trafficking in Human Beings for the Purpose of Sexual Exploitation, cooperated extensively with European governments in investigating and prosecuting trafficking cases, conducted strategic studies on the nature of trafficking in the Czech Republic, and launched a pilot program to improve victim assistance. But convictions and sentences remain low. Czech authorities should use trafficking legislation to give stronger penalties to convicted traffickers. The government should also expand the victim assistance pilot program nationwide, as planned, and provide the necessary funds. The Czech Government is considering the submission to its Parliament of a legislative proposal to regulate prostitution, which can contribute to the phenomenon of trafficking for sexual exploitation.

### *Prosecution*

The Government of the Czech Republic specifically criminalizes the trafficking of individuals for the purpose of sexual exploitation, and the Cabinet has recently approved for submission to Parliament criminal code amendments to criminalize other forms of trafficking, such as trafficking for forced labor. Currently, Czech authorities prosecute forced labor cases under human-smuggling provisions. A special division of the Organized Crime Investigation Unit of the State Police is specifically trained and dedicated to trafficking crimes. This unit is authorized to use special investigative techniques such as electronic surveillance and undercover operations. During the reporting period, Czech authorities arrested 19 and convicted five other individuals under trafficking statutes. Of the five convicted, only one received a prison sentence of one to five years; four received conditional sentences, akin to suspended sentences. Czech authorities also arrested 103 and convicted 80 individuals under pimping statutes, some of whom may be involved in trafficking. No government officials were indicted or convicted for corruption in connection with trafficking, but NGOs have reported victims' concerns about the involvement of individual border police officers facilitating border crossings for traffickers. The Czech Government cooperated extensively with other Central and Eastern European governments in investigating and prosecuting trafficking cases. The Czech Republic participated in seven cooperative international investigations in 2003, and efforts with Austria, Germany, and Spain resulted in trafficking convictions. The Ministry of Justice extradited 117 individuals during the reporting period, some of whom were extradited on trafficking charges to Austria, Germany, Bulgaria, and Serbia and Montenegro.

### *Protection*

Under the current Czech system, victims who are willing to cooperate with police may be granted temporary residence in anonymous safe houses run by NGOs, a work permit, and access to social assistance. The government provided funding to NGOs to help victims find shelter and health-

care assistance. The Czech Republic's primary NGO on trafficking issues provided shelter and care to 30 victims and counseling to 350 victims in 2003. During the reporting period, some victims were treated as illegal immigrants and expressed fear of testifying due to safety concerns. In a major effort to address these issues and improve victim protection, the Czech Republic launched a victim assistance pilot program in October 2003 that is expected to go nationwide following a six-month trial period and evaluation. Under this pilot program, currently involving 10 individuals, trafficking victims receive a 30-day grace period for assistance and counseling during which a victim can decide whether to cooperate with the Czech police. Foreign victims who choose not to cooperate will be offered voluntary return to their home country. The Czech Government's initiation of the victim assistance pilot program is currently funded by the UN, but the Czech Government plans to fund it following the trial period. The government continued to fund a local branch of an international organization to assist victim repatriation.

### ***Prevention***

Partially funded by the Ministry of Justice, NGOs continued the successful primary and secondary school effort to educate Czech youth about the risks of working abroad and the ways that traffickers entrap women. The Foreign Ministry trained some consular officers in trafficking awareness and cooperation with NGOs. Czech consular officers in Romania, Bulgaria, Russian, Ukraine, and Kazakhstan ran joint projects with an international organization to make certain visa applicants aware of the risks of trafficking. The Czech Republic helped sponsor trafficking-related projects abroad, including a victim shelter in Moldova and an information campaign in Bosnia and Herzegovina. The Czech Republic approved its National Strategy of Combating Trafficking in Human Beings for the Purpose of Sexual Exploitation in September 2003. The Czech Government signed a bilateral agreement with the Slovak Republic in January 2004 on joint border control that allows for greater exchange of information on cross-border crime, including trafficking. The Czech Republic has also instituted a new visa foil with increased security features.

## DENMARK (TIER 1)

Denmark is primarily a destination country for women and children trafficked from Eastern Europe, the Baltic states, the former Soviet Union (particularly Ukraine, Moldova, and Russia), Thailand, and African countries for the purpose of sexual exploitation. Victims also transit through Denmark to other European countries.

The Government of Denmark fully complies with the minimum standards for the elimination of trafficking. The government demonstrated appreciable progress in the areas of protection and prevention, but needs to undertake more vigorous anti-trafficking law enforcement efforts.

### *Prosecution*

Denmark has a trafficking in persons law criminalizing both sexual and non-sexual exploitation that came into effect in June 2002. The Danish Government did not make its first arrests under the law until December 2003, when police arrested five men on trafficking and pimping charges. The trial of the five men plus one additional suspect began in April. Danish authorities reported no convictions during the reporting period. Under Danish law, penalties for trafficking are sufficiently severe, and the government provides specialized training to police officers to identify and combat trafficking and assist victims. Denmark cooperates with other governments and with organizations such as Europol, Eurojust, Interpol, Council of the Baltic Sea States, and the Police and Customs Cooperation in the Nordic Countries to investigate trafficking.

### *Protection*

The Government of Denmark improved its protection of victims under its national action plan to Combat Trafficking in Women. The government provided partial funding to an NGO to provide shelters for foreign trafficking victims. These shelters provide security and access to professional services prior to repatriation. Consistent with the government's action plan, the NGO has begun to develop an international network of NGOs to provide better and safer repatriation services. A formal process is in place to transfer victims from police detention to NGO shelters. Danish law allows a 15-day legal stay for trafficking victims. Police rescued 14 victims from the Czech Republic, Bulgaria, and Romania. Of these 14 victims, only five accepted the 15-day stay; the rest chose to be immediately repatriated. The government encourages victims to testify in court against traffickers. According to police, a witness can provide recorded testimony usually within days of a trafficker's arrest, and this testimony can be used as evidence in a trial.

### *Prevention*

The Danish Government continues to strengthen its prevention efforts. The national action plan to Combat Trafficking in Women was published in December 2002 and became fully effective in October 2003. Under the plan, the government and several NGOs published anti-trafficking advertisements in major newspapers that provided a hotline telephone number for victims and the public that would reach multilingual operators. The hotline provides information on support services, Danish laws, and guidelines on repatriation related to victim services. In the first seven months of operation, the hotline received 254 calls or e-mails. Also under the action plan, a government-supported NGO hired five employees to locate foreign prostitutes, collect information, and provide information on services. The government allocated an annual amount of \$1.7 million to the action plan for the first three years.



## ESTONIA (TIER 2 - WATCH LIST)

Estonia is a source country for women and girls trafficked for the purpose of sexual exploitation both internally and abroad. Victims are usually trafficked to Finland, Sweden and the other Nordic countries, as well as Germany. There are also indications of internal trafficking typically from the northeast border region to the capital for prostitution. Estonia is a destination for foreign sex tourists, especially from neighboring countries.

The Government of Estonia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government is placed on Tier 2 Watch List for lack of evidence of progress. High-ranking government officials condemned trafficking during the past year, but were slow to support such statements with institutional support or priority. The government should identify relevant focal points in each ministry and promptly establish a referral system for victim assistance, protection and increased outreach.

### *Prosecution*

The government's prosecution record was unchanged from the previous reporting period. Trafficking in persons is prohibited in Estonia under related criminal articles on enslavement and abduction, with basic penalties of one to five years' imprisonment and increasing penalties up to 12 years for aggravated circumstances. Prosecutors prepared the government's very first trafficking case for trial during the reporting period, but as of April 2004, the trial had not commenced. The government conducted four abduction and enslavement investigations, and convicted eight organized crime figures for organized prostitution. A new police anti-trafficking task force investigated organized prostitution rings with trafficking-related elements. The government cooperated with neighboring countries on transnational and organized crime, and cooperated with at least one destination country prosecuting an Estonian trafficker in its jurisdiction.

### *Protection*

The government increased its funding to crime victim programs, which would be applicable to trafficking victims, but no trafficking victims reportedly benefited from such protections. The government's new Crime Victims Compensation Act of 2003 enlarged the system of victim support and increased the amount of compensation the government could provide victims. The three Baltic States made a joint agreement on witness protection, and the 10 Baltic Sea States agreed to a region-wide witness protection program, which could apply to trafficking victim-witnesses. The government did not institute a referral system to NGOs for assistance, shelter or repatriation, although victims would be entitled to support under general (non-trafficking-specific) assistance programs.

### *Prevention*

Estonia's efforts were slow and the government did not finalize a central strategy on prevention or law enforcement during the reporting period. The government led public discourse over the link between trafficking in persons and prostitution to determine a strategy for future action, but it did not institute a policy or plan during the reporting period. The National Anti-Trafficking Roundtable was formed as an informational clearinghouse and a central coordinating body with responsibility for drafting a national action plan. Lack of inter-agency coordination and identification of relevant focal points in each ministry hindered concrete actions. Funded by the Nordic-Baltic Campaign Against Trafficking in Women, the Ministry of Social Welfare conducted training and awareness-raising for social workers and schools nationwide. The Ministry of Social Welfare appointed two employees to coordinate the training sessions and support the National Roundtable. The Ministry of Foreign Affairs participated in various international anti-trafficking activities, including the Council of Europe and regional fora.

## FINLAND (TIER 2)

Finland is a destination and transit country for women and girls trafficked for the purpose of sexual exploitation. Traffickers often recruit women through surreptitious employment contracts and then force them into prostitution, or target women in the sex industry and force them to endure degrading conditions upon arrival in Finland. Victims are primarily from Russia and Estonia, and secondarily from Belarus, Latvia, Ukraine, Moldova and Southeast Asia (Thailand and the Philippines). Once in Finland, many victims are trafficked throughout the country and on to other Nordic countries and Western Europe.

The Government of Finland 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 efforts improved in the past year, likely due to focused attention from the highest levels and stronger regional and bilateral programs. The lack of a criminal definition and institutionalized victim protections continued to hinder the government's progress, but improvement is expected with implementation of pending anti-trafficking legislation. The government should better educate the public about trafficking in Finland, especially focusing on the profile of a victim. Moreover, government efforts would benefit from an established a memorandum of understanding regarding information exchange and victim referral with NGOs.

### *Prosecution*

Finnish law enforcement approached trafficking as organized prostitution and adeptly profiled the crime groups involved and cooperated within police services. But it did not evidence vigorous law enforcement nor did it provide any comprehensive statistics on its efforts. Law enforcement efforts suffered from the lack of a criminal statute on trafficking in persons. While some related criminal acts were prohibited, such as pimping, rape, fraud and sexual exploitation of a minor, the criminal code lacked other important elements. A specialized working group drafted new anti-trafficking criminal legislation to bring Finland in line with regional international standards. Border police made numerous arrests against organized prostitution rings, which resulted in court convictions from six months to one year's imprisonment. Finland provided criminal liaison officers in targeted source countries to enhance joint investigations and two regional investigations in early 2004 led to the disruption and arrest of several individuals trafficking Latvian and Estonian women into Finland. The government exercised extra-territorial jurisdiction over two Finnish nationals and arrested them for child sexual abuse in Estonia and Russia during the reporting period.

### *Protection*

Finland has strong victim's rights laws, but lacks adequate victim assistance mechanisms; the government did not conduct widespread victim screening and rarely informed potential trafficking victims of such options. In some instances, the government offered potential victims the right to temporary residency in return for cooperation, but there was no referral system and, as a general rule, Baltic nationals were released without assistance, while Russians and others were deported. In a notable effort to improve, the government appointed a special rapporteur to analyze and provide recommendations for creating effective protection mechanisms for trafficking victims, and it withheld deporting the victims identified in police actions in the past year. The government funded the Nordic-Baltic Task Force on Trafficking in Persons to develop a specific regional protection and prevention initiative in Russia. Border guards were trained to identify organized prostitution crimes, and to offer women profiled in such a category the opportunity to speak out against their traffickers.

### ***Prevention***

The government focused its prevention efforts on border control and profiling of potential victims at points of entry. The government co-sponsored a major conference on child trafficking in June and partially funded the new Nordic-Baltic Task Force. The Ministry for Social Affairs ran an anti-trafficking campaign focusing on demand-reduction. During the reporting period, the government provided funding from slot-machine revenues to NGOs for services such as a phone hotline for abused or battered women and a rape crisis center. Such programs provided the potential for outreach to at-risk groups.

## FRANCE (TIER 1)

France is a destination country for trafficking victims, primarily women from Central Europe and the former Soviet Union, for the purposes of sexual exploitation and domestic servitude. French police estimate that 90% of the 15,000-18,000 prostitutes working in France are trafficking victims, and that 3,000-8,000 children are forced into prostitution and labor, including begging. To a lesser extent, France is a transit country for trafficked women from Africa, South and Central American, and Eastern and Southern Europe. Nigerian trafficking networks are expanding their activities in France. There are reports of Chinese and Colombian men trafficked into bonded or forced labor. Trafficking of Brazilian women and girls into sexual exploitation in French Guiana is a serious problem.

The Government of France fully complies with the minimum standards for the elimination of trafficking. France passed comprehensive anti-trafficking legislation in 2003 and arrests for trafficking offenses rose during the reporting period, but convictions under new trafficking legislation were not yet finalized and enforcement could not be measured. The French Government should cooperate with Brazil on combating sex trafficking of Brazilian women to French Guiana and investigate the extent, if any, of trafficking in its other overseas territories.

### *Prosecution*

The government reinforced its anti-trafficking police investigation team and strengthened international cooperation. France's anti-trafficking law criminalizes trafficking for sexual and non-sexual exploitation, with penalties of up to seven years in prison and a fine of about \$190,000. Penalties for soliciting child prostitutes range up to 10 years. Trafficking-related sentencing guidelines, such as rape, and the sentences for some types of trafficking convictions were light. The exploitation of foreign labor and exposing laborers to inhumane conditions were criminal offenses under other statutes. Employers could be punished by up to three years' imprisonment or substantial fines. In 2003, France's special anti-trafficking police unit arrested 709 individuals on trafficking-related charges, an increase of 66% over the previous year. The organizers of 32 trafficking networks were arrested, including 15 large-scale organized prostitution networks. Police arrested 67 adults for organizing child prostitution and begging after two child victims provided information to counselors. While conviction statistics had not yet been reported for 2003, records from 2002 revealed over 300 convictions for trafficking-related crimes, with maximum sentences of nearly 5 years' imprisonment. The government increased funding and staff for its specialized anti-trafficking police unit. The Paris Prefecture created a special investigative unit to deal with trafficking networks. The government cooperated actively with other countries, such as Bulgaria.

### *Protection*

The government continued to screen and refer victims to counseling centers and safe houses for comprehensive services. The government offered victims three to six months' renewable temporary residency according to an assessment of needs and cooperation with police. Cooperating victims were guaranteed a residency extension; if cooperation led to a conviction, a 10 year extension could be granted. In 2003, the government reported that 120-140 victims were granted temporary residency in return for providing information to police. Child victims were assumed to be in danger and provided immediate shelter while the government determined the child's long-term best interests. French police worked closely with NGOs to which it referred prostitutes for screening and assistance. The government funded a special reintegration program

with Bulgaria to repatriate Bulgarian victims who were placed with an NGO in Bulgaria for shelter and assistance.

***Prevention***

The government focused outreach and prevention programs on domestic prostitution and sex tourism abroad. The Prime Minister's inter-ministerial commission on clandestine workers and illegal labor continued its work, and a new inter-ministerial working group on sex tourism began work on recommendations for the Tourism Ministry. In 2003, Air France, a government-owned carrier, provided a portion of the in-flight duty-free sales of toys, amounting to almost \$350,000, to an international NGO conducting awareness programs on child sex tourism. The government provided funding to NGOs conducting outreach to women in sexual servitude, and to organizations fighting child prostitution. The government also funded trafficking prevention programs in Central and Eastern Europe and West Africa. Within the EU, the government supported anti-trafficking programs, including information campaigns, seminars, bilateral training programs for police units and lawmakers, and assigned criminal liaison officers throughout Europe to identify trafficking networks.

## GEORGIA (TIER 2 - WATCH LIST)

Georgia is a source and transit country for women and men trafficked for the purposes of sexual exploitation and forced labor to destinations such as Russia, Greece, Israel, Turkey, and Western European countries. Evidence suggests that some women from Russia and Ukraine were trafficked to Turkey via Georgia. There are no reports on the full scale of the trafficking problem, and additional information emerged on trafficking of men. According to the UN Committee on the Rights of the Child, incidents of commercial sexual exploitation of children, particularly for prostitution and pornography, are reportedly increasing, especially among girls.

The Government of Georgia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Georgia has been placed on Tier 2 Watch List because of its failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons compared to the previous year, and its commitment to take future steps over the next year. Georgia's efforts were recognized by its Tier 2 classification in September 2003 following targeted law enforcement actions and increasing public awareness activities. During the latter part of the reporting period, a new government came into power. The changeover in government required reconstituting most government-supported mechanisms. The new government is expected to respond more effectively to institutional weaknesses and corruption which hindered the previous government's anti-trafficking efforts. The government should create a formalized referral system to NGOs, ensure consistent resources for police and improve protection of victim identity in public fora.

### ***Prosecution***

Article 143 of the criminal code prohibits trafficking in persons and Article 172 prohibits trafficking in minors, both for the purposes of sexual, labor and other forms of exploitation. Both articles provide for basic penalties from 5-12 years' imprisonment, with maximum penalties of 20 years for aggravated circumstances. Experts were revising these articles during the reporting period in order to strengthen the terms and provide victim protection, but passage of draft amendments was expected to require additional time. District prosecutors were investigating two cases of trafficking in women to Turkey for sexual exploitation and the two defendants were placed in pre-trial detention. During much of the reporting period, the Ministry of Interior's anti-trafficking unit focused on illegal adoptions rather than trafficking as understood in the international instruments. The two-year-old unit lacks government resources to adequately operate.

### ***Protection***

The government did not have a formalized referral mechanism for victim protection, nor did it provide protection or assistance. Due to the scarcity of resources, it relied on the expertise of international organizations and NGOs, but few victims were recognized for assistance. While injured party rights during criminal proceedings were theoretically available to victims, they were not commonly used.

### ***Prevention***

The government participated in several prevention programs, including broadcasting a trafficking documentary, but its focus weakened during the latter part of the reporting period. The National Security Council, under the new government, retained the responsibility for trafficking policy and formed a new high-level working group that met in February 2004. The working group established a Coordinating Council to meet bi-weekly at the Public Defender's Office.

The Public Defender's office previously coordinated the operation of a trafficking hotline, but this hotline was discontinued for lack of funding. Border guards monitored migration patterns, but did not focus specifically on trafficking patterns and did not disseminate prevention information to potential victims. Police, prosecutors, hotline operators and National Security Council officials cooperated with NGOs to conduct regional training sessions on trafficking prevention and identification. The Public Defender's office ran a training session for airport personnel funded by a foreign donor.

## GERMANY (TIER 1)

Germany is a transit and destination country for women trafficked from the former Soviet Union and Central Europe (especially Belarus, Ukraine, Lithuania, Poland, and Russia) for the purpose of sexual exploitation. African and Asian victims, mostly from Nigeria or Thailand, comprise a small number of victims. Statistics from 2002 indicate a substantial increase in the number of Bulgarian victims.

The Government of Germany fully complies with the minimum standards for the elimination of trafficking. In the area of prevention, the German Government established a new program during 2003 to fund development projects overseas to combat trafficking in women. German authorities made many trafficking convictions, although the government should consider changes in criminal law, within European Union (EU) guidelines, which would lead to harsher sentences for convicted traffickers.

### *Prosecution*

The German criminal code contains provisions specifically prohibiting trafficking in persons for sexual exploitation. Forced labor trafficking is pursued under crimes against personal freedom. The penalty for trafficking for the purposes of sexual exploitation is commensurate with penalties for other serious crimes, including sexual coercion/rape, kidnapping, false imprisonment, and crimes against personal freedom. German authorities actively investigate cases of trafficking and employ a full range of investigative techniques including wiretaps, electronic surveillance, undercover operations, and mitigated punishment for cooperating suspects. The Federal Office for Criminal Investigation has a special trafficking-in-persons team that promotes international law enforcement cooperation, offers a two-week seminar on trafficking for police and border patrol officers, and publishes an annual trafficking in persons report. The latest available law enforcement statistics, from 2002, indicate 289 pre-trial investigations of trafficking for sexual exploitation and 159 convictions (up from 148 convictions in 2001). Although the government reported that 151 defendants received a prison sentence from one month to 10 years, 87 received suspended sentences. German courts routinely suspend sentences of up to two years for most crimes, particularly for first-time offenders and where no aggravating circumstances are present, but offenders are subject to strict parole conditions. There was no official evidence of government involvement in or tolerance of trafficking in persons, although a recent trial of Ukrainian alien smugglers raised serious questions about the German Government's tourist visa issuance policy in Eastern Europe from 2000 to 2003.

### *Protection*

Germany has a wide range of protections for victims including a four-week "reflection" period. If victims testify against their traffickers, deportation is temporarily suspended and victims are granted "temporary toleration." With this status, victims can obtain temporary work permits for the duration of the trial, and victims with injuries due to crimes of violence can receive compensation under the Victims' Compensation Act. Police refer trafficked victims to 25 mainly state-funded counseling centers and 12 NGOs. They provided trafficking victims with assistance, counseling, and protection. Due to a lack of funds, four women's counseling centers in Hesse were closed in 2003. The most recent statistics, from 2002, indicate that 104 women were granted "temporary toleration" and 35 remained in the witness protection program. Once the victims are no longer required as witnesses, they must be repatriated unless there is a suspicion of imminent danger to the victim under the Aliens Act. The government continued to fund basic victim repatriation costs through the IOM.



### ***Prevention***

Germany's Federal Government continued to focus on reaching potentially trafficked victims before they enter the country. In 2003, the Federal Ministry for Economic Development began funding trafficking projects. The projects were developed and executed by a government-owned corporation, and included information campaigns with brochures and posters in several Eastern European countries. Awareness training seminars were conducted with police officials from source countries. Other education campaigns included conferences on the problem of sex tourism and publications on sex tourism by government-funded think tanks. Additionally, Germany and the Czech Republic, which is a major destination country for German sex tourists, have joined forces in a counter-trafficking working group consisting of high-ranking officials. Germany participates in and provided funding to the Task Force on Trafficking in Human Beings under the Stability Pact for South Eastern Europe, and to the trafficking unit of the Organization for Security and Cooperation in Europe (OSCE) Office for Democratic Institutions and Human Rights.

## GREECE (TIER 2 - WATCH LIST)

Greece is a country of transit and destination for women, men, and children trafficked for the purposes of sexual exploitation and forced labor. Most victims come from Eastern European countries and the former Soviet Union, including Ukraine, Russia, Moldova, Bulgaria, Albania and Romania. Women from many other countries were trafficked to Greece, in some cases transiting on to Cyprus, Turkey and the Middle East. Albanian children make up the majority of children trafficked for forced labor and petty crimes, including begging and stealing.

The Government of Greece does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Greece was reassessed as Tier 2 in September 2003 after releasing significant funds to NGOs for prevention and assistance, and taking targeted law enforcement actions. It is placed on Tier 2 Watch List this year for failure to finalize promised actions, most notably regarding protection. The government should fully implement the Presidential Decree to cease the detention and removal of victims and should finalize the protocol with Albania on the return of child victims.

### *Prosecution*

Greek Law 3064/2002 criminalizes trafficking in persons for sexual exploitation and forced labor, with penalties commensurate with that for other grave crimes, such as rape. In 2003, the government reported arresting 284 alleged traffickers, rescuing 93 potential victims, and securing 69 criminal convictions on trafficking-related charges. No convictions were yet reported under Law 3064 and sentences under related charges were not reported. Notable arrests focused on sex trafficking rings involving adult and minor victims in sexual exploitation. The Athens City Council reported closing a bar due to the owner's involvement in trafficking. Some police took bribes from traffickers and patronized establishments implicated in trafficking. With the prosecution's dismissal of its case against a police officer accused of having sexual relations with a trafficked woman, the government reported no actions against government officials.

### *Protection*

The government's legal mandate on victim protection stems from Presidential Decree 233/2003, signed in August 2003. The government provided the equivalent of \$1.4 million to Greek and foreign NGOs for protection programs, but the implementation of the Presidential Decree had not progressed to the point of providing residency for victims illegally present in Greece. Lack of status severely hampered NGO ability to fulfill the Presidential Decree's mandate for victim services. The government reported releasing approximately 300 victims in anti-trafficking raids, and one NGO shelter reported assisting 30 victims. Because the government could not provide status, and because it did not conclude a memorandum of understanding (MOU) with NGOs on victim assistance and referral, police made ad hoc referrals for victims with legal status only. Police cooperation with NGOs for adult victims with legal status improved, but child victims over the age of 13 were subject to mandatory removal from Greece as unaccompanied minors. These removals were not coordinated with source countries. Despite earlier plans to do so, the government had not yet amended its policy for removals to Albania. The police produced a multi-lingual "know-your-rights" leaflet for victims which was distributed to police stations throughout the country.

### *Prevention*

While the Ministry of Health was formally tasked with anti-trafficking coordination, the Ministry of Foreign Affairs informally coordinated anti-trafficking policy through an inter-

agency task force. Part of the government's funding to NGOs was targeted to prevention programs, but there were no demand-oriented prevention activities. The government funded the production of an informational leaflet aimed at the general public, as well as media announcements on the trafficking of women and children. Some medical students used government-funded leaflets on trafficking when conducting their sexual education courses at secondary schools.

## HUNGARY (TIER 2)

Hungary is primarily a transit, and secondarily a source and destination country, for women and children trafficked from Russia, Romania, Ukraine, Moldova, Bulgaria, and the Balkans to Western Europe and the United States for sexual exploitation. Men from Iraq, Pakistan, Bangladesh, and Afghanistan reportedly are also trafficked through Hungary to Europe and the United States for forced labor. The Hungarian Government estimates that as many as 150,000 victims transit Hungary each year.

The Government of Hungary 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 has sharpened its focus on trafficking issues, in practice, victim assistance remains weak. The country lacks a formal process for enforcement officials to identify victims, refer them to NGOs, and ensure they receive adequate services. The government should train border officials to better distinguish trafficking from smuggling, and to interview victims more effectively. Additionally, the Hungarian Government should improve trafficking data collection efforts.

### *Prosecution*

Trafficking is criminalized in Hungary with sufficiently severe penalties. In 2003, Hungarian authorities arrested nine suspected traffickers. The Hungarian Prosecutor's Office prosecuted 22 individuals under the trafficking in persons law; 18 of the 22 were convicted. Of the 18 convicted, authorities sentenced 12 to prison; the others were given suspended sentences. Additionally, the Interior Ministry in 2003 investigated 22 new trafficking cases. Trafficking-related corruption remains a problem. The government established the International Center for Cooperation in Criminal Affairs to better facilitate cooperation with foreign law enforcement agencies. It is also working to revise bilateral cooperative agreements on combating organized crime, coordinating with Europol via a liaison officer and, participating in organizations such as the Southeastern Cooperative Initiative (SECI), the Stability Pact, and the Council of Europe.

### *Protection*

The Government of Hungary provides limited assistance to trafficking victims. Victims who cooperate with police and prosecutors are entitled to assistance such as temporary residency status, short-term relief from deportation, and access to shelter. In practice, services are limited and not generally provided to victims. Border guards often fail to distinguish between trafficking in persons and migrant smuggling. Trafficking victims are often detained, deported, or prosecuted for the violation of other laws, such as those relating to prostitution or illegal immigration. The Victim Protection Office—established by the Ministry of Interior—operates in 46 localities, but assisted only six trafficking victims in 2003. Hungarian consular officials are provided training in counter-trafficking. Repatriated victims have rights to the range of social services available to all Hungarians, but no specialized assistance or support is provided.

### *Prevention*

The government provides modest funding for prevention programs. With the assistance of the IOM, the Education Ministry continued to implement a national prevention program in secondary schools, but no statistics indicate the number of schools that use the anti-trafficking materials. The National Crime Prevention Center established a task force in June 2003 to collect and analyze trafficking data. The Government of Hungary has not yet adopted a national strategy on combating trafficking in persons.

## ITALY (TIER 1)

Italy is a country of destination for sex and labor trafficking. Victims also transit Italy to other European Union (EU) countries for the same purposes. Italian authorities estimated that there were 25,000-30,000 trafficking victims in the country, originating from Nigeria, Ukraine, Moldova, Albania, Romania, Russia, Bulgaria, East Africa, China and South America (Ecuador, Peru, Colombia, Brazil, Argentina). Trafficking in children for sweatshop labor is a particular problem in Italy's expanding Chinese immigrant community.

The Government of Italy fully complies with the minimum standards for the elimination of trafficking. The government worked closely with regional partners and source countries to combat trafficking and provided the majority of funding for victim assistance programs within Italy. Despite the government's notable achievements, the magnitude of the trafficking problem appeared to remain constant, if not continue to grow. As such, the government should focus on education campaigns within Italy that address the growing demand. Moreover, the government should ensure its new anti-trafficking law is vigorously implemented and should review implementation of immigration laws to ensure it is not compromising protections afforded to trafficking victims.

### *Prosecution*

Italian law enforcement officials enforced anti-trafficking laws, but their approach conflated trafficking and illegal immigration. In 2003, the government criminalized trafficking and increased penalties for offenders to a range of eight to 20 years' imprisonment. In 2003, police arrested 128 people on charges of enslavement, trade of slaves, smuggling and trafficking in minors for prostitution. Italy formalized anti-trafficking law enforcement cooperation with several countries, including Libya and Germany, and joint actions with those countries led to 23 arrests of suspected traffickers. Available prosecution statistics from 2002 show 21 convictions for offenses including enslavement, trade of slaves, smuggling and trafficking in minors for prostitution. Italian law enforcement and judicial authorities were compiling a statistical profile of sentences conferred on traffickers at the time of this report. Italy also conducted joint border patrols with Slovenia and trained police forces in Albania.

### *Protection*

The Italian Government funded and supported victim referral to NGOs providing shelter and comprehensive services. The new trafficking legislation created a separate budget category for victim assistance programs and the central government provided 70% of this budget in 2003. The government provided assistance and temporary residence and work permits to victims, which could be renewed or converted to permanent residency under certain conditions. Minor victims were automatically eligible for residency. The government provided 848 temporary residence permits to trafficking victims, although NGOs complained that officials in some locales used access to residency permits to pressure victims into cooperating with law enforcement. According to NGOs, tougher immigration laws prompted authorities to deport illegal immigrants without first determining whether they were trafficking victims. In 2003, the government funded voluntary repatriation and six month reintegration assistance for 47 victims.

### *Prevention*

Italy cooperated both regionally and bilaterally with source countries to combat trafficking and illegal migration, but it fell short in addressing the domestic demand for trafficking victims. The government used its EU presidency to create a coordination mechanism between trafficking

source and destination countries, and proposed the EU's Council Directive on Trafficking. In Italy, the Department for Equal Opportunity continued its toll-free hotline for victims. It funded an IOM information campaign aimed at current and potential victims. Italy signed a Memorandum of Understanding with Nigeria to coordinate anti-trafficking efforts.

## KAZAKHSTAN (TIER 2 - WATCH LIST)

Kazakhstan is a source, transit, and destination country for people trafficked from the Kyrgyz Republic, Uzbekistan, and Tajikistan for the purposes of sexual exploitation and forced labor. Victims are trafficked through and from Kazakhstan to Russia, the United Arab Emirates, Turkey, Israel, Greece, South Korea, the Czech Republic, Romania, Syria, Germany, Spain, Italy, Cyprus, The Netherlands, Portugal, and Ireland. Internal trafficking from rural to urban areas also takes place.

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. Kazakhstan was reassessed as meeting the standard for Tier 2 placement in September 2003, after the government took significant actions to combat trafficking in persons, to include the adoption of anti-trafficking legislation and the establishment of law enforcement guidelines. The government remains listed on Tier 2 because of continued progress during the reporting period; it has been placed on Tier 2 Watch List to permit tracking of near-term actions mandated in the February 2004 National Plan of Action to combat trafficking in persons. The government has convicted traffickers under its new anti-trafficking legislation passed in mid-2003. The government does not face the severe resource constraints of its neighbors, and thus should increase funding for prevention and protection efforts. It should also seek longer prison sentences for convicted traffickers and adopt the Law on State Social Assistance to better fund protection and prevention efforts. The plan obligates ministries, agencies, and regional governments to use discretionary funds to, among other things, provide anti-trafficking information in mandated school curricula and conclude formal agreements with victim crisis centers.

### *Prosecution*

The Government of Kazakhstan criminalizes trafficking with penalties of one to 10 years in prison. Kazakhstani authorities conducted nine trafficking investigations. Four of these were closed or discontinued, two are ongoing, and three have been suspended. The government also prosecuted and convicted four individuals during the reporting period and has initiated a fifth prosecution. One individual was convicted under the new legislation and sentenced to three years' probation. A second individual was convicted for organization of illegal immigration and received one year of probation. The third and fourth individuals were convicted under multiple charges, and sentenced to four and three years' imprisonment, respectively. While this record demonstrates appreciable progress over the past reporting period, the number of convictions remains low and sentences often do not reflect the seriousness of the offenses. Official corruption remains widespread, but no instances of government complicity in trafficking-related crimes have been reported. The Ministries of Interior and Justice established national hotlines for citizens to report corruption by officials and other instances of unlawful behavior. During the past year, the government cooperated on trafficking investigations with the United Arab Emirates, Turkey, Uzbekistan, and Tajikistan.

### *Protection*

During the September 2003 reassessment, the government announced the establishment of a victim referral system, though it was employed for only 15 victims during the reporting period. The government specifically named an Almaty-based NGO as the official NGO for referral. In about one-third of the country's regional districts, police departments and NGOs have developed and formalized cooperative relationships to assist victims, conduct training, and investigate

cases. Informal cooperative relationships exist in almost all of the 16 districts. In three districts, the lack of effective local NGOs has limited the extent of this cooperation, though local authorities in one district have cooperated with an NGO in a neighboring district to address this problem. Law enforcement agencies participated in trafficking awareness trainings sponsored by NGOs, but officials often failed to differentiate between illegal immigrants and foreign victims trafficked into the country illegally. By contrast, Kazakhstani victims were generally treated humanely and were frequently referred to NGOs. The government relies on 33 victim assistance centers operated by NGOs and international organizations, six of which are funded entirely by the government. Some other victim assistance centers have received government funds. These centers reported assisting 26 trafficking victims during the reporting period. Additionally, the government provided housing and limited funds to four foreign trafficking victims who gave evidence leading to the conviction of their traffickers. Police protection of victims remained inconsistent. The Ministry of Foreign Affairs reported assisting in the repatriation of 24 Kazakhstani citizens from abroad.

### ***Prevention***

The government supports efforts by international organizations, though rarely financially, that conduct information campaigns and establish hotlines for trafficking victims. The Justice Ministry produced a public service announcement entitled “Trafficking in Persons An Illegal Phenomenon” that began airing in November 2003. The Justice Ministry has prepared educational material on trafficking. It screened a 10-minute documentary on trafficking prevention during a February 2004 Interagency Commission meeting attended by the media. According to the Justice Ministry, its officials gave 45 television and radio interviews, published 50 articles, and participated in 120 seminars or roundtables on trafficking since September 2003. Local districts provide NGOs with access to schools to conduct trafficking awareness seminars and lectures in every region of the country. During the reporting period, the Committee for National Security withdrew licenses from five travel agencies that issued illegal documents to Kazakhstanis seeking citizenship in Russia, a practice often associated with trafficking in persons.



## KYRGYZ REPUBLIC (TIER 2)

The Kyrgyz Republic is a source and transit country for women, men, and children trafficked to Kazakhstan and Russia for the purpose of forced labor, and to the United Arab Emirates, South Korea, Turkey, and China for sexual exploitation. Women who are either destined for or transiting through the country come from Uzbekistan and Tajikistan. Trafficking also occurs within the country, from poor rural areas in the south to northern cities such as Bishkek and Osh. Bride kidnapping is a problem, despite a law prohibiting this custom. However, the prevalence of this custom is unclear. One study indicated that up to one-third of ethnic Kyrgyz women living in northern Kyrgyzstan may be married against their will as a result of this practice, which is a form of indentured servitude.

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. Despite few resources, the government improved law enforcement efforts and continued to work with NGOs and international organizations on prevention and protection efforts. The government should focus greater attention on addressing official corruption, which inhibits progress on the trafficking problem. It should also make a greater effort to protect victims by referring them to the shelter, expeditiously finalizing referral protocols to that end, and instituting witness protection programs.

### *Prosecution*

The Government of the Kyrgyz Republic amended its criminal code in August 2003 to penalize trafficking crimes with penalties ranging from three to 20 years in prison. The government established an anti-trafficking unit in June 2003. During the reporting period, police charged 96 individuals for trafficking-related crimes, including recruiting for sexual or labor exploitation, organizing illegal migration, and marriage to underage persons. The government provided limited information regarding prosecutions and convictions. It is difficult, therefore, to assess how effectively laws are enforced. Independent sources confirmed that Kyrgyz authorities convicted and sentenced at least one person to five years in prison under the new trafficking legislation. Another six individuals were convicted under trafficking-related charges. Endemic official corruption impedes progress on the trafficking problem. Victims reported smooth and highly organized trafficking operations that often involved the cooperation of local police, immigration officials, and airport security. In early 2004, Kyrgyz police arrested three people involved in a trafficking scheme, including an immigration official and a former employee of the state passport department. Two of the three have been charged under the new trafficking in persons law; the third individual is still under investigation. Government investigations of labor export and travel companies forced five companies to change their policies; the government also suspended the activities of three companies and the representative of a fourth. Kyrgyz authorities developed anti-trafficking cooperation with counterparts in Uzbekistan, Tajikistan, Kazakhstan, Russia, Ukraine, China, South Korea, and the United Arab Emirates.

### *Protection*

Progress by the Kyrgyz Republic on victim protection remained weak. The government does not provide foreign trafficking victims temporary residence status or criminal immunity for violations committed as a consequence of their trafficked condition, but border authorities reported that they do not penalize Kyrgyz victims who admit to the use of false documents or illegal entry into the country. Although police have begun to refer victims to an NGO shelter opened in October 2003, formal referral protocols are under development. The government established a

working group to outline measures for witness protection. Kyrgyz embassies and consulates are directed to cooperate with NGOs and law enforcement agencies to search for and assist Kyrgyz citizens who wish to return, but their staffs have received no victim-awareness training. The number of individuals trafficked to Kazakhstan and Russia for forced labor has decreased largely due to the signing of bilateral agreements with Russia and Kazakhstan on labor migration.

### ***Prevention***

The Kyrgyz Government over the last year displayed a willingness to work with NGOs and donors on joint programs to prevent trafficking. Over 900 justice and police personnel received training on trafficking issues from NGOs and international organizations in 2003. The Foreign Affairs Ministry released a booklet of information for Kyrgyz citizens seeking to work abroad in former Soviet Union countries to better inform labor migrants of their rights. The government publicized arrests and prosecutions of traffickers, which were reported by state-run and independent media. The Border Police continued to improve their border monitoring capabilities with assistance from outside sources. In 2003, the Border Guard Service created a database to track trafficking-related cases, and introduced a new entry/exit system in early 2004 to better monitor migration trends. In March 2004, the government made plans to assume funding of the two-person Secretariat of the National Council to Combat Trafficking, which had been previously funded by the International Organization for Migration.

## LATVIA (TIER 2)

Latvia is a source country for women and children trafficked to England, Poland, Ireland, Israel, Spain, Germany, and Italy for the purpose of sexual exploitation. Organized crime groups from Poland, Ukraine, and Israel reportedly control the main trafficking networks in cooperation with Latvian criminal groups, who recruit the victims. Victims are also trafficked internally, from rural areas of high unemployment to Riga and other urban centers.

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. Although much remains to be done, Latvia made noticeable improvement in its efforts to enforce laws against trafficking. On March 2, 2004, Latvia's cabinet of ministers approved a national action plan to Combat Trafficking in Persons, which assigns roles and provides for coordination among agencies, NGOs, and international organizations. The national action plan also requires the government to submit an annual report on anti-trafficking efforts and to fund anti-trafficking programs beginning in fiscal year 2005.

### *Prosecution*

The Government of Latvia has laws that criminalize international trafficking with sufficiently severe penalties. The Interior Ministry has proposed to amend these laws to also criminalize internal trafficking within Latvia's borders. Currently, domestic trafficking cases are prosecuted under laws outlawing pimping. In 2003, the government convicted 23 individuals of trafficking-related crimes, compared to eight individuals convicted in 2002. Sentences in these cases ranged from a six-month suspended sentence to four years in prison; most sentences ranged from two to three years. The Latvian police's small anti-trafficking squad needs additional training, staffing, and improved cooperation with the Prosecutor's Office. In 2003, the Latvian anti-trafficking unit cooperated with German, Danish, Swedish, Lithuanian, Estonian, and Finnish law enforcement agencies on five international trafficking investigations, all of which are ongoing. Control of Latvian borders is adequate, but could be improved. Latvia has established an anti-corruption bureau and continues to fight official corruption.

### *Protection*

Latvia's protection of trafficking victims regressed during the reporting period. Due to insufficient funding, two government shelters in Riga and Jelgava closed. Trafficking victims now must use an alternate center shared with asylum seekers. The government funds no rehabilitation facilities specifically for trafficking victims, nor does it provide direct funding to foreign or domestic NGOs for services to victims. Law enforcement officials do not criminally punish victims, but rather refer them to NGOs for assistance. According to victims, police interviewing techniques need improvement. The Latvian Government continues to provide annual training to consular officers assigned abroad on how to recognize trafficking and assist victims in obtaining the necessary travel documents to return to Latvia.

### *Prevention*

In part due to resource constraints and competing priorities, the Government of Latvia does not conduct independent anti-trafficking campaigns, but supports the efforts of NGOs. The Ministries of Education and Welfare arranged for students to attend free showings of the Swedish anti-trafficking film, "Lilya 4-Ever." More than 10,000 students between the ages of 16 and 18 attended the free showings. The government has incorporated the video and an informative booklet into the high school curriculum. While prevention efforts need improvement, Latvia's new national action plan to Combat Trafficking in Persons is an important step forward.

## LITHUANIA (TIER 1)

Lithuania is a source and transit country for women and children trafficked to Germany, Spain, Denmark, Norway, The Netherlands, the United Kingdom, France, and Poland for the purpose of sexual exploitation. Women are trafficked for sexual exploitation into and through Lithuania from countries such as Ukraine, Russia (Kaliningrad), and Belarus, and within Lithuania. Boarding schools, which also serve as orphanages, are a new target of traffickers searching for victims.

The Government of Lithuania fully complies with the minimum standards for the elimination of trafficking. The government demonstrated a strong commitment throughout the reporting period through increased funding for anti-trafficking efforts and sustained law enforcement activities. To further strengthen anti-trafficking efforts, the government should establish formal screening and referral mechanisms to ensure that victims receive adequate assistance services, and ensure that police and social workers remain vigilant in identifying and addressing the needs of trafficked individuals as victims.

### *Prosecution*

Lithuania's criminal code has prohibited trafficking in persons since 1998. The new criminal code that came into force in May 2003 includes eight articles that address trafficking with sufficiently severe penalties. Each of the 10 counties in Lithuania assigned a police officer to coordinate trafficking issues. During the reporting period, Lithuanian authorities initiated 15 new criminal investigations and convicted a total of 13 traffickers as compared to eight in 2002. Trafficking sentences ranged from fines to 14 years' imprisonment, with an average sentence of two to three years' imprisonment. While there was no official evidence of government involvement in or tolerance of trafficking in persons, some individual police officers may condone it. A 2003 court decision reduced the sentence of a former police officer convicted of trafficking in persons from seven years in prison to two years' probation, citing a lack of evidence. Lithuanian law enforcement officials continued to cooperate with other governments on trafficking investigations and participated in over 25 joint investigations in 2003.

### *Protection*

Several government agencies and organizations provide social, psychological, and legal assistance to trafficking victims. In addition to shelters run by NGOs, the city of Vilnius and some other municipalities operated hostels to provide shelter and social support to victims of domestic violence and trafficking victims. No formal screening and referral procedures are used, but police cooperate with assistance providers as appropriate. Over 200 trafficking victims are estimated to have received assistance at shelters in Lithuania during the reporting period. In July 2003, the government established and provided funds for a pilot program, called "Psychological Rehabilitation, Professional Orientation, and Employment of Victims of Trafficking and Prostitution," to work with individual victims. Police did not charge trafficking victims with prostitution and immigration violations during the reporting period. The Police Department's "Witness and Victims Protection Service" provides protection to a limited number of victims. Trafficking victims and witnesses composed 13% of all protected people in 2003. The government routinely provides its embassies and consulates in destination and transit countries guidance on handling trafficking cases and assisting victims. The Lithuanian Ministry of Foreign Affairs assisted 20 trafficking victims to return to Lithuania during the reporting period.

### ***Prevention***

The government continued to fund its Program on the Control and Prevention of Trafficking in Humans and Prostitution. The Lithuanian Government also provided funds to 11 local organizations involved in prevention in 2003, as compared to five in 2002. It cooperated closely with NGOs and international organizations to implement several major anti-trafficking projects in 2003. With the support of the IOM and the Nordic Council of Ministers, the government developed and approved trafficking prevention curricula for schools, prepared a guide for teachers, and distributed a brochure to familiarize young girls with the dangers of trafficking. The curricula and guide are used on a voluntary basis in schools and areas where trafficking in persons is recognized by the municipality and/or school as a problem. The Lithuanian Government, in conjunction with IOM, trained over 300 social workers, teachers, and municipal leaders in TIP prevention during the reporting period.

## MACEDONIA (TIER 1)

Macedonia is a country of transit and destination for women and children trafficked for the purpose of sexual exploitation from the former Soviet Union and Eastern Europe, notably Ukraine, Moldova, Romania and Bulgaria. Some foreign victims are trafficked through Macedonia to Albania, Serbia and Montenegro (including Kosovo) and Western Europe. Some internal trafficking was discovered, as were cases of Macedonian women trafficked regionally and to Western Europe for sexual exploitation.

The Government of Macedonia fully complies with the minimum standards for the elimination of trafficking. While the government passed new anti-trafficking legislation and increased convictions, institutional deficiencies in the judiciary hindered greater progress in combating trafficking. Weaknesses were evidenced through the case of trafficking kingpin Dilaver Bojku's initial light sentencing and subsequent escape from prison in June 2003, before his capture and retrial. The government should institute more effective protections for judges and prosecutors trying trafficking cases and expand prevention programs for vulnerable groups.

### *Prosecution*

While instances of official impropriety and corruption continued to degrade judicial effectiveness, several major trafficking trials during the reporting period resulted in sentences commensurate with grave crimes, and all convictions appealed to the Supreme Court were upheld. The Criminal Code adequately criminalizes severe forms of trafficking in persons and provides for sentences of four to 15 years. During the reporting period, courts handed down 19 convictions with sentences ranging from three to 12 years. The government retried Dilaver Bojku, whose original sentencing was inadequate and evidence of possible pressure on the judiciary. Trafficking-related corruption remains a problem. The government successfully convicted several former government officials and police officers on corruption charges and one police inspector for selling information about a planned trafficking raid.

### *Protection*

The government continued operating the Transit Shelter Center for trafficked persons. The IOM and a local NGO implemented support, medical and other services for victims in the Center. In 2003, the government and IOM formalized victim assistance at the Center by agreeing on Standard Operating Procedures defining the roles of police and NGOs and codifying victims' rights. The government assisted 143 foreign victims at the Center, 14 of whom were under 18 years of age. Under new legislation enacted during the reporting period, victims may receive temporary residency status. Macedonia does not have a witness protection law, but the government and IOM provided some protection for victims willing to testify. Victims may file for civil compensation.

### *Prevention*

The government did not develop a central strategy for prevention, opting instead to support NGO activities. The National Commission for Combating Trafficking was not fully active and the national action plan lacked timelines for action. The government participated in some NGO police trainings and instituted a training program for consular officers to identify trafficking victims. The government developed new training manuals for police, investigative judges and prosecutors. The government continued its participation in an NGO-funded outreach program targeting youth, Roma, and other vulnerable groups.

## MOLDOVA (TIER 2)

Moldova is primarily a source country for women and children trafficked for the purpose of sexual exploitation to the Balkans (Bosnia-Herzegovina, Macedonia, Albania, Serbia-Montenegro, and Kosovo); other European countries (Italy, France, Portugal, Germany, Romania, Bulgaria, Hungary, Slovakia, Czech Republic, Poland, Greece, Cyprus, and Turkey); and the Middle East (Lebanon, Israel, United Arab Emirates (U.A.E.), Syria, Pakistan, and Afghanistan). Trafficking from Moldova to Russia, Turkey, and the U.A.E. increased markedly during 2003, and trafficking to Israel via Moscow and Egypt continued unabated. Moldovan men and children were trafficked to Russia and neighboring countries for forced labor and begging. Moldova is also a transit country for victims trafficked from Ukraine to Romania. The border region of Transnistria, not under the central government's control, also serves as a source and transit point for trafficking victims.

The Government of Moldova does not fully comply with minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. While the trafficking problem continued to be disproportionately grave, the government refocused its activities on the issue during the reporting period. Law enforcement efforts and regional cooperation improved as well, but government prevention and protection efforts continued to lag behind. The government should apply funds it receives through foreign assistance to targeted economic initiatives in order to provide potential victims with alternatives to working abroad, establish protections for victims testifying against their traffickers, and promptly establish long-promised victim referral mechanisms.

### *Prosecution*

The government revised its criminal code in June 2003 by adding definitions and penalties for trafficking in persons and, separately, trafficking in children. Both provisions prohibit trafficking for the purposes of sexual and non-sexual exploitation and prescribe penalties from seven to 10 years' imprisonment, with a potential penalty enhancement of up to life imprisonment for severely aggravating circumstances. During 2003, the Trafficking in Persons department at the Prosecutor General's office initiated 189 investigations under the former and current statutes on trafficking in persons and children, and 71 investigations under the current pimping statute. Of the 220 cases investigated, 44 indictments were issued and 34 convictions obtained—a 54% increase over 2002. While only six of the convictions led to prison terms, these sentences ranged from three to 15 years, improving significantly over the previous year. Anti-trafficking courses were instituted at the police academy; the counter-trafficking unit at the Ministry of Interior hired a new female police officer.

### *Protection*

The government failed to sponsor protections for victims, but continued to rely on NGOs and international organizations funded by foreign donors to provide comprehensive protections. The new criminal code specifically exempts victims from criminal liability for acts committed in connection with their trafficking, but victims who refuse to cooperate may be investigated and punished for criminal offenses. The government can and does use special investigative techniques to develop forensic evidence, but in practice, police encouraged most victims to testify against their traffickers, without providing protection.

### *Prevention*

The National Committee on Trafficking in Persons increased its activities during the reporting

period, but failed to update its implementation of the national action plan. The Moldovan President's focus on trafficking greatly increased during the reporting period, and he directed the Chairman of the National Committee, a deputy Prime Minister, to invigorate its efforts. The National Committee developed four sub-groups, each with an international co-chair and instituted bi-weekly meetings in locations throughout Moldova, garnering broad participation and increased reporting from local administrative and police officials. Government officials and a prominent NGO co-organized targeted information campaigns for youth; the National Committee jointly sponsored an international conference with foreign missions; and, various ministries directly promoted several showings of a dramatic film about trafficking, "Lilya 4-Ever" in theaters throughout Moldova.



## THE NETHERLANDS (TIER 1)

The Netherlands is primarily a transit and destination country for trafficking of women and girls for the purpose of sexual exploitation; trafficking in persons for labor exploitation exists to a lesser degree. Most victims originate in Central and Eastern Europe, with some victims from African countries, primarily Nigeria, and from South America, Thailand, the Philippines and China. Reportedly, a significant percentage of the 25,000 individuals engaged in prostitution are trafficking victims. Internal trafficking of young, mostly immigrant, girls by Moroccan and Turkish pimps into sexual exploitation also occurs. The Netherlands Antilles, where the Netherlands exercises responsibility over visa issuance according to guidelines issued by the Netherlands Antilles, may be a destination for women trafficked for prostitution from Colombia, the Dominican Republic and Haiti.

The Government of the Netherlands fully complies with the minimum standards for the elimination of trafficking. Legalized prostitution, the estimated large scale of trafficking, and the relatively low sentences prescribed in law have brought international scrutiny on the Netherlands. The Netherlands showed leadership in raising trafficking in multilateral fora and increasing financial support to domestic shelters. Although the government increased anti-trafficking law enforcement personnel, evidence does not indicate that the problem has decreased. The Netherlands would benefit by strengthening efforts to reduce demand for domestic trafficking and more vigorously screening visa applicants in Dutch territories.

### *Prosecution*

Article 250a of the Dutch criminal code prohibits trafficking in persons for the purposes of sexual exploitation and prescribes penalties of up to 10 years with aggravating circumstances. Rape is punishable by up to 15 years with aggravating circumstances. In 2003, courts increased total trafficking convictions to 106; the average sentence was 26 months' imprisonment. As of April 2004, the government had not yet enacted pending legislation to expand the definition of trafficking in persons to include labor exploitation and increase penalties in line with international standards. The national prosecutor for trafficking in persons leads the Trafficking in Persons unit, part of the new National Crime Squad established in 2003. A specialized police unit received an additional 100 law enforcement personnel in 2003 to continue investigating trafficking.

### *Protection*

Dutch legalization of prostitution was intended to promote greater transparency and control over the sex industry where trafficking victims have been exploited. A national debate, and intense international scrutiny, is focusing on prostitution and its possible impact on trafficking. The government continued funding the National Rapporteur on Trafficking in Persons and the Dutch Foundation Against Trafficking in Persons (STV). The STV reported that 257 trafficking victims received assistance in 2003. Victims of trafficking for sexual exploitation qualify for assistance in the Netherlands; however, foreign labor trafficking victims do not qualify due to the lack of references to the slave trade, abduction and labor conditions in the legal definition of trafficking. Victims of trafficking for the purposes of sexual exploitation are allowed a three-month "reflection" period to determine their willingness to cooperate with law enforcement, during which time they are provided services. Those victims who cooperate may obtain a B-9 residency permit and a wide range of services. In 2004, the government agreed to allow B-9 permit holders the right to work, but the policy was not yet implemented. Victims who declined to cooperate with law enforcement authorities were repatriated voluntarily, without divulging the

reasons. The Netherlands financed shelters and safe houses in countries of origin, and its total expenditure for domestic women's shelters for all women victims of violence rose to over \$45.9 million. Regional police forces and police academies trained officers on victim identification and assistance, and judicial training began in 2003.

### ***Prevention***

The government subsidized NGO information campaigns, preventive education programs with youth, crime victim defense and self-esteem courses for primary and secondary school students. The government did not conduct any information campaigns targeting consumers of the services of potential trafficking victims. As part of the national action plan on Sexual Abuse of Children, the Ministry of Justice produced and distributed a manual for municipalities entitled, "Prevention of and Assistance to Girl Prostitution." In late 2003, the Dutch Parliament adopted a resolution for a national awareness-raising campaign among prostitutes, including a central phone line to provide assistance in "stepping out" of prostitution. The government focused efforts on prevention in source countries, including empowerment and economic self-reliance within vulnerable groups.

## NORWAY (TIER 1)

Norway is a destination country for a small but increasing number of women trafficked for the purpose of sexual exploitation. The women primarily come from northwest Russia and the Baltic states, as well as Thailand, Albania, and the Dominican Republic.

The Government of Norway fully complies with the minimum standards for the elimination of trafficking in persons. The government continues to make serious efforts to combat trafficking and provides significant funding for that purpose.

### *Prosecution*

The Norwegian Government amended its penal code in April 2003 to specifically criminalize trafficking in persons with sufficiently severe penalties. Traffickers can also be prosecuted for violation of laws forbidding pimping and slavery. Norway's first anti-trafficking prosecution under the amended penal code is now underway. Authorities filed charges against seven persons for pimping, slavery, and trafficking in connection with a trafficking investigation in Oslo. The investigation is ongoing. Police also arrested a man in May and convicted a woman in June 2003 for trafficking-related activities under the pimping section of the penal code. The government believes organized networks control human trafficking to Norway and is working to develop better information on traffickers and their financial networks. The government's immediate focus is to improve its ability to identify victims by mapping the nature and extent of trafficking to Norway. The Norwegian Government cooperates with other governments in the investigation and prosecution of trafficking cases through Interpol and Europol, and bilaterally. Norwegian authorities cooperated with their Swedish counterparts in the trafficking investigation currently underway.

### *Protection*

The government funds a number of NGOs that provide medical and other assistance to victims, and is developing a campaign to promote victim assistance. The government can suspend decisions to remove trafficking victims for a 45-day grace period in order to provide assistance and counseling; this grace period was not invoked during the reporting period. Victims may also be granted relief from removal. The government commendably granted at least one victim permanent residency in 2003. Due in part to the low number of victims processed by law enforcement authorities, there is as yet no formal screening and referral mechanism in place for trafficking victims. The government is working to establish such a mechanism as part of its National Plan of Action. Police are also developing witness protection guidelines for trafficking cases.

### *Prevention*

The Government of Norway has allocated \$15 million dollars for 2003-2005 to implement its National Plan of Action to combat trafficking. The government funds NGOs that conduct public awareness and outreach, as well as international organizations that promote the economic empowerment of women in source countries such as Russia, the Baltics, and Thailand. Norway has been a leader in pushing NATO to play a role in anti-trafficking efforts, and has sought to make trafficking a priority issue for the Organization for Security and Cooperation in Europe (OSCE).

## POLAND (TIER 1)

Poland is a source, transit, and destination country primarily for women and girls trafficked for the purpose of sexual exploitation. Women and girls are trafficked to Western Europe, particularly Germany, Italy, Belgium, France, The Netherlands, Japan, and Israel. Some internal trafficking also occurs. Individuals trafficked to and through Poland mostly originate from countries east and southeast of Poland, including Ukraine, Bulgaria, Romania, Belarus, Moldova, and Russia. Polish enforcement authorities believe that an increasing number of victims are trafficked to Italy.

The Government of Poland fully complies with the minimum standards for the elimination of trafficking. The government enacted new legislation in 2003 to protect victims, and it increased law enforcement efforts. But Poland should press frontline officials to identify victims and facilitate their access to assistance, rather than deporting them. Poland also should criminalize the prostitution of minors less than 18 years of age and provide greater resources to law enforcement authorities. While Poland is recognized for its increased enforcement efforts, continued progress will be important in the coming year to increase assistance to trafficking victims and enhance trafficking prevention.

### *Prosecution*

Polish anti-trafficking law enforcement efforts were steady over the reporting period. Its criminal code prohibits trafficking for sexual and non-sexual exploitation. The penalties for trafficking are sufficiently severe. The government investigates some trafficking cases, although police and border guards are hampered by a lack of resources. Officials rarely utilized covert operations in conducting trafficking investigations. Polish authorities arrested 134 persons on trafficking charges, more than three times the number arrested in 2002, and initiated 30 prosecutions. The most recent conviction statistics, from 2002, indicate that the government convicted 120 traffickers under forced prostitution charges and 20 traffickers under human slavery charges, for an average sentence of two to four years in prison. Initial numbers in 2003 show that nine individuals have been convicted under human slavery charges for an average sentence of three to five years in prison. New-hire border guards and police officers received specialized training on trafficking investigations and victim awareness at the national law enforcement training facility. No specific evidence of trafficking cases involving government officials appeared, but there were continued reports of corruption among some police officials that may facilitate trafficking. The government cooperated with other countries on trafficking cases and the repatriation of victims. Although it did not report on specific investigations, it pointed to cooperative efforts with German, Italian, and Ukrainian authorities.

### *Protection*

Poland made progress in strengthening its protections of trafficking victims. Legislation enacted in September 2003 allows foreign victims a one-year temporary residence permit to remain in Poland to testify against their traffickers. New legislation also allows the use of video testimony. In 2003, 16 victims testified in trials against their traffickers, up from 13 in 2002. The government awarded small grants to NGOs to assist victims. Local governments also partially funded several NGO-operated shelters. While increased training has improved some enforcement officials' abilities to differentiate between smuggling and trafficking, many victims are summarily deported. The Government of Poland regularly trains embassy and consulate officials on victim identification and assistance, and encourages them to develop relationships with anti-trafficking organizations in transit and source countries. No specific government assistance exists for repatriated nationals, though they are eligible for unemployment and welfare benefits.

### ***Prevention***

The government has focused on law enforcement training to counter trafficking. It relies on and cooperates with NGOs to conduct information and education campaigns targeted at potential victims. An NGO partially funded by the government created computer simulation games and quizzes on CD-ROMs to warn against the dangers of trafficking that were distributed in the Polish public high schools. In December 2003, the Polish Prime Minister approved a national action plan to combat trafficking in persons.

## PORTUGAL (TIER 1)

Portugal is a country of destination for persons trafficked from Ukraine, Moldova, Russia, Romania, and Brazil for the purposes of forced labor, and to a lesser extent, sexual exploitation of women. Some trafficking victims are transited through Portugal en route to other European countries.

The Government of Portugal fully complies with the minimum standards for the elimination of trafficking. The Portuguese Immigration Service (SEF) began implementing strong anti-trafficking legislation passed in March 2003, and increased trafficking-related investigations against exploitive employers. But as of March 2004, investigations under that legislation had not reached prosecution stage, and law enforcement statistics mostly focused on related crimes. As stated in recent years, the government should distinguish more clearly between trafficking and immigration crimes, in order to ensure trafficking victims' rights are fully protected and trafficking crimes sufficiently enforced. The government should also improve its compilation of thorough statistics to better document its anti-trafficking efforts.

### ***Prosecution***

The government provided some information on trafficking-related investigations, convictions and sentences, but this information focused more generally on the illicit movement of persons than on the nature and severity of the exploitation involved. The anti-trafficking legislation passed in 2003 improved law enforcement efforts, but the full effect of the new legislation could not yet be measured at the judicial level. The Portuguese Penal Code prohibits the use of violence, threats, or fraud for purposes of exporting someone into sexual exploitation, with punishment ranging from two to eight years' imprisonment. The Portuguese Immigration Law criminalizes importing or facilitating internal movement of illegal foreign nationals for any purpose, with penalties ranging from four to eight years' imprisonment. The government reported the arrest of 54 individuals in connection with trafficking in persons in 2003, and of those, 37 remained under preventive arrest in March 2004. The government also reported 40 convictions for related crimes, such as kidnapping, recruiting illegal workers, pimping and extortion. Sentences ranged from 18 months to 15 years' imprisonment. In a notable case with possible elements of internal and external trafficking, the government charged and detained 10 public figures in connection with an organized pedophile ring operating out of an orphanage in Lisbon. Investigations were conducted against similar rings in other regions.

### ***Protection***

The government expanded its assistance to immigrants, including victims of trafficking, throughout Portugal. The government may refer victims to NGOs for short and long-term assistance and may provide short or long-term residency for victims willing to cooperate with law enforcement. A governmental body, ACIME, which reports to the Prime Minister, is responsible for coordinating assistance to immigrants, including trafficking victims. ACIME reported that 147 victims were housed in one center during a recent nine-month period. A large percentage of those assisted were provided employment and legalization of status, and others were repatriated.

### ***Prevention***

During the reporting period, the government targeted information campaigns toward immigrant populations in Portugal and in source countries vulnerable to exploitation and trafficking in Portugal. It also provided information to Portuguese employment firms concerning the penalties contained in the 2003 Immigration Law. ACIME launched a weekly television program providing vulnerable immigrant populations with information on their rights and protections. The government also placed immigration liaison officers in notable source countries.

## ROMANIA (TIER 2)

Romania is a source and transit country primarily for women and girls trafficked from Moldova, Ukraine, and Russia to Serbia and Montenegro (and Kosovo), Macedonia, Albania, Greece, Italy, and Turkey for the purpose of sexual exploitation. New destination countries for 2003 also included Spain, Portugal, Italy, The Netherlands, Austria, France, Germany, the United Kingdom, and Hungary. In 2003, the routes of trafficking changed, due in part to a January 2002 policy that allows Romanian citizens to travel without visas to European Union countries. In 2003, fewer victims were trafficked to former Yugoslav countries and more victims were trafficked to Western Europe.

The Government of Romania does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government made progress in its law enforcement efforts and continued to maintain comprehensive records of trafficking in persons data. Corruption among law enforcement authorities remains a serious problem, though the government is working to address it. Support for trafficking victims is not a clear government priority, as reflected in budgetary allocations.

### *Prosecution*

The Romanian Government significantly increased the number of trafficking convictions and reorganized the police unit for combating organized crime to provide more personnel for trafficking issues. Romania's law on trafficking specifically covers both sexual and non-sexual exploitation with penalties that are sufficiently severe. In 2003, the police arrested 187 persons under this law and dismantled 283 criminal trafficking networks. Romanian judges sentenced 49 individuals in 2003, as compared to zero in 2002. Penalties in 27 cases ranged from one to 10 years in prison and in 22 cases were a year or less. In August 2003, through a reorganization of Romania's Unit for Combating Organized Crime and Anti-Drugs, over 100 officers were assigned to trafficking in persons. These officers are located at headquarters and in 15 regions throughout 42 counties. Included in the 100 officers, all of whom received specialized training in trafficking in persons, are 42 female officers. The Public Administration Ministry has assigned several prosecutors, one at the national office and up to 50 in the regions, to pursue trafficking cases. In 2003, Romanian authorities sent two trafficking-related corruption cases to prosecution and investigated 15 police officials for trafficking-related corruption crimes resulting in two dismissals and 13 ongoing investigations. In addition to psychological testing, ethics briefings, and a best practices manual, the government took further steps in 2003 to reduce corruption among border police by issuing standard identification badges, conducting random integrity tests and checks of personal belongings and cash, and publicizing a hotline for travelers to report corruption by border officials.

### *Protection*

The government's victim protection efforts remained modest. By law, victims are entitled to shelter, legal, psychological, and social assistance. Victims may be accommodated, on a temporary basis, in centers created for assisting and protecting victims controlled under the jurisdiction of the county councils. The government agreed to provide modest assistance for three out of nine county shelters, only two of which were open by March 2004. The Ministry of Labor and Social Solidarity is establishing a workplace integration program to stimulate employment opportunities for victims of trafficking. The government reported that victims were not treated as criminals, and five trafficking victims received physical protection through a witness protec-

tion program that was strengthened through amendments in July 2003. Efforts by Romanian embassies abroad resulted in the repatriation of 107 trafficking victims and 25 minors from Italy, Bosnia and Herzegovina, France, Spain, and Croatia.

### ***Prevention***

The Ministry of Education and Research ran a number of educational programs on trafficking in 2003. School directors, educational counselors, and teachers received instructions on how to provide anti-trafficking guidance to students during tutorial classes and to parents during teacher-parent conferences. Regional education commissions monitored teachers' implementation of trafficking prevention provisions. Romania continued to fight against trafficking regionally through active participation in the SECI Regional Anti-Crime Center, within the Task Force on Combating Trafficking in Human Beings. The police unit to combat organized crime initiated a database in 2003, with the support of the United Kingdom, to better track trafficking in persons. This unit also publishes a bi-annual informative bulletin on trafficking and anti-trafficking efforts. Romania continued to implement its National Plan for Combating the Trafficking in Human Beings.



## RUSSIA (TIER 2 - WATCH LIST)

Russia is a major source country for women trafficked globally for the purpose of sexual exploitation. Russia is also a transit and destination country for persons trafficked for sexual and labor exploitation (including sex tourism) from regional and neighboring countries into Russia, and on to the Gulf States, Europe, and North America. A 2004 ILO report estimated that 20% of the five million illegal immigrants in Russia are victims of forced labor. Internal trafficking from rural to urban areas, especially Moscow, is a concern.

The Government of Russia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Russia is placed on Tier 2 Watch List for lack of progress on victim protection measures, and because the new coordinating mechanism had not yet sufficient time to show results. Reports of trafficking-related complicity among Russian officials are a continuing concern; implementation of the anti-trafficking amendments of the Criminal Code had not had time to show results. Notably, the central government visibly increased its momentum and engagement on trafficking. The government should continue this by implementing protections for trafficking victims immediately, including foreign victims in Russia, and by focusing prevention efforts toward vulnerable groups. The government should also visibly reinforce its actions to root out official complicity in trafficking.

### *Prosecution*

In December 2003, President Putin signed legislative amendments to the Criminal Code outlawing trafficking in persons and forced labor, and expanding liability for prostitution-related offenses, with abuse of official position as an aggravating factor. Investigations and prosecutions of trafficking under this new legislation were initiated during the reporting period, but no convictions were reported. More prosecutions were underway under pre-existing trafficking-related legislation. Seven members of a criminal gang were sentenced for acts involving recruitment and sexual exploitation of children; 20 prosecutions were ongoing for the sale of minors; six defendants were charged with kidnapping for internal trafficking for sexual exploitation; and six criminal organizers were arrested and placed in pre-trial detention on trafficking-related charges involving the trafficking of 43 women to the United Arab Emirates (U.A.E.) and Thailand. Reports of official complicity in trafficking for the purposes of sexual exploitation continued. The government reported one anti-corruption action targeting an organized crime group in the Ministry of Interior suspected of, among other things, protecting prostitution businesses. The suspects were arrested and placed in pre-trial detention. In Irkutsk, a special unit shut down travel and model agencies and marriage brokers conducting trafficking-like activities, but the government did not confirm any arrests or prosecutions. The Russian Government co-sponsored a regional law enforcement conference to establish working-level cooperation on specific cases and a new resolution for cooperation, and assisted other governments in their investigations of trafficking to Russia.

### *Protection*

The Duma did not pass trafficking victim protection legislation, but passage of separate witness protection legislation progressed. In the meantime, trafficking victims had no specially defined status under Russian law, nor specific mechanisms to assist or protect them. The government did not institute a victim screening or referral process in Russia. The government issued instructions to its consulates regarding assistance to Russian trafficking victims, and assisted in returning 33 victims trafficked from the U.A.E.

***Prevention***

High-level government officials addressed the issue of trafficking in the media, but the government did not authorize budgetary allocations for prevention programs. Moreover, it did not focus prevention activities toward vulnerable categories, such as educated women between 18-34, orphans, street children, and foreign laborers. President Putin drew public attention to the problem of trafficking and its nexus with organized crime during nationwide addresses. In April 2004, the government announced formation of a central government authority to coordinate implementation of anti-trafficking policies. The government hosted a national NGO conference that garnered widespread media attention. Local government cooperation with NGOs continued, and an estimated 30% of NGOs reported receiving some local government financial or in-kind support for anti-trafficking projects. One regional government collaborated with an anti-trafficking NGO to produce a list of guidelines for Ministry of Interior employees working with children and trafficking victims.

## SERBIA AND MONTENEGRO (AND KOSOVO) (TIER 2 - WATCH LIST)

The state union of Serbia and Montenegro is a source country for women and girls trafficked internally and internationally for the purpose of sexual exploitation and Roma children trafficked internally for the purpose of begging. Serbia and Montenegro is also a transit and destination country for women and girls trafficked into sexual exploitation from Moldova, Ukraine, Russia, Romania and Bulgaria to Kosovo, Bosnia, Croatia, Albania and Western European countries, principally Italy and Germany.

The Governments of constituent republics Serbia and Montenegro, to which most authority has devolved, do not fully comply with the minimum standards for the elimination of trafficking, but they are making significant efforts to do so. The two republics do not conduct joint counter-trafficking activities; this report consequently provides a separate analysis for each. The Tier 2 Watch List designation is based on the weighted aggregate of their efforts, which showed a lack of significant progress, especially in the case of Montenegro.

The Government of the Republic of Serbia cooperated with NGOs in public awareness activities and government trainings, but it should provide sufficient tools for law enforcement authorities to conduct effective investigations and victim protection, and utilize new laws on trafficking which carry increased penalties.

The Republic of Montenegro failed to prosecute government officials involved in trafficking, which had negative effects on its victim referral mechanisms. During the latter part of the reporting period, the government focused on reconstituting the halted victim referral mechanism and remedying legislative weaknesses. Montenegro should increase the transparency of its counter-trafficking activities, and strengthen oversight at every level to protect against government complicity.

### THE REPUBLIC OF SERBIA

#### *Prosecution*

In April 2003, the Serbian Parliament passed new criminal laws against trafficking in persons for sexual and non-sexual exploitation, which prescribe penalties of up to 10 years for a simple offense and increased penalties for aggravating circumstances. Courts indicted suspected traffickers mostly under trafficking-related charges with relatively light sentences. The Ministry of Justice reported seven prosecutions for trafficking, 63 for mediation in prostitution, and four for slavery. Thirteen traffickers were convicted in a joint trial on charges such as mediation of prostitution, forgery, illegal deprivation of liberty, illegal border crossing and rape. Sentences ranged from eight months to three-and-a-half years; the defendants were released from custody pending appeal. Official corruption is a continuing problem; off-duty police officers were caught providing security at venues where trafficking victims were located. Most of these individuals received only administrative sanctions, but one officer was charged with a criminal offense. Each police district in Serbia has a special anti-trafficking team, but their resources were limited.

#### *Protection*

The government and NGOs communicated well on protection activities, but police operated without a formalized referral system and victims tended not to cooperate due to insufficient protections. The Organization for Security and Cooperation in Europe (OSCE) oversaw establishment of a referral center housed in the Social Affairs Ministry. Police relied on an NGO-run shelter overseen by the IOM to house victims. Police commonly interviewed victims upon

police apprehension, and those who did not self-identify as victims were charged with prostitution or deported. The government did not implement a regional Ministerial declaration on residency status for victims.

### ***Prevention***

Government officials spoke out against trafficking, but NGOs took the lead on public information campaigns. The government increased the number of training sessions for law enforcement officials. The Interior Ministry briefed consular and diplomatic officials with country-specific trafficking information. The Ministry of Social Affairs organized an anti-trafficking training project for its employees.

## **THE REPUBLIC OF MONTENEGRO**

### ***Prosecution***

The Government of the Republic of Montenegro suffered a loss in public and international confidence after it failed to prosecute the deputy state prosecutor for trafficking in the well-known “SC” case.\* Responding to criticism, the government reconstituted its referral system and drafted new criminal and procedural laws that strengthen penalties and increase institutional oversight. The Montenegrin criminal code prohibits trafficking in persons for the purposes of sexual, labor and other exploitation, and prescribes punishment of up to 10 years’ imprisonment for a simple offense, with increasing penalties for aggravating circumstances. Of the 15 cases submitted to the prosecution since 2002, there have been no convictions. Official corruption remains a problem; victims named police and government officials who were among their clients but the government did not take legal action. Prosecutors who were involved in the decision not to prosecute in the “SC” case were all dismissed, but with severance pay. The Ministry of Interior’s anti-trafficking unit was disbanded. Montenegrin police successfully recaptured fugitive trafficking kingpin Dilaver Bojku and returned him to Macedonia for trial.

### ***Protection***

For most of the reporting period, the government’s formerly effective referral system was inoperative. Following mutual allegations of mishandling in the “SC” case, the government and shelter operators ceased cooperation in June 2003. By March 2004, the government finalized a new agreement with an NGO for shelter management and opened a new trafficking victim’s shelter. Despite signing a regional ministerial declaration on residency for victims, foreign victims were not provided residency status. Victims who failed to self-identify as victims were charged with prostitution or deported.

### ***Prevention***

The National Project Board coordinated the government’s prevention efforts. The Board’s activities were discontinued following the “SC” case, but the government appointed a new coordinator, and reconstituted the Board. The government also formed an anti-trafficking working group, and adopted a new anti-trafficking strategy with recommendations by international experts. The Ministry of Education conducted an anti-trafficking program for school officials in eight school districts.

## **KOSOVO**

Kosovo, while technically a part of Serbia and Montenegro, is currently administered under the authority of the United Nations Interim Administrative Mission in Kosovo (UNMIK) pending a

determination of its final status. Since June 1999, UNMIK has provided transitional administration for Kosovo, and retains competency over anti-trafficking roles such as police and justice. UNMIK is aware of the trafficking problem in Kosovo and conducts anti-trafficking efforts with the OSCE, the Provisional Institutions of Self-Government (PISG) and local and international NGOs. International organizations have ultimate responsibility for law enforcement and social support to victims of trafficking. Some local institutions are currently developing a Kosovo Plan of Action to facilitate coordination of government anti-TIP efforts.

Kosovo is a source, transit and destination point, primarily for women and children trafficked for sexual exploitation and, to a lesser degree, domestic servitude. Internal trafficking is a serious problem. In 2003, UNMIK's Trafficking and Prostitution Investigation Unit (TPIU) conducted 2,047 operations and assisted 70 victims. Of the 60 trials for trafficking in 2003, 26 were ongoing at year's end, 18 ended in acquittal, and 17 ended with convictions. Victims are referred by TPIU to local NGOs for assistance. There are two shelters, one for foreign victims and one for Kosovar victims.

\*SC represents the victim's initials.

## SLOVAK REPUBLIC (TIER 2)

The Slovak Republic is a transit and source country for women and girls primarily trafficked to Austria, The Netherlands, France, Spain, Switzerland, Italy, Greece, Slovenia, the Czech Republic, and Japan for the purpose of sexual exploitation. Victims from the former Soviet Republics and the Balkan region are trafficked through the Slovak Republic to European Union countries. Highly organized crime rings based in neighboring countries and Slovakia control the trafficking in and through Slovakia.

The Government of the Slovak 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 made significant strides in 2003 to include reorganizing parts of the Ministry of Interior and amending the criminal code. These efforts will improve internal communication and improve the investigation efforts aimed at fighting trafficking in persons. But the Slovak population continues to demonstrate a low awareness of trafficking in persons issues, and the country lacks essential victim support such as shelters, health services, and legal assistance.

### *Prosecution*

Slovakia's anti-trafficking law enforcement efforts improved in 2003. The Slovak criminal code adequately addresses trafficking in persons, and penalties are sufficiently severe. The Interior Ministry reported successfully arresting traffickers associated with six networks in 2003. The Justice Ministry reported six convictions of traffickers. Additionally, three child trafficking prosecutions and 54 prosecutions of individual traffickers were underway during the reporting period. A number of those cases date from 2002 or earlier. At the beginning of 2004, the Interior Ministry increased the size of the police anti-trafficking unit and elevated the unit to a department. Despite several arrests for corruption during the reporting period, corruption within the government remained a problem and, in some cases, may hinder government efforts to eliminate trafficking. Recent anti-corruption reforms facilitated the use of sting operations and the enactment of whistle-blower statutes. The Slovak Government continues to cooperate with other governments—particularly Germany, Austria, the Czech Republic, and Hungary—in the investigation and prosecution of trafficking cases. In 2003, Slovakia joined Europol.

### *Protection*

The Slovak Republic lags considerably in the area of victim protection, in part due to financial constraints. The government provides temporary residency status to victims who are willing to assist police prosecutions and enter a witness protection program. A cooperating victim can receive a new identity and give recorded testimony. However, a lack of trust in the police often deters potential witnesses. The anti-trafficking police unit refers trafficking victims to NGOs on an ad hoc basis, and often detains or deports victims as illegal migrants due to a lack of screening and identification procedures. NGOs report difficulties in providing shelter, health, and legal services to trafficking victims due to a lack of funding. Slovak embassies and consulates abroad assist victims by providing travel documents, assisting with money transfers, and contacting relatives.

### *Prevention*

The government continues to devote few resources to prevent trafficking, although in 2003 the Education Ministry, in cooperation with the IOM, helped organize discussion groups in a number of schools about trafficking in persons and distribute handbooks about legally working abroad. The government's strongest preventive strategies remained in the area of law enforce-

ment—strengthening border control and improving cross-border cooperation. In March, Slovakia and Austria agreed to establish a police liaison center at a border crossing near Bratislava. In November, the Slovak and Czech Republics signed an agreement to allow cross-border pursuits in organized crime cases. The government does not have a national plan of action to combat trafficking in persons.

## SLOVENIA (TIER 2)

Slovenia is primarily a transit and secondarily a source and destination country for women and girls trafficked for the purpose of sexual exploitation from Eastern Europe and Balkan countries to Western Europe, particularly Italy, Germany, Greece, Portugal, Spain, and The Netherlands.

The Government of Slovenia 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 working group to combat trafficking in persons is drafting a national action plan to be considered for adoption in 2004. The Slovenian Government should approve and implement the national action plan, improve data collection efforts, and normalize funding for Slovenia's first victims' shelter. Slovenian authorities should also scrutinize work permits and club licenses and conduct unannounced inspections of worksites where trafficking victims are believed present.

### *Prosecution*

Slovenia made only modest efforts to prosecute traffickers during the last year. In March 2004, Slovenia adopted amendments to the penal code that specifically criminalize trafficking. The government investigates and prosecutes traffickers under related statutes addressing pimping, sexual assault, and slavery. Although Slovenian authorities reported no trafficking-related convictions during the reporting period, they conducted 21 trafficking-related investigations against 34 suspected traffickers, and initiated five trafficking prosecutions. The Prosecutor's Office designated a prosecutor in each of the country's 11 circuits to facilitate the handling of trafficking cases, and in late 2003 provided all state prosecutors with training on trafficking prosecutions. Slovenia adequately monitors its borders, though a majority of victims trafficked to or through Slovenia initially enter legally carrying work permits as "artistic dancers." In 2003, Slovenia actively participated in the Stability Pact for South Eastern Europe, the Southeastern European Cooperative Initiative (SECI), and Interpol efforts in fighting against trafficking in persons.

### *Protection*

The Ministry of Interior and the State Prosecutor's Office concluded agreements in late 2003 with an NGO that runs Slovenia's shelter to provide victims with protection from prosecution, temporary residency status, and social services. The agreement specifically provides for extensions of temporary residency status for victims participating in prosecutions of traffickers. In 2003, seven trafficking victims received assistance at the new Slovenian shelter. The government funds NGOs working on trafficking-related issues on an intermittent basis. Slovenia currently lacks witness protection programs, but is considering how to establish and implement such programs.

### *Prevention*

The Slovenian Interdepartmental Working Group on Combating Trafficking in Persons meets regularly and is comprised of legislative, executive, and judicial branch members; media representatives; and local and international organizations. An executive order of December 2003 enables the working group to make policy recommendations to the Cabinet that, if approved, are binding upon government ministries, offices and agencies. The group has been tasked to develop a comprehensive action plan to combat trafficking in persons for government consideration in 2004. A local NGO that receives government funds established a 24-hour hotline that trafficking victims can call for support information, and continued an education program in the schools that includes a short documentary on a Slovene trafficking victim. Also, government ministries and organizations, such as the Ministry of Interior, the Ministry of Foreign Affairs, social work centers, and clinics, distributed brochures on trafficking in 2003.



## SPAIN (TIER 1)

Spain is a destination and transit country for trafficked persons for the purposes of sexual exploitation and, to a lesser degree, forced labor. Victims of trafficking for sexual exploitation come primarily from Brazil, Colombia, Ecuador, Nigeria, Guinea, Sierra Leone, Bulgaria, Ukraine, Russia, and Romania. Some victims are trafficked for forced labor in agriculture, sweatshops, or restaurants. Spain is a transit country for trafficking victims destined for Portugal and Italy.

The Government of Spain fully complies with the minimum standards for the elimination of trafficking. The government improved its monitoring and tracking of trafficking networks, and offered comprehensive assistance to victims. New anti-trafficking legislation allowed for increased penalties for trafficking, but no traffickers were yet sentenced under the new law. Notably, the City of Madrid cooperated with the federal government to announce a demand-reduction strategy which focused both on the responsibility of the clients and the rights of the victims. The courts should utilize the sentencing guidelines under the new law.

### *Prosecution*

The government vigorously investigated and arrested individuals suspected of trafficking crimes, although new legislation carrying heavier penalties for trafficking had not yet resulted in longer sentences. The government passed comprehensive legislation in September 2003 prohibiting trafficking in persons for labor and sexual exploitation, with penalties ranging from five to 12 years' imprisonment. The new higher penalties are commensurate with those for other grave crimes, such as rape. The Immigration and Falsified Documents unit of the Spanish National Police investigated trafficking in persons, and reported 2,028 arrests for involvement in trafficking networks, and 1,003 arrests for trafficking related to sexual and labor exploitation. While conviction statistics under the new law were not yet available, there were 105 prosecutions and 12 trafficking-related convictions under the old law in 2003. The average sentence was 2.4 years, in accordance with those sentencing guidelines. Spanish police cooperation with source countries led to 303 trafficking-related arrests in source countries. The government extradited seven individuals for trafficking-related offenses in 2003.

### *Protection*

Police identified 1,527 victims of trafficking for the purposes of sexual exploitation and 967 victims of labor trafficking. The police regularly referred victims to government-financed NGOs. Those lacking legal status, who were unwilling to cooperate, were generally returned to their home countries. Police reported that 230 victims agreed to testify and were granted short-term residency status. The government's violence education programs for female victims and an NGO partner on trafficking reported that 89% of the victims they assisted pressed criminal charges. The government also provided job placement services for victims rescued from trafficking situations. Anti-trafficking police and cadets received special training by an NGO partner.

### *Prevention*

The government negotiated with source countries to prevent illegal migration to Spain, including human trafficking. Responding to the reality that French-speaking countries in Africa represent source countries, Spain provided French-language training to high-level national police officials to increase cooperation with such countries. The government's NGO partners provide information to vulnerable groups. In January, the federal government and the City of Madrid announced a demand-reduction, anti-trafficking education campaign targeting the clients of prostitutes and prevention of trafficking.

## SWEDEN (TIER 1)

Sweden is a destination and transit country for women and children trafficked from Eastern Europe, Russia, and the Balkan states for the purpose of sexual exploitation. Some victims are also trafficked to Sweden from South American and Asian countries, particularly Thailand. The final destinations of victims transiting through Sweden are primarily Denmark, Norway, and Germany. Sweden's National Police Board estimates 400-600 victims were trafficked to or through Sweden in 2003.

The Government of Sweden fully complies with the minimum standards for the elimination of trafficking in persons. In 2003, the government sustained and strengthened its efforts to combat trafficking in persons. Sweden has commendably pioneered legislation that treats victims humanely and criminalizes the actions of the customer. The Swedish Government allotted \$24 million to combat trafficking in 2004-2006. The Swedish parliament should adopt draft legislation submitted by the government to enhance victim protection and assistance.

### ***Prosecution***

Sweden's penal code includes specific legislation on trafficking in persons for sexual purposes for which the penalties are sufficiently severe, but the law does not cover other forms of trafficking, such as trafficking for forced labor. Currently, Sweden has extensive labor laws governing minimum working ages, minimum wage, and employment standards, as well as organized trade unions that have protected the labor force. Prosecutors rely on provisions that criminalize procurement due to the difficulty of proving unlawful coercion and deception. During the reporting period, 10 individuals were sentenced for trafficking in persons; these cases involved approximately 50 victims, all of whom were women. Eight of the 10 individuals were found guilty of procurement and two of sex trafficking. The sentences ranged from one to 12 years. Over the past year, the government tightened border controls and improved its training programs for law enforcement and border officials to enable them to more readily recognize and assist trafficking victims. The government routinely cooperates with other governments and international law enforcement agencies on trafficking investigations.

### ***Protection***

Sweden focused its attention in 2003 on improving victim assistance. In the past, Sweden lacked a clear bureaucratic structure for victim assistance. Recognizing this gap, during the reporting period the government drafted and presented to parliament legislation that would provide temporary residence status to victims involved in trafficking investigations or prosecutions, and would entitle them to health care and social welfare services. The draft legislation would require municipal governments to shelter and support victims of trafficking. Victim assistance in Sweden is currently provided on an ad hoc basis. Swedish authorities do not fine or prosecute victims. Of the approximately 50 victims previously noted, the police arranged for shelter and assistance for 10 to 15 victims involved in legal investigations. The majority of the women did not request support and expressed a desire to return to their home countries as soon as possible. The Swedish Government provides funding to NGOs in Sweden and abroad that provide support services to women who are victims of gender-based violence, including trafficking.

### ***Prevention***

The Government of Sweden continued its information and education campaigns, including several established with Baltic states. In 2003, the government assigned The Swedish Institute to show the

film “Lilya 4-Ever,” a film about trafficking, and conduct follow-up discussion seminars in source countries in Europe. The government has also sought to raise awareness within the European Union (EU) on efforts to reduce trafficking demand. The Ministry of Foreign Affairs and Swedish International Development and Cooperation Agency (SIDA) continued to fund international organizations mounting anti-trafficking initiatives in the Baltics and Balkans. The government has initiated efforts to develop a national action plan to combat prostitution and trafficking.

## SWITZERLAND (TIER 2)

Switzerland is primarily a destination country, and secondarily a transit country, for increasing numbers of women trafficked for the purpose of sexual exploitation from Eastern Europe and the former Soviet Union, Thailand, Africa, and South America.

The Government of Switzerland does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Switzerland has moved from Tier 1 to Tier 2 due to a lack of appreciable progress in eliminating severe forms of trafficking during the reporting period and a failure to consistently provide the range of protections for trafficking victims available under Swiss law. The federal government through regular interagency policy meetings is working to strengthen its laws against trafficking and sensitize cantonal authorities to the importance of staying deportation proceedings, but progress has been slow. Some local enforcement authorities still treated some trafficking victims as illegal immigrants, rapidly deporting them rather than providing or facilitating assistance. The government should improve victim identification procedures, increase enforcement efforts, and adopt screening procedures to prevent repeated abuse of “artistic” visas for trafficking purposes.

### *Prosecution*

The Swiss penal code has two articles specifically prohibiting trafficking in persons with sufficiently severe penalties, both of which focus on sexual exploitation and prostitution. The Swiss Government has drafted a revision to the penal code to explicitly prohibit forced labor, but the legislation has not been submitted to parliament. Currently, other legal provisions of the penal code or the immigration and naturalization law cover it implicitly. The most recent enforcement statistics, from 2002, indicate that authorities made 11 convictions for human trafficking and forced prostitution, down from 17 in 2001. Four of those convicted received prison sentences from five to 10 years, and seven received suspended sentences of less than a year. Within the Federal Office of Police (BAP), the Coordination Unit against the Trafficking in Persons and Smuggling of Migrants (KSMM) coordinates and monitors all Swiss anti-trafficking efforts. The office began operations in early 2003 and currently has three full-time employees. The BAP also established two new anti-trafficking sub-sections, one with the international cooperation and investigation division and the other tied to the domestic intelligence division. Swiss authorities are active in international law enforcement activities and took the lead in coordinating 12 international trafficking investigations. The government stationed a law enforcement attaché in Thailand in early 2003 to coordinate criminal investigations, including trafficking investigations, and act as a liaison between Swiss and Thai authorities. In total, Switzerland responded to 575 international inquiries relating to trafficking, up from 474 in 2002.

### *Protection*

In 2003, the KSMM held two interdisciplinary training seminars for cantonal police officers and social workers on how to recognize and investigate instances of human trafficking. Despite a range of protections, some potential victims of trafficking were summarily deported to their country of origin as illegal immigrants. The federal police and immigration authorities are working with cantonal authorities to encourage them to take a more tolerant approach toward delaying deportation to allow for victim counseling and an increased likelihood that victims may testify against traffickers. NGOs and Swiss authorities in Zurich drafted a “code of cooperation” to improve the protection and security of victims. Pending the city government’s approval, this code will regulate the procedures for identifying and referring victims for assistance. Efforts to

strengthen cooperation between NGOs and Swiss authorities are also underway in other cities, such as Bern, Basel, and Lucerne. Under the Swiss Victim's Assistance Law, identified victims may seek help from centers providing shelter, counseling, legal assistance, and medical aid. The most recent statistics, from 2002, indicate that these centers assisted 68 victims. The law also safeguards the identities of witnesses in criminal proceedings; although, few victims are willing to testify because they fear retaliation or deportation. Federal and cantonal governments continued to provide funding to NGOs and women's shelters, and authorities may grant temporary residency permits on a case-by-case basis to victims willing to testify in court. The government is considering a new legal framework to provide an explicit right to temporary residence for trafficking victims, but such legislation is unlikely to become effective before 2006.

### ***Prevention***

The Government of Switzerland funded several anti-trafficking information and education campaigns in Eastern Europe, the former Soviet Union, Asia, and South America, targeting potential trafficking victims. In 2003, the government co-financed an anti-trafficking radio program in Bosnia, a trafficking awareness campaign in Colombia, a mobile theater project in Ukraine, and an information campaign in Sri Lanka warning against illegal immigration. The government also continued to partially fund the Women's Information Center, a victim's assistance NGO, that has established an international network of contacts for victim repatriation and distributes trafficking information in origin countries. Switzerland established a national action plan to combat human trafficking, and the Swiss Federal Council has tasked each federal department to take steps to implement the plan. In collaboration with the Interior Ministry, a Swiss NGO trained Swiss consular officials to educate visa applicants in their home countries about the dangers of trafficking. The Swiss embassy in Moscow has tightened visa regulations and, together with an NGO, has implemented awareness raising seminars for its staff. This trafficking-awareness raising program is being replicated at Swiss embassies in Kiev and Bogotá.

## TAJIKISTAN (TIER 2 - WATCH LIST)

Tajikistan is a source country for men, women, and children trafficked to Russia, other Central Asian countries, and the Gulf States for the purposes of sexual exploitation and forced labor.

The Government of Tajikistan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Tajikistan is placed on Tier 2 Watch List due to a lack of evidence of increased efforts to eliminate severe forms of trafficking during the reporting period. While the Tajik Government recognizes the problem and has criminalized trafficking in persons, it needs to do more to protect victims of trafficking and prosecute their exploiters. Tajikistan should establish a national action plan and refer trafficking victims to appropriate NGOs.

### *Prosecution*

The Government of Tajikistan criminalized trafficking in persons through an amendment to its criminal code in August 2003. The government has also drafted a comprehensive law on trafficking, which it expects to enact later this year. In 2003, the government prosecuted two trafficking cases—compared to four in 2002—and convicted one trafficker, who was commendably sentenced to 14 years' imprisonment. The second prosecution is on-going and involves a ring of alleged sex traffickers. The trafficking activities of 16 other criminal groups are currently under investigation. Training for law enforcement officials on trafficking-related issues remains lacking. In 2003, the government formed a committee of officials from the Ministries of Labor, Interior, and Security to receive training on recognizing, investigating, and prosecuting trafficking cases. Corruption, including among government officials, remains endemic, and may hinder government efforts to eliminate trafficking. The government instituted criminal cases against two low-level officials for issuing falsified documents, but both officials fled the country. The government takes steps to monitor its borders, but border control remains weak.

### *Protection*

Tajikistan has a weak record of assisting trafficking victims. The Government of Tajikistan encourages victims to cooperate with enforcement officials, but offers no protection or reintegration programs for victims or witnesses. In 2003, the government reported that it did not jail, fine, detain, or otherwise punish victims, but law enforcement officials have no system to refer victims to NGOs. In 2003, the government reported no cooperation with other governments on trafficking investigations. Citing limited resources, the government claims it is unable to provide its overseas embassy and consulate officials with the tools to identify and assist victims.

### *Prevention*

Regrettably, the government has not formed a national plan of action to fight trafficking in persons, although it has formed a working group to create such a plan. The government cooperates with local NGOs and international groups that focus on prevention. It supports the IOM's efforts to distribute anti-trafficking brochures and operate a resource center to educate potential migrants about migration and trafficking.

## TURKEY (TIER 2 - WATCH LIST)

Turkey is a country of destination for women and girls trafficked primarily for the purpose of sexual exploitation, as well as domestic service. Most victims come from Eastern European countries and the former Soviet Union, including Armenia, Azerbaijan, Georgia, Russia, Romania, Bulgaria, Ukraine and Moldova. To a lesser extent, Turkey is a transit country to Western Europe.

The Government of Turkey does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Turkey's actions merited a Tier 2 designation in September 2003 for conducting focused legal reform and law enforcement actions. The government is placed on Tier 2 Watch List because many of its efforts, especially in the area of protection, began early in 2004 and require time to show adequate results. While it showed some follow-through on prosecutions and convictions, it did not conduct any preventive information or education programs for the public-at-large. The government should fully implement its new victim referral protocol, aggressively execute joint investigations with source countries, and provide tangible evidence that it has discontinued its practice of "dumping" victims across borders without screening.

### *Prosecution*

Trafficking for any purpose is specifically criminalized in Turkey, with penalties exceeding 20 years' imprisonment if conducted as part of an organized activity. There were some reports of government officials involved in trafficking. During the reporting period, the government sentenced six defendants for trafficking, including two police officers, up to four years and two months in prison. The officers were expelled from the force. The government also initiated eight prosecutorial investigations. While the government's cooperation agreements previously focused primarily on smuggling, its focus on trafficking improved. Police and judicial personnel participated in NGO training sessions and an inter-agency police task force based in Istanbul was established to investigate trafficking as a part of organized and financial crimes.

### *Protection*

The government improved its protection efforts late in the reporting period. Authorities conducted few ad hoc repatriations until it signed a formal agreement with the IOM in April 2004. The government established a protocol with an NGO whom it agreed to notify before conducting raids and upon identification of potential victims, but it failed to fund the shelter aspect of the protocol. The government's previous practice of returning victims to source countries without proper screening or notification was expected to improve through implementation of the repatriation and NGO cooperation agreements. Despite the central government's efforts to institute the protocol, some local authorities failed to follow victim protection guidelines; the central government took some remedial measures during the reporting period. The government adopted a new policy to provide full medical assistance to victims of trafficking and extended humanitarian visas from one to six months.

### *Prevention*

The government initiated some prevention efforts in spring of 2004, but efforts required focusing and strengthening. According to local experts, the government's previous practice of "dumping" victims in neighboring countries made them vulnerable to re-trafficking by local recruiters and traffickers. The government amended Turkish labor laws to mandate that contracts for foreign

entertainers be prepared in the entertainer's language. The government also began reviewing work contracts to identify potential trafficking. The Prime Minister's Directorate on Women's Issues conducted a seminar for journalists and NGOs to increase awareness amongst advocate communities, but the public remained largely uninformed about trafficking in Turkey. In April 2004, the government drafted agreements with two source countries to promote greater cooperation on trafficking.



## UKRAINE (TIER 2)

Ukraine is a source country for women and girls trafficked to Europe and the Middle East for the purpose of sexual exploitation, and for men trafficked to Europe and North America for forced labor. Ukraine is also a significant transit country for Asian and Moldovan victims trafficked to Western destinations. Ukraine has seen an increase in the trafficking of children, especially orphans, during the last year.

The Government of Ukraine does not yet fully comply with minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite resource constraints, Ukraine continues to make progress in combating trafficking, demonstrated by a steady increase in prosecutions and convictions. But progress has lagged in implementing the Comprehensive Program for Combating Trafficking in Persons, coordinating with law enforcement officials of destination countries, and fighting government corruption. The Ukraine parliament should adopt amendments to the criminal code that will strengthen anti-trafficking legislation.

### *Prosecution*

Ukraine's criminal code criminalizes trafficking in persons, but does not address recruitment nor clearly define internal trafficking as a separate crime. The government has drafted and introduced to parliament amendments to the criminal code to bring Ukraine into compliance with international standards, but they have not yet been adopted. In 2003, prosecutors tried 41 trafficking cases and convicted traffickers in 29 cases. These results represent increases of 215% and 190%, respectively, over 2002. Those 29 cases involved 32 defendants of whom 11 were sentenced to prison terms, two to restraint of liberty in correction facilities, and 19 to probation. Despite this improvement, the government should provide oversight to the sentencing process to ensure that judges are implementing the legislation effectively, and to prevent the risk that judges will be improperly influenced. Corruption remains a problem for Ukraine in government and at all levels of society. Official corruption decreases the effectiveness of law enforcement efforts on trafficking. Cooperation and coordination with law enforcement officials in destination countries has improved, but remains inadequate to address the scope of the problem. Weak border security contributes to trafficking, especially along the Ukraine-Russia border.

### *Protection*

The police and Ukrainian embassies abroad engage NGOs to provide trafficking victims with protection services, particularly at the airport and the port of Odessa. Law enforcement officers should continue efforts to publicize and provide resources for witness protection programs. During prosecution in 2003, 278 victims testified, an increase over the 202 victims who testified in 2002. In June 2003, the Ukrainian Cabinet of Ministers approved guidelines for establishing and operating victim rehabilitation centers. The Government of Ukraine introduced simplified procedures in late 2003 to assist victims of trafficking and to facilitate their repatriation.

### *Prevention*

Although the Ukrainian Government has made some progress in implementing its Comprehensive Program for Combating Trafficking in Persons, its Interdepartmental Coordination Council for Combating Trafficking in Persons has had no formal meetings since its establishment in December 2002. Local commissions on combating trafficking were created throughout Ukraine pursuant to the Comprehensive Program, but their quality and effectiveness vary. Regionally throughout Ukraine, NGOs collaborated with Family and Youth Affairs Departments on information and education campaigns, such as peer training at schools, universities, cafes, and clubs.

## UNITED KINGDOM (TIER 1)

The United Kingdom is primarily a country of destination for trafficked women, children and men from Eastern Europe, East Asia, and West Africa. While women and girls are trafficked primarily for the purposes of sexual exploitation and domestic servitude, men and boys are trafficked into agriculture and sweatshop industries. The United Kingdom may also play a role as a transit country to other Western European countries.

The Government of the United Kingdom fully complies with the minimum standards for the elimination of trafficking. New legislation to criminalize labor trafficking and to enhance penalties in order to make trafficking for sexual exploitation commensurate with rape was awaiting final regulations as of March 2004. The government instituted thoughtful prevention measures, but did not clearly distinguish between trafficking and smuggling. The government should differentiate trafficking from immigration crime and implement new sentencing guidelines to complement its pending anti-trafficking legislation

### *Prosecution*

The Home Office announced significant increased funding for its transnational crime investigative unit, Task Force Reflex. The Immigration and Asylum Act 2002 prohibited trafficking for the purposes of prostitution, with penalties of up to 15 years' imprisonment. The Sexual Offenses Act of 2003, once implemented, would increase possible penalties to life imprisonment for trafficking for sexual exploitation. Trafficking penalties would then be commensurate with rape and subject to extra-territorial jurisdiction. Trafficking for labor exploitation was in a separate bill still under consideration in Parliament. Statistics on trafficking prosecutions under the above laws were not available, but two special investigative units—Task Force Reflex and Operation Maxim—reported over 200 arrests for organized prostitution and immigration-related crimes, leading to 28 convictions, including one in which the defendant was sentenced to 10 years in prison for trafficking-related offenses. The government established anti-trafficking projects with Bulgaria and Romania.

### *Protection*

The government increased its victim referral and funding for an NGO-run shelter to \$1.3 million. As some victims were assisted by other social service agencies, it was difficult to determine the total number of victims assisted. For example, one shelter for victims of sexual exploitation housed a total of 33 trafficking victims and offered outreach support to a further 14. Police most likely to encounter trafficking victims were trained to investigate trafficking cases and followed the victim referral protocols. The government continued to refine and improve its protocols, and government and NGO representatives collaborated on trafficking policies and cases in a national steering committee. Illustrating the immigration focus, immigration authorities generally accompanied police on raids in order to expedite removal of uncooperative victims. Responding to concerns over the placement of trafficked and other vulnerable children in centers where their security could not be guaranteed, the government began placing them with foster care providers.

### *Prevention*

The United Kingdom provided law enforcement assistance to source and transit countries to prevent, detect and disrupt trafficking operations. For example, through "IMMPact 2," the government provided anti-trafficking training for law enforcement in Serbia and Montenegro. The government provided funds for trafficking prevention information campaigns in source countries. Police and Immigration authorities set up a screening effort at Heathrow airport to systematically identify children entering the U.K. who may be at risk. After an initial three-month collaborative monitoring and referral program to Social Services, police assigned a child protection officer full-time to Heathrow.

## UZBEKISTAN (TIER 2)

Uzbekistan is primarily a source, and to a lesser extent, a transit country for people trafficked to the United Arab Emirates (U.A.E.), Kuwait, Bahrain, India, Malaysia, South Korea, Japan, Thailand, Turkey, Kazakhstan, Russia, and Western Europe for the purposes of sexual exploitation and forced labor. Victims trafficked from neighboring countries transit through Uzbekistan because it is a transportation hub for Thailand, Malaysia, Indonesia, India, Korea, and U.A.E. Victims are trafficked internally from rural to urban areas for labor exploitation. Uzbek women are trafficked abroad for sexual exploitation, often transiting Tashkent.

The Government of Uzbekistan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Uzbekistan was reassessed as meeting the standard for Tier 2 placement in September 2003 because of the government's significant anti-trafficking efforts, and these efforts continued throughout the remainder of the reporting period. The government has shown greater candor and commitment in discussing its trafficking problem and strategies to combat it. Although more vigorous prosecution efforts were seen in 2003, the government should more fully cooperate with law enforcement officials in destination countries, train border guards and customs officials on identifying and assisting victims, and train police on trafficking investigations.

### *Prosecution*

In 2003, the Government of Uzbekistan drafted comprehensive trafficking legislation and submitted it to the legislature. It also prosecuted 101 individuals in trafficking-related cases using existing criminal statutes, with 80 convictions as of February 2004. The majority of these cases were pursued under the criminal statute that regulates the recruitment of people for exploitation. The government identified 139 trafficking victims in these cases. Penalties range from five to eight years in prison. The police are currently interviewing victims to gather more detailed information about trafficking operations. Officials from the Ministry of Internal Affairs and the Prosecutor's Office received training on criminal investigations in 2003. The government, in collaboration with NGOs, has begun to train border guards and customs officials, though the majority of the security services are not well trained to identify and assist victims. During the reporting period, one official was dismissed and is under criminal investigation for selling travel documents and preparing fraudulent exit visas for traffickers. Corruption, particularly at regional levels, remains an obstacle to prosecution efforts. The government has cooperative agreements with Russia, Germany, China, India, and works with the Governments of Kyrgyzstan, Kazakhstan, and Ukraine on joint investigations.

### *Protection*

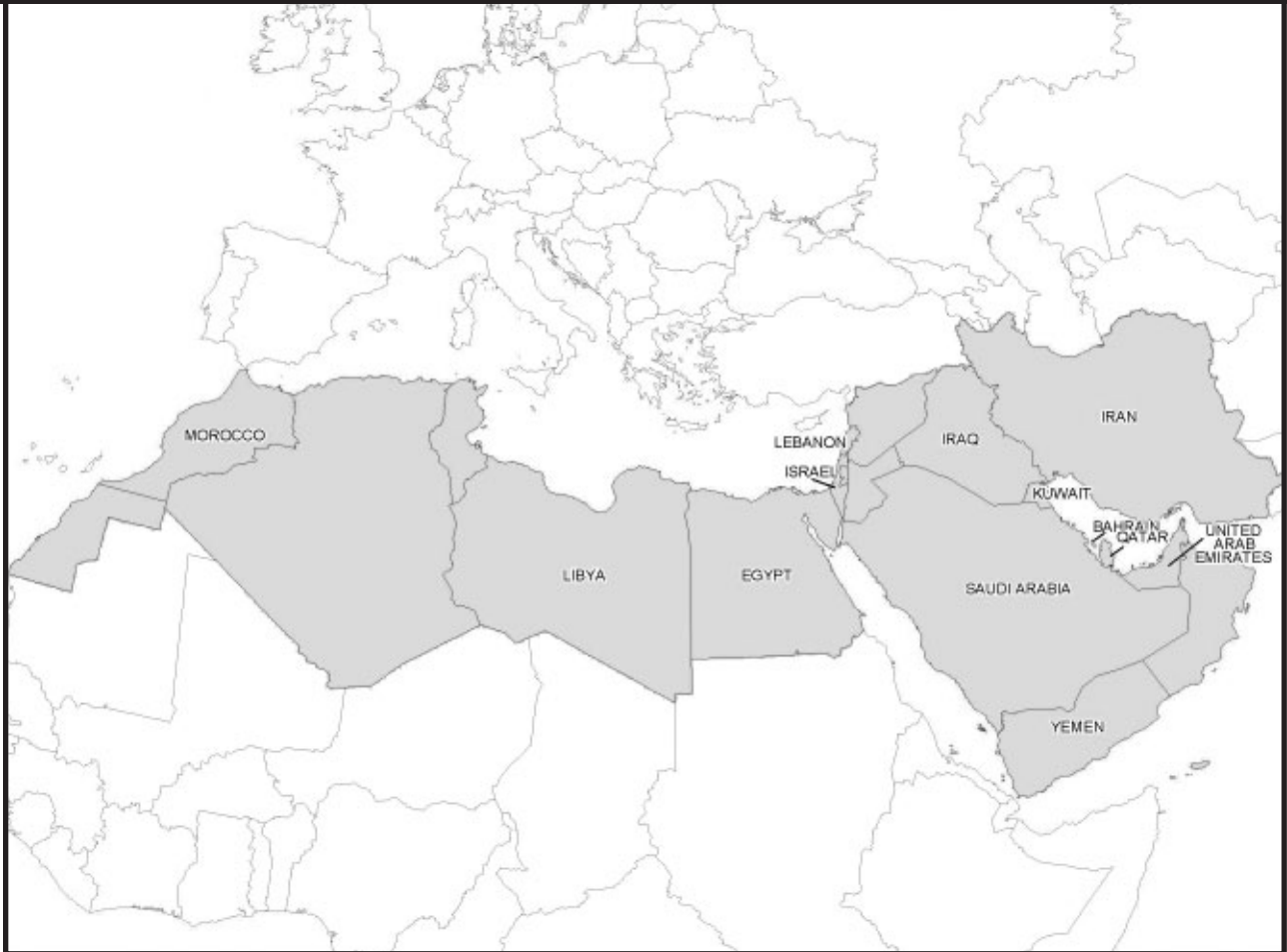
Although the government has no budget for victim assistance, it supported efforts through other means. The Ministry of Foreign Affairs in 2003 assisted some victims in returning to Uzbekistan from foreign countries and continues to develop its assistance and repatriation program. While no formal mechanism for screening and referral exists, in practice the police at Tashkent's airport contact a local NGO offering protection when they identify trafficked women. The government collaborates with NGOs on victim repatriation and is in the process of reviewing IOM's registration documents that, if approved, would enable the organization to significantly enhance the protection of trafficked victims. Government officials did not jail or otherwise punish victims in 2003.

***Prevention***

The government lacks the funding to do as much as it would like in support of preventative programs, but actively informs the general public about trafficking in persons. Prevention of trafficking has been a key focus of government efforts. Government officials have worked closely with international and local NGOs on programs to place anti-trafficking awareness posters in public buses, passport offices, and consular sections. The government also permitted NGOs to advertise regional TIP hotlines on local television. Government officials have gone on radio and television shows with NGO representatives to talk about the problem and warn of the dangers of trafficking in persons. An increased number of newspaper articles and educational programming regarding trafficked women appeared in state-controlled media. In 2003, the government formed a commission and a working group that developed a national action plan on trafficking in persons.



# NEAR EAST



*MINA WAS A SINGLE MOTHER OF TWO FROM TAJIKISTAN STRUGGLING TO SURVIVE. A friend in Tashkent told her that there was good work in Dubai. The friend made the travel arrangements, and Mina was trafficked to Dubai where she by chance encountered several countrymen who told her that she would be forced into prostitution. With the assistance of those Tajik traders, Mina was able to escape and return home.*

## BAHRAIN (TIER 2)

Bahrain is a destination country for women and men trafficked from South Asia and the Philippines and—to a lesser extent—China, Indonesia, the former Soviet Union, Morocco, and Ethiopia. Victims endure coerced labor, debt bondage, involuntary sexual servitude, restrictions on their freedom of movement, and verbal and physical abuse.

The Government of Bahrain does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. It has developed a national plan of action and created an inter-ministerial taskforce to coordinate Bahrain's anti-trafficking efforts. Domestic workers are not covered under Bahrain's labor laws, although they can seek redress through the courts and government mediation services. The court process is very lengthy and mediations are not well publicized for victims to benefit from them. Bahrain should develop a comprehensive anti-trafficking law and bring domestic workers under the protection of its labor laws. It should also encourage and foster the participation of civil society in the fight against trafficking. As an interim measure, it should take steps to expedite the hearing of labor disputes in its courts and make mediation services widely available to potential victims.

### *Prosecution*

During the reporting period, the Government of Bahrain did not prosecute any traffickers. Although Bahrain lacks anti-trafficking laws, it can use certain provisions in its penal code to prosecute traffickers. In 2003, Bahrain acceded to the UN Convention on Transnational Crime and the Optional Protocol on the Rights of the Child. There is no evidence, however, to show that these provisions were used to prosecute and punish traffickers in 2003. Sixty-three recruitment agencies were closed for improperly altering the terms of employment contracts and for referring domestic servants to repeat abuser employers. Ten tourism agencies were closed for involvement in sex-related trafficking. There have been serious allegations that certain recruitment agencies routinely beat and rape newly arrived domestic servants. Some concerned members of the civil society brought these allegations to the government's attention, but there is no indication that any action has been taken to investigate and punish the alleged abusers. Although there is no evidence of official corruption, there is a widespread practice of selling visas to foreigners and then collecting monthly or annual fees for the right to remain in the country.

### *Protection*

In 2003, the Government of Bahrain took a few steps to protect victims. The government provides mediation services and grants victims temporary residency while they seek mediation, although many victims are unaware of these avenues and are reluctant to file charges for fear of retaliation by employers. In 2003, there were 84 complaints filed by domestic workers, 46 of which were settled and 38 went to court. In February, the government stopped the forced repatriation of 50 Indian workers whose cases were being heard in the courts. The court system is slow and discourages victims from seeking protection. In one example, 37 cases languished in labor courts for at least two years, and in another, a victim claiming unpaid wages abandoned her case and left the country after six years of seeking redress. Several cases are ongoing even after 10 court hearings. The government established a telephone hotline to assist victims of abuse, although the staff handling the calls lacks adequate training. Bahrain does not provide victims shelter and medical services, except in extreme cases.

***Prevention***

In 2003, the Government of Bahrain took a few positive steps to prevent trafficking. In December, it launched a media campaign highlighting the conditions faced by foreign workers and featured 20 cases of housemaid abuse. The government has published and translated into Urdu, Thai, Singhalese, English, and Tagalog brochures to be distributed to foreign workers. It has also published a manual on the rights and duties of expatriate workers that it intends to distribute to local embassies, its embassies abroad, and recruitment agencies.



## EGYPT (TIER 2)

Egypt is a transit country for women and girls trafficked from Eastern Europe and the former Soviet Union into Israel for forced prostitution. According to various sources, hundreds of women and underage girls, particularly from Moldova, Ukraine and Uzbekistan, are deceived or forced to journey through Egypt's Sinai desert into Israel at the hands of tribal smugglers. They are trafficked into forced prostitution in Israel. Undocumented migration into Egypt from sub-Saharan Africa is common.

The Government of Egypt does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Egypt appears in this report for the first time as the result of new information that depicts a significant trafficking problem. The government has shown growing awareness of trafficking over the last year. The Ministry of Justice in early 2004 initiated an effort to draft and enact comprehensive anti-trafficking legislation in accord with international standards. Under the terms of the 1983 peace treaty between Israel and Egypt, Egyptian border security forces are restricted in their operations along the Sinai border with Israel, where many trafficking victims transit. Despite these restrictions, Egypt should take additional steps to identify, rescue, and care for trafficking victims who seek to transit the country. It should also vigorously investigate and prosecute the traffickers behind this trade, and improve its coordination with governments of source countries.

### ***Prosecution***

Although Egypt lacks an anti-trafficking law, the government made some efforts to prosecute traffickers for other crimes over the past year. Police do not assign a priority to detecting and investigating trafficking cases, as the Egyptian Government does not consider trafficking a significant problem in Egypt. There were no reported arrests or prosecutions of trafficking crimes during the last year, and no trafficking victims were identified. In December 2003, a court convicted an Egyptian for the extraterritorial offenses of manslaughter and aiding illegal immigration for his role in the deaths of 353 persons, some of who may have been trafficking victims, who were on a boat en route to Australia. In September 2002, Egyptian police rescued three Moldovan women who had been abducted from a hotel in Sharm el-Sheikh and were being trafficked into Israel. The Bedouin tribal smugglers involved were prosecuted, convicted, and sentenced to 25 years in jail.

### ***Protection***

The government generally does not offer trafficking victims any assistance or shelter. Repatriation of trafficking victims is ad hoc. Egypt should engage the IOM to assist with victim repatriation efforts, and adopt a uniform protection policy.

### ***Prevention***

The Egyptian Government conducts few anti-trafficking prevention activities, though consular and immigration officials were given information to assist in detecting illegal immigration and trafficking.

## IRAN (TIER 2)

Iran is a source, transit, and destination country for women and girls trafficked for the purposes of sexual and labor exploitation. Women and girls are trafficked to Pakistan, Turkey, and France for sexual exploitation. Boys from Bangladesh, Pakistan, and Afghanistan are trafficked through Iran to the Gulf States where they are forced to work as camel jockeys, beggars, or laborers. Afghan women and girls are trafficked to Iran for sexual exploitation and forced marriage. Internal trafficking of women and girls for sexual exploitation and children for forced labor also takes place. The internal trafficking of women and children is fueled by an increasing number of vulnerable groups, such as runaway women, street children and drug addicts.

The Government of Iran does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Iran is included in the report for the first time due to more and specific information indicating that it is a source, transit, and destination country for a significant number of victims of severe forms of trafficking. Iran must take steps to ensure that those who are punished for trafficking are not victims, and that victims are provided appropriate shelter. The government should also train police in the identification and protection of victims. It should also support public awareness campaigns in the fight against trafficking.

### *Prosecution*

Iran's anti-trafficking law enforcement efforts remain strong. Iranian law does not specifically prohibit trafficking of adults, although the sale and trafficking of children is a criminal offense under Iran's Penal Code. Other statutes are also used to prosecute traffickers. In April, an Iranian court sentenced 27 people to prison terms ranging from 14 months to 10 years for the trafficking of young girls for sexual exploitation to the United Arab Emirates. In June, 53 Afghan refugee tribesmen were sentenced to a total of 281 years in prison, 222 lashes, and fines for luring girls with marriage offers and then trafficking them to Pakistan for forced prostitution. In August, approximately 400 female police officers graduated, the first since the Islamic Revolution. The female police officers work specifically on crimes against women, including trafficking and sexual exploitation cases.

### *Protection*

Prostitution is strictly illegal in Iran and subject to harsh punishments. It is unclear if the government makes efforts to distinguish trafficking victims from others engaged in prostitution. The State Welfare Organization for Social Affairs assists victims and those at risk of trafficking through five mobile and 44 fixed social emergency centers. These centers provide counseling, legal services, and health care. The State Welfare Organization also manages 14 temporary shelters for "troubled women" and 28 facilities for young runaway girls. These facilities are available to trafficking victims.

### *Prevention*

The State Welfare Organization allocates modest funds to support 41 countrywide centers for street children that deliver care to approximately 10,000 children at risk for exploitation. It is estimated that there are approximately 1.2 million street children in Iran as well as 420,000 child laborers under the age of 15.

## ISRAEL (TIER 2)

Israel is a destination country for women trafficked for prostitution and men and women trafficked for labor exploitation. Women from European and former Soviet Union (FSU) countries are brought into Israel, including through Egypt, by traffickers and sold to brothel operators, after which some are forced to work off their debt through involuntary sexual servitude. Most trafficking victims for sexual exploitation originate from Moldova, Russia, Uzbekistan, Kazakhstan, and Ukraine—with the latter three increasingly replacing Moldova as principal source countries. Most foreign laborers in Israel come from Turkey and other countries in South East Asia, East Asia, Africa, South and Central America, the FSU, and Eastern Europe. Some foreign laborers enter into Israel for labor under conditions that constitute trafficking. Some laborers are subjected to debt bondage and restrictions on their movements, including employer confiscation of their passports. Following the adoption of stricter immigration control measures at Ben Gurion Airport, traffickers have begun using Egypt as a transit route, relying on Bedouin smugglers to transport victims across the border between Egypt and Israel.

The Government of Israel does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. It should continue strengthening its efforts to prosecute and convict traffickers, and to sentence them to prison terms commensurate with the seriousness of trafficking crimes. Similarly, Israel needs to strengthen its protection measures, such as by providing more temporary residency permits, increasing available shelter capacity, and establishing a transparent procedure for the voluntary repatriation of victims. In an effort to fight an apparent rise in labor trafficking, a parliamentary committee has proposed draft legislation, which, if approved and effectively enforced, would replicate Israel's efforts to date to fight trafficking for the purposes of sexual exploitation.

### *Prosecution*

Over the reporting period, Israel has made marked improvement in strengthening its laws for fighting traffickers. In 2003, the government established the Border Police Rimon Unit, in part to limit trafficking across Israel's southern border with Egypt. It has also prosecuted and convicted several traffickers for sexual exploitation, though some cases were disposed of through plea bargains and resulted in lighter sanctions.

Section 203(a) of the penal law of Israel prohibits trafficking in persons for the purpose of sexual exploitation. The Foreign Workers Law of 1991, as amended, guarantees migrant workers the right to decent working conditions, health insurance, and a written employment contract. In August 2003, the Knesset passed a new law with a minimum sentencing requirement for convicted sex traffickers. This law, in addition to providing enhanced protection, will provide victims with access to public defenders. In 2003, the government arrested 92 suspected traffickers and another 93 individuals for related offenses. Preliminary data indicates that 13 traffickers for the purposes of sexual exploitation were convicted and received sentences ranging from 16 months to 15 years, that 114 victims served as prosecution witnesses, and that a total of 537 victims were deported in 2003. Also, the government filed 753 criminal indictments for violations of labor laws, some of which are believed to be related to labor trafficking, and obtained 42 judgments with monetary fines. The government investigates allegations that individual policemen engage in misconduct and illegal behavior, including taking bribes or tipping off brothels of raids, but these instances of corruption are not wide spread.

***Protection***

Government efforts to care for victims of trafficking remain inadequate, though they improved slightly during the last 12 months. In early 2004, Israel opened part of a new shelter and admitted 17 victims; gave temporary visas to seven victims; and allowed 2,336 foreign laborers to change employers. The government continued to provide some victims with lodging in police-funded hostels, as well as pocket money and access to medical care. Given the large number of trafficking victims, the government needs to greatly expand the capacity of shelters. Trafficking victims who are willing to assist law enforcement in prosecuting traffickers are not prosecuted or fined for illegal entry or the possession of forged identifications or travel documents.

***Prevention***

The Israeli Government has made minimal efforts in the area of prevention. A joint government and NGO-sponsored anti-trafficking public awareness campaign, expected to have taken place during the preceding reporting period, failed to materialize. The government needs to develop and ensure the effective implementation of anti-trafficking measures such as information campaigns that involve its embassies and consulates in source countries.

## KUWAIT (TIER 2)

Kuwait is a destination country for women, men, and children trafficked primarily from Bangladesh, Indonesia, Pakistan, the Philippines and Sri Lanka. Trafficking victims in Kuwait are primarily foreign women who come to Kuwait as domestic servants but are subsequently abused by their employers or coerced into situations of debt bondage or involuntary servitude. Some domestic servants are trafficked internally for sexual and labor exploitation. Some underage boys from South Asia, Sudan, Yemen, and Eritrea are trafficked from neighboring Gulf States to work as camel jockeys. Victims suffer debt bondage, involuntary sexual servitude, coerced labor, verbal and physical abuse, and the withholding of their passports or other required travel documents.

The Government of Kuwait does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government needs to develop and implement tools such as an anti-trafficking national action plan, comprehensive anti-trafficking legislation, and prevention and protection measures to effectively combat trafficking. As an interim measure, Kuwait should strengthen its penal laws and improve their enforcement.

### *Prosecution*

During the reporting period, Kuwait took positive actions to prosecute traffickers. Kuwait does not have a law specifically prohibiting trafficking in persons. The government established a regulation banning the employment of minor children as camel jockeys, although effective enforcement has yet to occur. Other laws prohibiting visa and residency permit-trading, slavery, forced labor, rape, assault, kidnapping, prostitution, pimping, operating brothels, and coercing or fraudulently inducing prostitution are indirectly used to combat trafficking. In 2003, 114 criminal and 96 misdemeanor charges were brought against abusive employers, some of whom are believed to be labor and/or sex traffickers. A Bangladeshi man was convicted and sentenced to death for trafficking two foreign women. A woman was sentenced to three years' imprisonment, fined, and ordered deported for engaging in prostitution. Three Kuwait police officers were arrested and await trial for allegedly raping a Filipino trafficking victim. Numerous employers were required to pay their former employees overdue wages and furnish airline tickets to allow their victims to return home. In 2003, the Ministry of Social Affairs and Labor referred more than 2,000 labor violations, many related to trafficking, to its Labor Investigation Department.

### *Protection*

In 2003, Kuwait made minimal efforts to protect trafficking victims. Domestic servants are not covered by Kuwait's Labor Law and consequently lack adequate legal protections. The government generally detains, jails, and deports trafficking victims if they are caught violating other laws material to their trafficking. The police have returned some victims to their abusive employers. Occasionally, the government provides limited financial assistance to victims, but it does not provide shelter nor does it provide visas to enable victims to pursue legal remedies. The government began requiring labor recruitment agencies to deposit money in a bank, which can be used to assist trafficking victims in the event they are repatriated. The Ministry of Interior has a department specifically responsible for licensing, regulating, and monitoring recruitment agencies that hire foreign domestic workers. The government closed 48 recruitment agencies and suspended the hiring privileges of 113 businesses for trafficking-related offenses. The Ministry also maintained a computerized database of "blacklisted" abusive employers barred from sponsoring domestic workers. In 2004, the government adopted a measure permitting some domestic servants to change employers.

***Prevention***

In 2003, Kuwait implemented important prevention measures. It licensed the Kuwait Union of Domestic Labor Offices (an association of labor recruitment agencies) to raise awareness about the treatment of domestic servants, cooperated with Indonesia in the repatriation of approximately 190 domestic workers, established a temporary inter-ministerial anti-trafficking committee to discuss anti-trafficking efforts and the treatment of domestic servants, and worked with the Government of the Philippines to ensure that Philippine nationals have documented evidence of overseas work authorization before Kuwaiti officials can issue them visas. In February 2004, the government banned the employment of expatriate women in billiard clubs in an effort to combat sex-related trafficking.

## LEBANON (TIER 2)

Lebanon is a destination country for African and Asian women trafficked for involuntary domestic servitude, and to a lesser extent, Eastern European and Russian women trafficked for the purposes of sexual exploitation. Many victims travel to Lebanon voluntarily and legally, but end up in coercive or forced labor conditions, or are subjected to physical and sexual abuse, physical confinement, withholding of wages, and confiscation of their passports.

The Government of Lebanon does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government does not have a national action plan to combat trafficking, nor does it have effective legislation to fight trafficking. These key anti-trafficking tools must be developed.

### *Prosecution*

The Lebanese Government took minimal steps to prosecute traffickers in 2003, partly due to the absence of specific anti-trafficking laws. Lebanon this past year expressed its intention to draft and pass such a new law. Existing statutes address only some aspects of trafficking, including the deprivation of personal freedom by abduction and forced sexual intercourse outside of marriage. The Lebanese Government provided limited law enforcement data on arrests, prosecutions, convictions and sentences involving traffickers. In 2003, an employer was sentenced to 15 days' imprisonment for beating and burning her Filipino maid, a Lebanese sponsor of a Sri Lankan maid was order to pay compensation and repatriation expenses due to injuries inflicted by the employer, and 131 suspects were arrested for smuggling persons. Lebanese authorities also closed five drinking establishments and one massage parlor and issued 51 warnings to 30 adult clubs for non-compliance with regulations, including prostitution.

### *Protection*

Lebanon has made modest progress in protecting victims of trafficking. It does not provide relief from deportation, shelter, or access to legal, medical, and psychological services. As a result, most trafficking victims tend to accept a cash settlement rather than confront their exploiters in court. The government cooperates with NGOs and allows them access to detention facilities so that they can provide legal services and counseling to victims. Lebanon also provides security for a U.S. Government-funded safe house for trafficking victims. It also often acts as mediator between victims and employers to resolve disputes and assists with voluntary repatriations. In November 2003, the government required employers to provide higher-value insurance to cover repatriation expenses of trafficking victims.

### *Prevention*

The Lebanese Government has taken some notable steps in the area of prevention. The government closed two employment agencies and signed a protocol with the Sri Lankan Government to ensure better working conditions for Sri Lankan nationals. In January 2004, it prohibited advertisements offering the services of foreign maids in an effort to combat the trafficking of unsuspecting women into situations of involuntary domestic servitude. Lebanon also regularly issues communiqués calling for Lebanese citizens to abide by the law that forbids the employment of workers without proper work and residency permits.

## MOROCCO (TIER 1)

Morocco is a country of origin, transit, and destination for women, men, and children trafficked from sub-Saharan Africa, the Arab region, and Asia. Young Moroccan victims are lured into Europe by Italian, Spanish, Moroccan, Algerian, and Nigerian traffickers and then forced into drug trafficking, coerced labor, and sexual exploitation. Moroccan women are trafficked to the Gulf region and Syria. Significant internal trafficking also takes place, usually involving child domestics and underage girls sold into marriage. An emerging sex tourism industry involving young Moroccans in and around popular tourist destinations of the country has also been reported.

The Government of Morocco fully complies with the minimum standards for the elimination of trafficking. In 2003, the government continued its aggressive fight against trafficking by establishing the Office of International Cooperation to lead the interagency coordination of Moroccan anti-trafficking policy. The government also enacted new anti-trafficking laws and strengthened existing laws; conducted anti-trafficking information campaigns; and, enhanced its cooperation with other affected countries and NGOs engaged in anti-trafficking efforts.

### *Prosecution*

In 2003, the government continued to strengthen and enforce its anti-trafficking laws. It created two new security agencies vested with the authority to investigate, arrest, and prosecute traffickers. It also passed a new family code prohibiting the selling of child brides and raising the age of marital consent to 18, and it made sexual abuse of children a crime by revising a penal code. The government formed a bi-national commission with Spain to dismantle human trafficking networks. Specific prosecutorial actions taken by the Moroccan Government include dismantling 265 human smuggling and trafficking operations and convicting 127 individuals. Official corruption is suspected at lower levels of government, but a new Immigration and Emigration Act that prescribes penalties for such conduct is expected to address this problem.

### *Protection*

In 2003, Morocco made concerted efforts to protect trafficking victims. It intensified its cooperation with other countries and NGOs in the repatriation of victims; began to provide counseling and repatriation services to underage Moroccan victims in Italy and Spain; provided training to its diplomats in prime transit and destination countries in counseling potential victims; and amended the penal code to promote the reunion of runaway child maids with their families, rather than their arrest for vagrancy. The revised code allows victims to be kept in youth centers separate from juvenile delinquents, if reunion is not possible. Trafficking victims jailed and/or detained for violating immigration or other laws material to their trafficking are not provided adequate legal representation. Morocco should provide or facilitate such legal service to victims.

### *Prevention*

In 2003, the Government of Morocco implemented important anti-trafficking prevention measures. It has stepped up the monitoring of its borders, airports, and train stations to prevent trafficking and migrant smuggling. It also announced plans to jointly conduct awareness campaigns with NGOs aimed at discouraging young Moroccans from emigrating illegally, and dissuading expatriates from aiding traffickers.



## QATAR (TIER 2 - WATCH LIST)

Qatar is a destination country for children who are trafficked from the Sudan, Somalia, and, to a lesser extent, South Asia to serve primarily as camel jockeys. Some women from Asia, Africa, and the former Soviet Union who come to work in Qatar may be placed in situations of coerced labor where they endure physical abuse or other extreme working conditions. Some of these women are trafficked for the purposes of sexual exploitation. Child victims endure difficult working and living conditions, characterized by physical violence and inadequate food and medical care. Camel jockeys' rights are not protected under Qatari labor laws, as their service is deemed a sports activity rather than a form of labor.

The Government of Qatar does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Qatar is placed on Tier 2 Watch List this year because of the lack of evidence of increasing efforts to combat severe forms of trafficking in persons. Qatari labor laws do not protect domestic workers from abuse and exploitation. Qatari criminal laws prohibit trafficking for sexual exploitation, but few cases have been prosecuted during the reporting period. In the few instances where cases related to trafficking for the purposes of sexual exploitation were brought before the courts, almost all the defendants were foreigners and the punishments rendered were light. In 2003, the government adopted a national action plan embodying broad anti-trafficking recommendations; if implemented effectively, the plan is likely to significantly improve Qatar's anti-trafficking enforcement, protection and prevention records. Qatar also needs to encourage and foster the engagement of civil society (NGOs) in trafficking prevention and victim protection activities.

### *Prosecution*

During the reporting period, the Government of Qatar took steps to investigate and prosecute traffickers. It has adopted a national action plan, which, if implemented, is expected to enhance its prosecution efforts. The plan, among other things, calls for criminal charges if children are used as camel jockeys; increased training for judges, prosecutors, and law enforcement professionals; and blacklisting and banning companies involved in trafficking from sponsoring and bringing workers into the country. In 2003, two travel agencies were closed for activities related to prostitution. In a similar case, the owner of a hotel was jailed and the manager deported. Nine cases of pimping and prostitution were prosecuted in 2003. Some of these cases may have involved trafficking for sexual exploitation. In one case of prostitution, three men received jail terms of 4-6 months, 60 lashes, and deportation; in another five people were sentenced to jail terms, 60 lashes, and deportation. As for labor cases, 579 workers filed complaints in the Labor Courts, of which 179 have been adjudicated, 190 dismissed, and 211 remain pending. Some of these cases may have involved trafficking. In addition, the Sharia Courts heard cases for non-payment of wages and ordered the defendants to pay back wages they owed. There are no reports indicating Qatar cooperates with other governments in the investigation and prosecution of traffickers of camel jockeys. Qatar needs to improve its record in this area.

### *Protection*

During the reporting period, Qatar made minimal efforts to protect trafficking victims. The Qatari Government does not provide victims with assistance or shelter. It lacks a witness protection program, and deports victims trafficked for sexual exploitation. In 2003, it held training sessions for government officials covering human rights issues, including trafficking. The government has adopted a series of recommendations—expected to take effect in 2004—that would sig-

nificantly increase its ability to protect victims. Recommended protection measures include the launching of a 24-hour hotline, the establishment of a Human Rights Department in the Ministry of Interior, the provision of shelters, and the training of police personnel and social workers.

### ***Prevention***

The Government of Qatar did not provide information on specific preventive measures it took over the reporting period. Nonetheless, it has adopted a series of recommendations, which, if implemented, are expected to enhance its overall prevention efforts. The recommended measures include: printing booklets in Arabic, English, Urdu, and Tagalog to inform immigrant workers of their rights and available assistance when they face problems; raising the minimum age for camel jockeys to 18 and imposing minimum body weights for jockeys to that which is appropriate for adults; conducting DNA tests to verify claimed familial ties between jockeys and guardians; performing retinal identification to prevent ID falsification; and taking X-rays to establish the age of camel jockeys. The recommendations also call for increased cooperation with source countries in the repatriation of victims.

## SAUDI ARABIA (TIER 2)

Saudi Arabia is a destination country for men, women, and children trafficked from South and East Asia and Eastern Africa for labor exploitation and from South Asia and Africa for forced begging. Victims come primarily from Indonesia, the Philippines, Sri Lanka, and Bangladesh to work as domestic servants and menial laborers; a small percentage is forced into situations of coerced labor or slave-like conditions. Despite the fact that it is against Saudi law, some low-skilled foreign workers have their passports withheld, contracts altered, and suffer non-payment of salaries of varying degrees and duration. Some South Asian and African children are trafficked to Saudi Arabia during pilgrimages; they end up in forced begging rings. Over 200 Afghan children were repatriated from Saudi Arabia in early 2004. Nigerian immigration authorities report receiving a number of trafficking victims returned from Saudi Arabia in 2003.

The Government of Saudi Arabia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. A lack of accessible data on trafficking-related cases and prosecutions prevents a complete and accurate assessment of the trafficking situation in Saudi Arabia. The Saudi Government should consider adopting comprehensive anti-trafficking legislation that would include foreign domestics. Mediation efforts should be limited to civil and labor complaints; Saudi authorities should send more cases of trafficking and abuse through the criminal justice system. Saudi Arabia should also take additional steps to prevent and investigate the trafficking of children for forced begging.

### *Prosecution*

Saudi law enforcement efforts remained difficult to gauge, as the government does not collect statistics on the number of convictions or prosecutions, though some trafficking and abuse convictions and sentences were announced in the media. Saudi Arabia does not have an anti-trafficking law, though most forms of trafficking are criminalized under disparate existing statutes. Domestic laborers are excluded from protection under Saudi Arabia's labor law. The vast majority of cases involving trafficking or abuse against foreign domestics—including complaints of a criminal nature—are settled out of court by mediation and cash settlements. An amended labor law is currently under review with the Majlis Ash-Shoura (Consultative Council). The government provides training for police officers to recognize and handle cases of foreign worker abuse. During the last year, the Saudi Government held bilateral discussions with governments of source countries in an effort to improve monitoring of potential trafficking situations involving foreign domestic workers in the Kingdom. In early 2004, Saudi authorities disrupted a cross-border (Yemen-Saudi Arabia) child-smuggling ring and arrested a man on charges of smuggling foreign maids into Jeddah for work in a brothel. This is the first reported case of trafficking for sexual exploitation in the Kingdom.

### *Protection*

The Saudi Government operates shelters called Welfare Camps in the three largest cities for abused female foreign workers, including some trafficking victims. Trafficking victims face disincentives to seeking the prosecution of their employer or trafficking; they must first file a police report before going to the government shelters if they are a party to a criminal complaint. In Dammam, the Eastern Province authorities established a Social Welfare Office for foreign workers with complaints. The office serves as a mediator between domestic servants and their employers. The police refer runaway domestic servants to the Social Welfare Office and then a mediation process begins. Few victims of trafficking receive encouragement to initiate criminal

prosecutions of their Saudi employers. Most disputes with employers, including some complaints of a criminal nature, are steered toward the mediation mechanisms; 90% of the cases subjected to mediation are resolved through a settlement that usually involves the employer providing monetary compensation to the employee. The government works with several Islamic charities to provide long-term care for abandoned children, including those that have been trafficked for forced begging. During 2003, in the case of the Afghan children, the government placed them in shelter facilities and coordinated their repatriation with the Transitional Islamic State of Afghanistan.

### ***Prevention***

Saudi Arabia's efforts to prevent trafficking increased over the last year, particularly in the area of foreign domestics. The government established several interagency committees to research and establish programs to educate foreign workers, facilitate repatriation, and protect children. The government allows only licensed recruitment agencies to operate in the Kingdom and these agencies may only deal with licensed agencies in the labor source countries. The Ministry of Foreign Affairs provides information about trafficking and abuse to foreign laborers when they receive their visas abroad. The government supported a public service announcement targeting abused domestics, telling them to seek assistance at the government-run shelter facilities. To limit the number of "free visas," or visas not attached to an actual position, the Ministry of Labor and Social Affairs took over the authorization of visas for foreign laborers. A program to distribute information to foreign workers at Saudi Arabian airports upon arrival has not yet been fully implemented. The Ministry of Labor and Social Affairs also established a database of known abusers of foreign laborers to prevent them from hiring anyone in the future.

## UNITED ARAB EMIRATES (TIER 2)

The United Arab Emirates (U.A.E.) is a destination country for men, women and children trafficked primarily from South and East Asia and the former Soviet Union for the purposes of sexual and labor exploitation. A significant number of foreign women are lured to the U.A.E. under false pretenses and subsequently forced into sexual servitude, primarily by criminals of their own country who take advantage of the U.A.E.'s openness. Far fewer boys are trafficked from South Asian countries to serve as forced camel jockeys due to the U.A.E.'s effective implementation of new measures to curb this form of trafficking.

The Government of the U.A.E. does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The U.A.E. is categorized as Tier 2 this year because of the lack of evidence of appreciable progress in addressing trafficking for sexual exploitation. Significant efforts to address sex trafficking would include a revised law criminalizing trafficking as defined distinctly from prostitution or immigration violations, clearly defined standards for identifying trafficking cases by U.A.E. law enforcement authorities, more vigorous steps to identify and rescue trafficking victims among the thousands of foreign prostitutes in the U.A.E., and prosecution of foreign traffickers operating in the Emirates.

### *Prosecution*

The U.A.E. does not have an anti-trafficking law, though most forms of trafficking are criminalized under disparate existing statutes. A 2002 presidential decree against the use of children below the age of 15 for camel jockey work was well enforced by the Emirates' Camel Racing Federation during the reporting period. U.A.E. media widely reported on the decree's implementation throughout the year. The U.A.E. Government took limited steps to enforce laws against prostitution and trafficking; more vigorous efforts will be required. Enforcement efforts focused largely on the arrest of 4,924 foreign women, some of them possibly trafficking victims, for prostitution. The Dubai police reported 166 cases of trafficking-related cases involving foreigners, and five cases involving U.A.E. citizens; some of these cases may be related to prostitution. The Dubai authorities also report closing 104 travel agencies for visa trading, including the possible sale of visas to traffickers. There were five cases of "forced prostitution" (trafficking) prosecuted in the U.A.E. in 2003. Police in Abu Dhabi and Dubai Emirates do not clearly distinguish trafficking cases from prostitution and illegal immigration.

### *Protection*

The U.A.E. Government's efforts to protect victims of sex trafficking are weak, in large part because police and immigration authorities do not systematically distinguish trafficking victims from people arrested for immigration violations or prostitution-related offenses who are living and working in the U.A.E. voluntarily. The U.A.E. police reportedly continue to arrest trafficking victims along with prostitutes and incarcerate them. Efforts to identify and protect victims of trafficking for camel jockey work are excellent. In what has become a model for the region, the U.A.E. Government uses DNA testing to verify the familial ties of the adults claiming to be the parents of children brought to the U.A.E. Through DNA testing, 47 children trafficked to the U.A.E. by false "parents" were detected in 2003. During the same time period, over 250 Pakistani and Bangladeshi children, trafficked to the U.A.E. as camel jockeys, were repatriated by the U.A.E. Government. Foreign domestic workers, who in rare cases encounter involuntary servitude conditions that meet the definition of trafficking, are afforded adequate protections under U.A.E. law.

***Prevention***

The U.A.E. has made substantial efforts to prevent incidents of trafficking, particularly the trafficking of children for camel jockey work and the severe exploitation of foreign domestic workers. Its Ministry of Labor (MOL) distributes informational material to newly arrived foreign workers, advising them of their rights under Emirati law, and providing them with guidance on how to handle disputes or abuses, including contact information for the MOL and foreign embassies and consulates in the U.A.E.. The Ministry of Information has increased public awareness through information campaigns about the trafficking of boys for camel jockeys. The Dubai Police and Human Rights Care Department conducted informational seminars on trafficking during the year and the Ministry of Foreign Affairs engaged the IOM in discussions over future cooperation to prevent trafficking to the U.A.E. and protect victims found in the Emirates. The U.A.E. in July 2003 banned the long-standing practice of employers holding their employees' passports, and encouraged employees to contact the police for assistance with reclaiming their passports.



আর্থ

ব্যক্তিগত শিশুশ্রম প্রকল্প

কেন্দ্রের নাম: কাঠাল চাপা

শুরুর তারিখ: ০১-০১-২০০২, ওয়ার্ড নং- ৫৪

২৪/৪, পাগলা মাজারে মগবাজার, ঢাকা-১২১৭.

# SOUTH ASIA



*KALA GREW UP IN WEST BENGAL, AND WAS MARRIED OFF BY HER FAMILY AT THE AGE OF 12. Her new husband was twice her age. Within weeks she ran away to live with a great aunt, seeking refuge from her husband's sexual violence. She was forcibly returned to her husband, and suffered the drudgery of domestic servitude by day and sexual torture by night. Kala ran away again, six months pregnant, and found a "Good Samaritan" who sold her into prostitution for less than 25 US Dollars. Her new madam forced her to have an abortion and to serve customers at the brothel within days. Kala was rescued from the brothel and is now receiving care from an NGO.*



## AFGHANISTAN (TIER 2)

Afghanistan is a source and transit country for women and children trafficked for the purposes of sexual exploitation and labor. Children are trafficked to Pakistan, Iran, and Saudi Arabia for begging, labor, and prostitution. Children are often trafficked with the consent of their parents who are told they will have better educational and job opportunities abroad. Over 200 Afghan children were repatriated from Saudi Arabia in early 2004. Women and girls are kidnapped, lured by fraudulent marriage proposals, or sold for forced marriage and prostitution in Pakistan. Women and girls are also trafficked internally as a part of the settlement of disputes or debts as well as for forced marriage and labor and sexual exploitation. Boys are trafficked internally mainly for labor and sexual exploitation. Iranian women transit Afghanistan to Pakistan where they are forced into prostitution.

Given the extremely limited resources available to the Transitional Islamic State of Afghanistan, the anti-trafficking efforts seen in 2003 are commendable. Over the last year, new information—particularly an exhaustive International Organization for Migration (IOM) report—shed light on Afghanistan's sizeable trafficking problem, justifying the country's debut on this report.

The Transitional Islamic State of Afghanistan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so despite severe resource constraints. As a country in transition after more than 20 years of armed conflict, the government is rebuilding infrastructure and re-establishing the police and judicial system. By adopting comprehensive anti-trafficking legislation and seeking continued cooperation with donors and international organizations, the government can begin to sustain and strengthen its nascent efforts.

### *Prosecution*

Afghanistan's law enforcement actions against trafficking improved during 2003, as police arrested suspected traffickers and for the first time rescued victims. The judiciary currently applies a mix of legal codes, Shari'a law, and customary law. Traffickers may be prosecuted under a number of statutes prohibiting kidnapping, rape, forced labor, transportation of minors, and child endangerment. In September 2003, police in Takhar intercepted a convoy carrying more than 50 children from Badakhshan and arrested eight men on suspicion of trafficking. Two people were arrested in Baghlan for allegedly kidnapping 12 children from Badakhshan with the intent to traffic them to Peshawar, Pakistan. Unreliable communication between government officials, and a lack of crime statistics in general, preclude the systematic monitoring of trafficking cases. Given the resources of the Transitional Islamic State of Afghanistan, adequate border monitoring is not feasible.

### *Protection*

The Ministry of Labor and Social Affairs and UNICEF in 2003 established a transit center and a family verification system to assist in reuniting trafficked children with their parents. By March 2004, 219 children had been repatriated from Saudi Arabia. Representatives from the Ministry of Labor and Social Affairs and the Afghan Independent Human Rights Commission monitor each child's reintegration at the local level, including obtaining signed guarantees that the child will not be sent away in the future. Beyond basic repatriation services, such as providing clothes, temporary shelter, and documenting and monitoring reunification, government authorities lack the resources to provide further assistance.

***Prevention***

The Transitional Islamic State of Afghanistan established an inter-ministerial Child Trafficking Commission that includes representatives from international organizations to develop coordination between ministries. UNICEF and the Afghan Independent Human Rights Commission conducted a workshop on child trafficking in September for police officers from all 32 provinces, border police officials, and representatives from the Ministries of Justice, Women's Affairs, and the Kabul Juvenile Court. The Ministry of Hajj and Religious Affairs also held meetings in Kabul with 100 mullahs (Islamic clergy) to discuss trafficking and enlist their support in using their positions of influence to spread an anti-trafficking message. In October, provincial government officials, representatives from the Ministry of Justice, police, and local NGOs attended workshops on abduction and child trafficking in the northern provinces of Kunduz and Takhar. The Afghan Independent Human Rights Commission conducted workshops on trafficking and disseminated posters on child rights and trafficking to schools, government departments, and the police.

## BANGLADESH (TIER 3)

Bangladesh is a country of origin and transit for women and children trafficked for the purposes of sexual exploitation, involuntary domestic servitude, and debt bondage. An estimated 10-20,000 women and girls are trafficked annually to India, Pakistan, Bahrain, Kuwait, and the United Arab Emirates (U.A.E.). A small number of women and girls are trafficked through Bangladesh from Burma to India. Bangladeshi boys are also trafficked into the U.A.E. and Qatar and forced to work as camel jockeys and beggars. Women and children from rural areas in Bangladesh are trafficked to urban centers for commercial sexual exploitation and domestic work.

The Government of Bangladesh does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Bangladesh has moved from Tier 2 to Tier 3 because it failed to make significant efforts to prosecute traffickers and address the complicity of government officials in trafficking. Overall, the government's anti-trafficking efforts stagnated although there was progress in the area of building public awareness and prevention. Public corruption is rampant, although the government did pass legislation in February 2004 to create an Anti-Corruption Commission to investigate and prosecute cases of all types of corruption. Police officials are known to facilitate trafficking of women and children, though none has ever been charged or arrested. Bangladesh should take greater steps to address government corruption and prosecute officials who are involved in trafficking. The Bangladeshi Government works in close cooperation with the various NGOs fighting trafficking.

Although the government faces significant resource constraints, it receives considerable international assistance, some of which could be used to attack corruption in the police and judiciary, and some of which is already being used to provide social services for trafficking victims. The government has failed to make a priority of protecting trafficking victims or prosecuting their exploiters.

### ***Prosecution***

The government's efforts led to 72 arrests of suspected traffickers in 2003—an increase from 60 arrests made the previous year—although convictions declined from 30 in 2002 to 17 in 2003. The police should take far greater initiative in pursuing trafficking investigations and follow through on a previous commitment to create a specialized anti-trafficking unit. No public officials were prosecuted for trafficking crimes during the reporting period. The August 2003 creation of a “Speedy Trial” anti-trafficking court, which could handle trafficking prosecutions, was a notable achievement, though it has not yet produced a trafficking conviction. The government does not adequately monitor its borders; corruption among border guards is a major obstacle to anti-trafficking progress.

### ***Protection***

The government does not offer shelter to trafficking victims, but refers victims to NGOs such as the Bangladeshi Women Lawyers Association for shelter, medical care, and counseling. The government does not provide witness protection in trafficking prosecutions. Bangladesh provided no training to its overseas diplomats on detecting and caring for victims of trafficking in key destination countries.

### ***Prevention***

During the reporting period, the government showed continued, modest efforts to prevent trafficking in persons. The Ministry of Women and Children's Affairs (MOWCA) in early 2004 led an

inter-ministerial effort to raise awareness on trafficking and other forms of violence against women. In 2003, MOWCA established "one-stop" crisis centers in two hospitals for female victims of violence, including trafficking victims, and led month-long "Road Marches" in 2003 and 2004, covering 38 of 64 districts to highlight trafficking problems. In an effort to prevent trafficking, the Ministry of Expatriate Welfare and Overseas Employment issued new regulations in December 2003 governing the recruitment of Bangladeshi women for work as domestic servants in Saudi Arabia.

## INDIA (TIER 2 - WATCH LIST)

India is a source, transit, and destination country for women, children, and men trafficked for the purposes of sexual and labor exploitation. Indian men and women are placed into situations of coerced labor and sometimes slave-like conditions in countries in the Middle East and children may be forced to beg or work as camel jockeys. Bangladeshi women and children are trafficked to India or transit through India en route to Pakistan and the Middle East for purposes of sexual exploitation, domestic servitude, and forced labor. Nepalese women and girls are trafficked to India for sexual exploitation, domestic servitude, and forced labor. India is also a growing destination for sex tourists from Europe, the United States, and other Western countries. Internal trafficking of women, men, and children for purposes of sexual exploitation, domestic servitude, bonded labor, and indentured servitude is widespread.

The Government of India does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Considerable progress was made in the area of prosecutions this past year, but police efforts continue to be hindered by a lack of coordination among different state police departments, weak interstate networking among the police, and lack of access to information technology for collecting information and surveillance. India needs to disseminate and share information better; create a data collection system for detecting interstate and cross border trafficking; and improve the collection and analysis of data on trafficking-related arrests, prosecutions, convictions, and sentences. Sensitization and anti-corruption training linked to trafficking should be delivered down to the lowest level law enforcement officers. Adoption of comprehensive anti-trafficking legislation, or amending existing legislation to remove sections used to punish victims, would significantly improve India's fight against trafficking.

India is placed on Tier 2 Watch List this year as the result of its failure to demonstrate increased central government law enforcement response to India's huge trafficking problem and inadequate local prosecutions in Mumbai and Calcutta. Sustained and improved law enforcement efforts at the state level were again not matched by central government efforts to investigate and prosecute the most significant criminal forces behind India's trafficking industry. The vast majority of trafficking in India occurs across state lines, making these crimes inherently difficult for state police agencies to investigate and prosecute without central coordination. Trafficking across India's international borders remains significant. The central government in New Delhi has not made sufficient efforts to use its national law enforcement agencies to investigate and prosecute interstate and international trafficking. There remain no prosecutions of trafficking offenses by the federal government. The Indian Government should recognize trafficking as a federal offense and prosecute it accordingly, bringing its considerable resources to bear against the problem.

Whereas the Government of India's efforts to combat trafficking in persons is uneven, Indian NGOs are world leaders in their activities to fight trafficking.

### *Prosecution*

The number of local arrests, convictions, prosecutions, and sentences increased considerably in 2003, particularly in New Delhi, and Chennai. There were numerous reports of victims charged as criminals, brothel owners paying bribes to law enforcement officials, tip-offs of upcoming raids by corrupt officials, and border officials turning a blind eye to trafficking. Continued anti-corruption and sensitization training linked to trafficking for law enforcement and government officials in addition to severe penalties for complicity is essential for India to strengthen its law enforcement efforts against traffickers in the future.

Precise law enforcement statistics relating to arrests, prosecution, and convictions are difficult to obtain in India, and the time between arrest, trial and case conclusion can vary greatly. Trafficking is prosecuted under many different laws, making it very difficult to identify which cases are prosecuted as trafficking cases. From January to May 2003, various Indian states initiated prosecutions of at least 2,504 cases against those employing child laborers, of which a significant proportion may be trafficked, and reported 318 convictions; most were the result of prosecutions begun in 2002.

Mumbai police established a special anti-trafficking squad of over 30 officers focused on combating sexual exploitation of women and children and trafficking in Mumbai's bars. Fifty-seven women and 10 girls were rescued in a sweep of the Jamuna Mansion brothel in Mumbai last July. The police brought charges against 18 brothel owners for kidnapping a minor for prostitution. In November 2003 the Mumbai police carried out a coordinated raid on seven brothels. Twenty women, including minors, were rescued and brothel owners and customers were arrested. A criminal lawyer was also arrested for selling a 15-year-old girl to a brothel after obtaining bail for her. Mumbai city police together with NGOs recently rescued over 100 children aged 9-12 employed in sari factories. A judge in Mumbai sentenced two brothel owners to five years' imprisonment and a fine of 65,000 rupees each.

In February 2004, the Mumbai police unit conducted a raid on 52 bars across the city and arrested 1,500 people. It is unclear how many traffickers were arrested or how many victims of trafficking were rescued in these raids. Together with the Mumbai and Navi police, an NGO assisted in conducting 36 raids and rescued 120 girls trafficked into prostitution. These raids resulted in 19 prosecutions and only three convictions. Considering Mumbai is home to one of the largest red light districts in the world, the number of convictions handed down in the past year is grossly inadequate.

The state of Tamil Nadu established two anti-trafficking squads. Over a five-month time period, the Tamil Nadu police investigated 28 cases of trafficking, in which 49 people were arrested and 118 girls were rescued. Twenty-five cases against sex traffickers are pending in the Tamil Nadu courts. In the past year, 90 traffickers were arrested under Sections 4 and 5 of the ITPA, and 19 were convicted. There is no information on the sentences handed down to these traffickers. The Tamil Nadu Railway Police arrested six people for trafficking children for labor exploitation. In February 2004, the police and Social Defense Department rescued 27 children brought to Chennai for sexual exploitation and arrested five suspected traffickers, whose cases are ongoing. The state government of Tamil Nadu also initiated prosecution against 550 employers over the last year for employing child labor, the majority of which is believed to be trafficked.

In 2003, over 180 traffickers were arrested in New Delhi, of which 35 were convicted. Of those convicted, 27 were sentenced to prison terms of seven years or more—the maximum penalty. New Delhi police also permanently closed three brothels for repeated offenses related to holding minors on their premises. Three people were sentenced for kidnapping and forcing a boy into bonded labor. Police in New Delhi arrested a man running a fraudulent manpower agency that sent 73 people to Libya for non-existent jobs.

Other Indian states have also taken action against traffickers. In 2003, the Calcutta City police arrested and charged 30 people for kidnapping for prostitution under the Indian Penal Code. The Calcutta police also arrested 168 people under the Immoral Trafficking Protection Act (ITPA),

charged 99 people, and convicted only 10. Calcutta police efforts to rescue minor trafficking victims have been stymied by efforts of the city's "sex workers union" to block police access to major red-light areas. Violence and mob tactics by the "sex workers union" against police and prosecutors may contribute to the low rate of arrests and successful prosecutions in Calcutta.

Karnataka and Tamil Nadu state police working together with an NGO rescued 33 child victims and arrested two traffickers. The Karnataka police and an NGO collaborated on anti-trafficking actions resulting in 66 trafficking arrests, of which 62 resulted in prosecutions. In 2003, the Andhra Pradesh state police charged 130 people with trafficking related offenses, 68 were under sections four, five, six, and seven of the ITPA. In the state of Haryana, 23 trafficking-related arrests took place in the last eight months. In Nagaland, six people were charged under ITPA statutes over the past year and there are three ongoing cases in the state of Meghalaya.

The four principal laws that address trafficking are the ITPA, various provisions of the Indian Penal Code, the Juvenile Justice Act, and the Child Labor Act. Legislation also exists in numerous states to prohibit the dedication to religious shrines of girls for exploitation. India's Constitution establishes law enforcement as a state responsibility, so state police forces take the lead in fighting trafficking, although much of the trafficking crosses several state or international borders. One weakness of the ITPA is that it permits the arrest of prostitutes for soliciting (Section 8) as well as arrest of traffickers (Section 7). In the past, victims were arrested far more frequently under Section 8 of the ITPA than were traffickers under Section 7. The Ministry of Law and Commerce, in consultation with the National Law University in Bangalore and non-governmental organizations, drafted amendments to the ITPA to remove Section 8. These amendments are awaiting approval by the government before submission to the Parliament.

Endemic corruption among law enforcement officials impedes India's progress in combating trafficking in persons. Many low-level border guards take bribes or turn a blind eye to cross-border trafficking. Some police officers have been implicated in tipping off brothels to impending raids. NGO's have conducted anti-trafficking training for state and federal police officials, reaching many high level officers; it is critical that lower-level officers also receive this training on trafficking. In July, police arrested a Punjab police officer for trafficking a minor into his home for labor and sexual exploitation. Lucknow police arrested a civil judge and six others for running an interstate trafficking ring. In March 2004, a New Delhi city court charged two subdivisional magistrates and two others for their role in trafficking people abroad by forging documents and facilitating the trafficking of illiterate, unskilled laborers.

### ***Protection***

The central government over the past two years has opened 80 Protective Homes that provide custodial care, education, vocational training, and rehabilitation to victims of trafficking. The Department of Women and Child Development (DWCD) established a network of over 350 short stay homes for the protection and rehabilitation of victims. The quality of rehabilitation and care facilities at government sponsored shelter facilities varies widely. Many government homes have been criticized for their lack of professional staff and harsh treatment of victims. To improve victim care at government-run facilities, some state governments, such as West Bengal, New Delhi, and Bihar allow qualified non-governmental organizations to place counselors in the

shelters or manage the facilities. These public-private partnerships should be expanded. The Central Social Welfare Board provides financial assistance to NGOs to run development and care centers for the children of trafficking victims. The DWCD continues to sponsor the “Swadhar” program to provide services to women, including trafficking victims. The state of Maharashtra received \$1.25 million to construct a new shelter facility for rescued trafficking victims. A Calcutta-based NGO received Swadhar funding to expand its shelter for minor victims of trafficking.

State governments implemented a number of projects targeting the rescue and rehabilitation of victims through their own agencies and in collaboration with NGOs. The Karnataka government’s devdasi rehabilitation program offers training in different vocations. The Andhra Pradesh state government runs six short stay homes. In addition, the Andhra Pradesh state government provided land to an NGO to build a shelter and rehabilitation center for trafficked women and girls in the area that constitutes Andhra Pradesh’s major source of trafficking victims. The Maharashtra state government established a Guidance and Monitoring Committee for state-run juvenile homes enabling them to be co-managed by social welfare and anti-trafficking NGOs. As part of this effort, Maharashtra’s Social Defense Department increased staff; added nurses, physicians, and psychiatrists to the facilities; improved diets; and increased recreational, vocational and literacy opportunities and individual counseling. The Maharashtra state government established special Juvenile Homes with facilities for vocational training, counseling, and health care for sexually exploited victims. Victims are provided monthly financial assistance and their children receive free educational materials. The Tamil Nadu state government runs five shelter homes for women, including trafficking victims, with a capacity of 500. Besides rehabilitation, the Tamil Nadu state government operates a fund to assist female victims of trafficking and other forms of violence.

### ***Prevention***

The central and state governments continue to support a variety of prevention programs begun in past years. A joint program of the U.S. and Indian Governments will provide \$40 million for programs to move child laborers, of whom many are trafficked, into the schoolroom. The Central government also approved and began implementing a \$133.78 million plan to eliminate child labor from hazardous occupations by 2007.

To prevent the commercial sexual exploitation of children, the state of Goa passed the Children’s Act of 2003, which criminalizes child labor, child prostitution, child abuse, and child trafficking. A unique clause in the law prevents tourists from escorting an unrelated child. The Act does not allow a child to enter any room of any hotel or establishment which provides boarding or lodging, unless with a family member. Hotels must ensure that children are protected on their premises, and also in adjoining beaches and parks.



## NEPAL (TIER 2)

Nepal is a source country for girls and women trafficked to India for the purposes of forced prostitution, domestic servitude, forced labor, and work in circuses. Many victims trafficked to India are lured with promises of decent work or marriage. Other victims are sold by family members or kidnapped by traffickers. Women are trafficked to Saudi Arabia, Malaysia, the United Arab Emirates, and other Gulf countries, as well as the Hong Kong Special Administrative Region for domestic servitude. Internal trafficking for forced labor and sexual exploitation also takes place. The Maoist insurgency continues to abduct and forcibly conscript children; since September 2003, it has abducted approximately 950 children.

The Government of Nepal does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Political instability and the armed Maoist insurgency, which now affects all parts of the country, prevented government efforts to combat trafficking in some areas. Several government coalitions have been unable to retain power; following the dissolution of parliament in May 2002, no elections have been held. As a result, draft legislation authorizing the prosecution of trafficking-related offenses remains in limbo, and the National Plan of Action has yet to be implemented. Passage of the draft legislation would further Nepal's fight against trafficking.

### *Prosecution*

Nepal's law enforcement efforts against trafficking are limited due to continuing political instability and a severe lack of resources. Maoist insurgency activities have led to the withdrawal of police from most rural areas, and the number of reported investigations of trafficking decreased to 72. The Human Trafficking Control Act of 1986 criminalizes trafficking in persons, but the absence of a national legislature continues to delay enactment of comprehensive legislation. Prosecution of traffickers over the reporting period led to more stringent punishment being handed down. In June 2003, courts convicted seven Nepalis of trafficking over 100 victims to India, sentencing the ringleader to 75 years' imprisonment, while other members of the ring received sentences ranging from 12-36 years. In February 2004, a district court convicted a Nepali of selling his cousin to a brothel in India and sentenced him to a minimum of 15 years' imprisonment. NGO-assisted prosecutions resulted in enhanced penalties for traffickers. Cases brought by government attorneys have been far less successful.

### *Protection*

The government provides limited funding to local NGOs to provide assistance with rehabilitation, medical care, and legal services. Directly and through district-level task forces, the Ministry of Women, Children and Social Welfare (MWCSW) coordinates NGO provision of victim rehabilitation and assistance. Victims are not detained, jailed, or deported, nor are they prosecuted for violations of other crimes. Although the police lack a formal referral process, victims are often transferred to local NGOs.

### *Prevention*

The MWCSW, NGOs, and UNIFEM implemented a nationwide anti-trafficking information campaign including radio programs, booklets, pamphlets, and billboards. Village Vigilance Committees formed in high-risk districts help train local residents to recognize possible trafficking cases. Government-initiated income-generation projects were introduced in more than 3,900 villages, providing micro-credit loans and poverty alleviation for women. Under a 2003 govern-

ment initiative, all workers traveling overseas for employment are required to attend an orientation session explaining worker rights, safety issues, and relevant regulations. The government established a labor office at the airport to provide similar assistance to foreign-bound workers.

## PAKISTAN (TIER 2 - WATCH LIST)

Pakistan is a source, transit, and destination country for trafficked persons. Women and girls are trafficked to Pakistan from Bangladesh, Afghanistan, Iran, Burma, Nepal, and Central Asia for forced commercial sexual exploitation and bonded labor. Girls and women from rural areas are trafficked to urban centers for commercial sexual exploitation and labor. Women trafficked from East Asian countries and Bangladesh to the Middle East often transit through Pakistan. Adolescent boys are vulnerable to forced recruitments from local madrassas (Islamic schools) by armed groups fighting in Afghanistan and in Kashmir. Men, women, and children are trafficked to the Middle East to work as bonded laborers or in domestic servitude. Tougher enforcement efforts in Pakistan and the ban on child camel jockeys in the United Arab Emirates are believed to have reduced the numbers of boys trafficked through Pakistan for that purpose.

The Government of Pakistan does not fully comply with the minimum standards for the elimination of trafficking; however it is making significant efforts to do so. Pakistan is placed on Tier 2 Watch List this year because of a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year. Authorities in Pakistan do not consistently differentiate between trafficking and smuggling so actual rates of prosecution are difficult to determine. Lack of resources also limits victim assistance efforts. Government officials greatly need training on the distinction between trafficking and smuggling; this along with increased resources allocated to victim assistance would significantly further Pakistan's fight against trafficking.

### *Prosecution*

Pakistan's law enforcement efforts greatly increased over last year, when only 11 persons were arrested for trafficking, although Pakistan's rate of convictions remains quite low. According to the Federal Investigative Agency, 416 trafficking cases were investigated under the new legislation, 350 arrests were made, 60 cases went to trial, and six convictions were handed down. Several cases remain pending in the courts. A number of these cases may be smuggling cases, as law enforcement officials do not often distinguish between trafficking and smuggling. The Federal Investigative Agency and police increased their training efforts so that officers may better recognize trafficking cases and respect victims' rights. If rape or forced prostitution cases are prosecuted under "Hudood" ordinances (Islamic family law), a victim's testimony may be tantamount to an admission of adultery if prosecutors conclude the testimony does not meet the burden of proof. In 2003, two Federal Investigative Agency officials were prosecuted for corruption related to trafficking, and 15 others received disciplinary action.

### *Protection*

In Pakistan, NGOs provide the majority of assistance and protection services for victims. The Prevention and Control of Human Trafficking Ordinance calls for the government to provide victims relief from deportation, and access to medical care, shelter, and food. Victims may also be granted monetary compensation by the courts under this ordinance, but a severe lack of resources precludes the government from providing many of these services. The government does refer a few victims to NGOs to provide assistance. Victims continue to be officially detained and charged with underlying offenses material to their trafficking, such as immigration violations and prostitution.

### *Prevention*

The government does not support specific anti-trafficking prevention programs, but it does provide funding for poverty alleviation, eradication of child labor, female education, and women's income-

generation projects. In April, the Prime Minister established an Inter-Ministerial Committee on Human Trafficking, Smuggling and Illegal Immigration that is charged with developing a comprehensive policy to combat trafficking. The government organized two conferences to educate government officials and NGOs about trafficking.

## SRI LANKA (TIER 2)

Sri Lanka is a source country for women who are trafficked to Lebanon, Saudi Arabia, Kuwait, the United Arab Emirates, Bahrain, and Qatar for the purposes of coerced labor and sexual exploitation. A smaller number of Thai, Chinese, and Russian women were trafficked to Sri Lanka for commercial sexual exploitation. Women and children are trafficked internally for domestic and sexual servitude. Boys and girls are victims of commercial sexual exploitation by pedophiles in the sex tourism industry. The Liberation Tigers of Tamil Eelam (LTTE) forcibly conscript children for purposes of forced labor and military conscription. Although a formal cease-fire has been in place since February 2002, the LTTE continued to forcibly conscript children, abducting at least 75 children in the September-October 2003 period alone.

The Government of Sri Lanka does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The LTTE controls territory in the North and East, and in these areas the government is unable to investigate or prosecute traffickers. Sri Lanka should increase its cooperation with foreign governments and it should take greater steps to investigate and prosecute labor trafficking, sex tourism and pedophiles.

### *Prosecution*

Sri Lanka's law enforcement efforts against trafficking improved with the introduction of a computerized immigration system that expands the number of officials that can input names of suspected traffickers or sex tourists who are subjects of an investigation and prevent them from leaving the country. The National Child Protection Authority (NCPA) instituted a CyberWatch Project to monitor suspicious chat rooms. Sting operations were conducted based on information gathered in these chat rooms, leading to several trafficking arrests. The Penal Code specifically criminalizes trafficking in persons. There were 190 investigations by the police into trafficking cases, which resulted in 33 prosecutions and six convictions. For those convicted, the sentence was one year of rigorous imprisonment and a fine of Rs 100,000 (about \$1,000). Authorities conducted four investigations into alleged child trafficking; two cases were prosecuted and convicted, resulting in the deportation of the foreign individuals involved. Evidence collected by Sri Lankan authorities has assisted the United Kingdom in prosecuting a man for actions related to child sex trafficking. The government has extradition agreements with other Commonwealth countries.

### *Protection*

The government runs rehabilitation camps, which offer medical and counseling services for victims of internal trafficking. The NCPA provides similar assistance to victims of commercial sexual exploitation and former child soldiers. The government provides a monthly food supplement to child victims registered with NGOs, and the government encourages victims to testify against their traffickers. The Ministry of Foreign Affairs assigns welfare officers to Sri Lanka's foreign missions to aid and assist women who may be victims of trafficking in the Middle East.

### *Prevention*

The NCPA includes child trafficking and commercial sexual exploitation of children in their information and public awareness campaigns. Some hotels in tourist areas known for commercial sexual exploitation of children now refuse to allow unaccompanied minors on their premises. The Ministry of Employment and Labor together with the ILO and IOM supported an educational campaign informing women intending to work in the Middle East of their rights and available remedies.



PROGRAMA  
INFAN  
EN ESTE CASO  
LOS NIÑOS  
ACTIVIDAD  
LAS ORGANIZACIONES  
A FAVOR DE  
DEL TRABAJO

COMITÉ DE GESTIÓN DEL DESARROLLO  
AGENCIA MUNICIPAL  
TENIENTE GOBERNADOR  
APATA  
CLUB DE MADRES  
SITTIAMI S.A.  
COOPERACION  




# WESTERN HEMISPHERE





## ARGENTINA (TIER 2)

Argentina is primarily a destination country for men, women and children trafficked for sexual exploitation and labor. Most foreign victims are women and children trafficked from Paraguay, Bolivia, Brazil, and the Dominican Republic to supply Argentina's sex trade. Argentine victims are similarly trafficked from rural to urban areas within the country, but they have also been trafficked overseas, mainly into prostitution in Spain. Bolivians are trafficked into Argentina for forced labor. More complete information, pointing to a significant number of victims, has made it possible to include Argentina in this report for the first time.

The Government of Argentina does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Government officials should more forcefully acknowledge Argentina's trafficking problem and adopt national policies to address it. The government should also strengthen law enforcement efforts and deal firmly with corrupt officials. Argentina should cooperate more actively with its neighbors, Paraguay in particular, to detect and shut down trafficking rings and vigorously prosecute trafficking criminals.

### *Prosecution*

Trafficking detection and anti-trafficking prosecution efforts in Argentina are uncoordinated. Prosecutors are hampered by police corruption. Furthermore, the country's law enforcement officers lack a clear mandate from political leaders and resources to aggressively pursue domestic and international traffickers. In the absence of a single comprehensive anti-trafficking law, authorities should much more rigorously enforce existing statutes on conspiracy, child prostitution, sex slavery, and forced labor. A December 2003 migration law could be used against traffickers and carries sentences ranging from one to eight years. In December 2002, officials prosecuted and tried at least four individuals, resulting in one conviction (the defendant received a four-and-a-half year sentence). In a related bribery case, 19 public officials, including police officers, were charged and await trial. Investigations undertaken in another case brought in early 2004 resulted in convictions of three traffickers who received sentences of three to four years. Two more trafficking-related cases are expected to go to trial in 2004, and at least eight other cases are pending.

### *Protection*

Argentina lacks a comprehensive nationwide policy of victim protection and, as a result, victim care is sometimes poor. Buenos Aires has a good program for victim protection, aiding dozens of victims, and police department staffs in outlying areas include psychologists to aid victims and witnesses. Some victims qualify for federal government assistance, but most provincial officials are not trained to identify or specifically help victims of trafficking. The Ministry of Foreign Affairs has begun to train consular officials to assist Argentine victims abroad, but no data are yet available on the number of possible victims helped.

### *Prevention*

The national government has no comprehensive policy to prevent trafficking, although isolated preventive measures are in place. The Presidents of Argentina, Paraguay, Brazil and Uruguay have signed an agreement with a provision highlighting the need to coordinate efforts to combat trafficking. The most noticeable prevention activity is found in the city of Buenos Aires, where the government has established a network to conduct information campaigns, outreach, and child victim identification. In addition, the government is participating in an ILO project to prevent and eliminate commercial sexual exploitation of children in the border region with Brazil and Paraguay.

## BELIZE (TIER 2 - WATCH LIST)

Belize is a transit and destination country for men, women, and children trafficked for sexual exploitation and debt bondage. Belizean brothel operators contract with traffickers to bring women and girls from Central America into Belize for the sex trade. Belizean girls are also trafficked internally for sexual exploitation in prostitution and pornography. Because of Belize's lax border controls, illegal migrants—notably from China and India—enter and transit the country, bound for Mexico and the U.S. Many illegal migrants perform labor in Belize to pay off their huge smuggling debts; they may be forced to do this work.

The Government of Belize does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Belize's efforts were reassessed to have met the requirements of Tier 2 in September 2003 as a result of several government initiatives: the enactment of a comprehensive anti-trafficking law, the creation of a national taskforce, and stepped-up law enforcement efforts against brothel owners and operators. The government needs to sustain these efforts by arresting and prosecuting the many traffickers who are active in illegal migration and sexual exploitation. The government also needs to address government corruption by removing and prosecuting officials who patronize brothels with trafficking victims or profit from illegal migration. For these reasons, Belize is placed on Tier 2 Watch List.

### *Prosecution*

The government's law enforcement efforts are guided by the anti-trafficking statute enacted in the summer of 2003. Police made 11 trafficking-related arrests. There have been no prosecutions or convictions. Of four sex traffickers arrested in the summer of 2003, one defendant was released on a technicality; three others are out on bail and no trial dates have been set. Police arrested several migrant smugglers (who are often transporting trafficking victims), and should redouble these efforts. Prosecuting corrupt government officials should remain a priority.

### *Protection*

The national anti-trafficking law contains commendable victim protection policies, but implementation is hindered by a lack of resources. The government does not treat victims as criminals, and foreign victims may claim residency status. The government lacks the resources to provide victims with adequate services; victims are referred to NGOs for this purpose.

### *Prevention*

Belize's anti-trafficking strategy is set by the national taskforce, which has made considerable progress in coordinating government actions, but has yet to release a national plan. The government conducted a brief multimedia public awareness campaign. The government carried out training of public officials, but needs to devote more resources to protecting the border and devising an aggressive anti-trafficking border policy.

## **BOLIVIA (TIER 2 - WATCH LIST)**

Bolivia is a source country for men, women and children trafficked for labor and sexual exploitation to Brazil, Argentina, Chile, Peru, the United States, and Western Europe. Widespread poverty, political instability, and cultural factors force thousands of Bolivians to work in sub-standard circumstances or illegally migrate, placing large numbers at risk of being trafficked. Bolivian children are particularly vulnerable. Children are trafficked from rural to urban areas, including for sexual exploitation. The Bolivian-Brazilian border is also an area of commercial sexual exploitation. Bolivia is a transit country for illegal migrants from outside the region; some may be trafficking victims.

The Government of Bolivia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. These efforts are hindered by limited resources and a prolonged political and economic crisis. Bolivian leaders should work to enhance public awareness and display national commitment on trafficking. Bolivia needs to focus police and prosecutorial officials to implement comprehensive law enforcement against traffickers. Legislation that outlaws the trafficking of children is pending in Congress. The government should continue targeting for removal corrupt officials who may be involved in trafficking. The appointment of a government anti-trafficking coordinator would represent further concrete progress in the government's effort to combat trafficking. Because of the magnitude of the problem it faces and the expectation that the government can do more, Bolivia is placed on Tier 2 Watch List.

### ***Prosecution***

The government has no anti-trafficking law enforcement strategy or policy direction from senior officials. The government keeps no official statistics on trafficking, but made scores of narcotics-trafficking arrests (some of which had a trafficking component) and a number of arrests under the "corruption of youth" law. While officials have arrested and prosecuted migrant smugglers, some observers suggest they have rarely targeted those with explicit trafficking links. Authorities have rarely if ever used an existing 1999 statute that penalizes trafficking in women. Corrupt officials who facilitate cross-border trafficking remain a concern.

### ***Protection***

Political and economic crises undermine the government's ability to implement a comprehensive strategy to assist victims. Child welfare programs supported by the national and municipal governments and by local and international NGOs provide limited help to persons in need, but there is no available data on the number of trafficking victims assisted. A small number of officials have received training on identifying the patterns and characteristics of trafficking, including the identification of victims. Officials have brought to the attention of the Governments of Chile, Peru, and Argentina situations of Bolivians being trafficked in those countries. Bolivia has also begun to make similar efforts with governments in Western Europe and in Brazil.

### ***Prevention***

Senior government officials in 2003 expressed a commitment to undertake anti-trafficking measures, such as tightening immigration controls and ensuring that children have identity documents, but a lack of resources has hampered these efforts. Bolivia's current inter-agency working group coordinates long-term policy on child trafficking and child welfare issues (particularly the worst forms of child labor), but it lacks the resources to produce concrete results. Resource constraints have compelled the government to seek program funding from international donors.

## BRAZIL (TIER 2)

Brazil is a source and destination country for men, women and children trafficked for sexual exploitation and involuntary labor. Women and girls are trafficked to neighboring countries in South America, the Caribbean, the United States, and Western Europe. Some 75,000 Brazilian women and girls are estimated to be in prostitution in Europe, with 5,000 more in countries in Latin America. Many are trafficking victims. Internal trafficking also targets Brazilian children, often in the context of sex tourism. Internal trafficking for forced labor, primarily from urban to rural areas for agricultural work, is a major problem. The ILO estimates 25,000 Brazilians are victims of forced labor trafficking. Bolivians and Chinese are also trafficked into Brazil for labor exploitation.

The Government of Brazil does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Brazil needs to significantly strengthen law enforcement efforts against traffickers. Traffickers in Brazil rarely face incarceration as punishment for their crimes. Although the government has given new energy to prevention measures and victim protection, those efforts are incomplete without more effective law enforcement.

### *Prosecution*

Brazil's law enforcement efforts, though improving, have yet to produce many criminal convictions. Anti-trafficking laws that punish both sex and labor traffickers exist and are generally enforced, but violators rarely receive criminal penalties. The Labor Ministry continues to liberate victims of labor trafficking (4,700 in 2003) and fine the traffickers. Criminal cases are handed over to Justice Ministry prosecutors. Although complete data is unavailable, officials estimate that 50-100 labor trafficking defendants were prosecuted in 2003. Many of these court proceedings have not reached conclusion. Only a few defendants have been convicted, and all of them remain free on appeal. The government provided no data on persons prosecuted for trafficking women into the sex trade (under Penal Code Art. 231), but the ILO reports that over the past three years federal authorities brought 68 such cases to court (some with more than one defendant). Most of these cases are still open. To date there have been few convictions.

### *Protection*

The government's protection efforts have yielded mixed results. Officials make significant efforts to protect Brazilian victims at home, but victims abroad receive significantly less assistance. The Ministry of Social Assistance operates more than 335 centers nationwide (the Sentinel Program) to assist victims of exploitation. The government also operates seven centers specifically to assist trafficking victims, but some foreign victims are summarily deported. No special facilities exist to help Brazilian victims abroad; they receive standard citizen services, but generally no more. The government has failed to develop an aggressive policy to help such victims, many of whom are victims of sexual exploitation.

### *Prevention*

President Lula has declared on several occasions that fighting trafficking is a national priority. He has announced a Comprehensive Program, now in progress, though much remains to be done. The government developed a national plan to prevent sexual violence against youth, and there are programs to prevent the worst forms of child labor. The federal government also funds information campaigns to combat sex tourism, child sexual exploitation, and labor trafficking. Federal authorities are attempting to improve monitoring of the highway system, border crossings and the coastline. Given the relatively scarce resources available to patrol Brazil's extensive land borders, the authorities will have to develop better intelligence to combat trafficking by land routes.

## CANADA (TIER 1)

Canada is primarily a destination and transit country for women trafficked for the purposes of sexual exploitation from China, South Korea, Thailand, Cambodia, the Philippines, Latin America, Russia, and Eastern Europe. To a lesser extent, men, women and children are trafficked for forced labor, and Canadian citizens are trafficked internally for the sex trade. Most transiting victims are bound for the U.S. In a recent criminal intelligence assessment, the Royal Canadian Mounted Police (RCMP) estimates that 800 persons are trafficked into Canada annually and that an additional 1,500-2,200 persons are trafficked through Canada into the U.S. Some observers believe these numbers significantly understate the problem.

The Government of Canada fully complies with the minimum standards for the elimination of trafficking. The government's Interdepartmental Working Group coordinates and reports on the effectiveness of the national anti-trafficking policy. Senior government officials are speaking out more often, and more resources are being devoted to border control; a new RCMP anti-trafficking taskforce is also being created. For these reasons, Canada has been reclassified from Tier 2 to Tier 1.

### ***Prosecution***

The Government of Canada made impressive gains in prosecuting traffickers in 2003, as its law enforcement statistics demonstrate. Canada has prosecuted traffickers in the context of general law enforcement efforts, but is now starting to implement a specific anti-trafficking law enforcement strategy. The overall results are solid, even though Canada's federal system and diversity of criminal codes complicate data collection. Reviewing national statistics, Canada's Justice Department reported that at least 40 traffickers were prosecuted in the reporting period. So far 16 defendants have been convicted; sentences range from one to seven years. Other cases are still in the courts.

### ***Protection***

Canadian social service agencies offer assistance to trafficking victims who have Canadian citizenship, residency, or other legal rights to be in Canada. Under Canadian law, undocumented aliens are allowed to claim refugee status, which would permit them to remain in Canada with limited benefits while their cases are adjudicated. However, critics claim that in practice the complexity of the application process effectively prevents some victims from claiming refugee status before they are deported. Canadian authorities deny this is the case. Identifying trafficking victims inside clandestine migrant smuggling operations is difficult.

### ***Prevention***

Canada is engaged at home and abroad in preventing and warning about the dangers of trafficking. The government publishes a multi-lingual pamphlet about trafficking and funds a range of Canada-based NGOs and institutions that are active in efforts to prevent trafficking. The Canadian International Development Agency (CIDA) funds anti-trafficking programs on four continents. Canadian immigration officers are stationed in key source countries to hinder trafficking networks. Canadian authorities protect their borders, although officials should reassess visa requirements for certain nationals, such as South Koreans. South Koreans do not require a visa to enter Canada and are being trafficked via Canada into the U.S.

## CHILE (TIER 2)

Chile is a source and destination country for men, women, and children trafficked for the purposes of sexual exploitation and involuntary labor. Most victims are Chilean minors who are trafficked internally for the purpose of prostitution. Making a commendable research effort, the Chilean National Department of Children's Affairs (SENAME) reported in 2003 that more than 3,700 children and adolescents have been victims of commercial sexual exploitation. There are police and press reports of cross-border trafficking of Chilean women to Argentina, Peru, Bolivia, the U.S., Western Europe, and Japan. Some victims are trafficked into Chile from Peru, Argentina, and Bolivia, although distinguishing trafficked persons from economic migrants is difficult. More complete information, pointing to a significant number of victims, has made it possible to include Chile in this report for the first time.

The Government of Chile does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Chilean authorities are aware of the trafficking challenge. Government agencies have investigated traffickers and assisted victims, but efforts are largely ad hoc and need national direction. Chile recently enacted a tougher law to penalize pornographers who exploit trafficked children. Authorities need to increase their vigilance in rescuing children from underage prostitution and prosecute their traffickers. Chilean national law should reflect the international standard and prohibit minors under the age of 18 from taking part in prostitution, and punish those who encourage them to do so. Currently, the age of consent is 14 and prostitution is not outlawed. Chile should also expand cooperation with source and destination countries to identify and arrest traffickers.

### ***Prosecution***

The government lacks a comprehensive anti-trafficking statute and law enforcement policy. A number of existing laws can be applied, including Penal Code 367, which specifically penalizes cross-border trafficking. An anti-trafficking police unit exists and authorities actively investigate cases involving child prostitution and forced adult prostitution. In 2002, the government investigated 18 Internet pornography and pedophilia networks (involving child trafficking victims), six cases of child prostitution, and a case of four young women trafficked to Japan for sexual exploitation. A prominent Chilean is currently being prosecuted on child pornography charges. This high-profile case has promoted awareness of the problem and the need for strict enforcement of existing laws to protect children.

### ***Protection***

The government lacks a specific strategy for protecting trafficking victims. However, several government agencies assist crime and domestic violence victims, particularly women and children. Child victims of sex trafficking are placed with SENAME and provided counseling. The government runs a center for abused children and provides funding to NGOs that help victims of sexual exploitation. Police and prosecutors have units with trained attorneys and psychologists to assist victims of crime, including trafficking. The government has helped to repatriate foreign victims, but has yet to adopt a uniform policy on handling victims.

### ***Prevention***

Chile does not have a comprehensive policy to prevent trafficking. State programs address social factors, such as child poverty and school attendance, that put victims at risk. The government has developed a plan to combat commercial sexual abuse and the worst forms of child labor, but conducts no targeted national anti-trafficking prevention programs.

## COLOMBIA (TIER 1)

Colombia is a major source and transit country for women and girls trafficked for sexual exploitation. Colombians are trafficked to Central America, Panama, the Caribbean (particularly the Netherlands Antilles), Japan, Singapore, and Europe (particularly Spain and the Netherlands). The Colombian government estimates that up to 50,000 of its citizens are in prostitution abroad, mainly in Western Europe and Japan; many of these persons are trafficked for sexual exploitation. There is significant internal trafficking for sexual exploitation in which victims are transported from rural to urban areas. Some Colombian men and boys are trafficked internally for forced labor, and the FARC terrorist organization carries out forced conscription of children for armed conflict.

The Government of Colombia fully complies with the minimum standards for the elimination of trafficking. The government has shown political will at the highest levels to address one of the largest national outflows of trafficking victims in the Western Hemisphere, brought about by a guerrilla insurgency and narco-criminal enterprises. In response, the government's inter-agency committee is a model for the hemisphere: coordinating prevention campaigns, promoting law enforcement, launching a criminal database, and facilitating intra-government cooperation.

### *Prosecution*

Colombia has a comprehensive anti-trafficking law and an active enforcement strategy, the keystone of which is to reach out to police officials in destination countries to break up trafficking rings and prosecute traffickers. The government conducted six international operations that freed 14 women and led to the arrests of eight traffickers. Colombia's cross-border cooperation is excellent and should be expanded to Panama and Western Europe. In 2003, the government conducted 16 prosecutions resulting in several plea bargains and three convictions for trafficking offenses. There were another 306 investigations; this marked a 38% increase from the previous year.

### *Protection*

The government recognizes the needs of victims and generally makes solid attempts to assist its citizens abroad and child victims at home. However, these efforts are inconsistent and hampered by a lack of resources. For example, some Colombian diplomatic missions, such as the embassy in Japan, have aggressively worked to help Colombian victims; others, such as the embassy in Panama, have not thoroughly pursued with Panamanian officials the need to rescue victims trafficked for sexual exploitation. The Ministry of Foreign Affairs needs to ensure that Colombian victims who want to return home are able to do so. Generally, only child victims of internal trafficking receive government assistance.

### *Prevention*

The government provides leadership and coordinates with a wide variety of institutions, including NGOs, in implementing its prevention strategy. The inter-agency committee has prepared information campaigns and helped ensure telephone hotlines function effectively. Colombian immigration officials monitor airports closely to seek out and warn potential trafficking victims before they depart; most trafficking victims travel by air. By comparison, Colombia's land border and seaports are poorly monitored. Colombia is faced with the formidable challenge of organized crime luring its citizens abroad, particularly to Western Europe and Japan. Despite prevention efforts, this outbound trafficking continues largely unabated. Destination countries need to work more closely with the Colombian government to stem this flow.

## COSTA RICA (TIER 2)

Costa Rica is mainly a destination and transit country for women and children trafficked for sexual exploitation. Victims are internally trafficked from San Jose to coastal and border communities in the provinces of Limon, Puntarenas, and Guanacaste. Victims are trafficked to Costa Rica from Nicaragua, Colombia, Panama, the Dominican Republic, Ecuador, the Philippines, Russia, and Eastern Europe. Although most foreign victims remain in Costa Rica, traffickers also attempt to transport them onward to the U.S. and Canada. Costa Ricans migrate illegally to the U.S. and Canada; authorities believe some may be trafficked. In 2003, authorities discovered two Costa Rican women in Japan who had been trafficked there.

The Government of Costa Rica does not fully comply with minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Costa Rica needs to create institutional links between its increasingly effective law enforcement efforts against traffickers and social services to victims. As a regional leader, Costa Rica is positioned to play a strong role in developing mechanisms to gather and share intelligence on trafficking in Central America and the Caribbean.

### ***Prosecution***

Costa Rica's law enforcement strategy is based on interagency collaboration between special units of the Public Ministry, Ministry of Public Security and Judicial Investigative Police. While these units were augmented in 2003, their important work remains hampered by resource constraints. According to government data, in 2003, authorities made 14 trafficking-related arrests. All of those arrested were detained on charges of child sexual exploitation. Of the 14, authorities placed six offenders in pretrial custody, prosecutors charged seven defendants, and the courts sentenced one defendant. Costa Rica is considering new legislation to improve its anti-trafficking laws. These improvements should address all forms of trafficking, including internal trafficking.

### ***Protection***

The government has a victim protection policy, but it may be unevenly applied. Officials assist Costa Rican victims, but shelter space is too limited to accommodate all the victims. Authorities claim that foreign victims are recognized and may be given legal status to help prosecute their traffickers; otherwise, they are repatriated home. Some observers claim that foreign victims are deported as illegal migrants.

### ***Prevention***

The Costa Rican Government recognizes that trafficking is a serious problem. Its national plan on commercial sexual exploitation was updated in 2003, but more aggressive government action is needed. Limited by resources, current government prevention measures are scattered and consist mainly of occasional public statements, radio programming, and social programs that target vulnerable groups. Borders remain porous and are a subject of continuing concern.



## CUBA (TIER 3)

Cuba is a country of internal trafficking for sexual exploitation and forced labor. Child sexual victims are generally teenage girls aged 14 to 17 who are abused in prostitution. The Cuban Government does not condone underage prostitution, but does not publicly address the problem, which largely takes place in the context of tourism that earns hard currency for the state. Cuba is a destination for sex tourists, including foreigners searching for underage prostitutes. Cuba's tourist industry is heavily dominated by state companies, and government employees tolerate corrupt practices that facilitate this sexual exploitation, sometimes even making state-run facilities available for underage prostitution. Traffickers and prostitutes often arrange room rentals in private homes for their illegal activities. Most traffickers work in small, informal networks, luring teenagers into the sex trade with promises of fast money and consumer goods. Cuban forced labor victims include children coerced to work in commercial agriculture. Some opponents of the Cuban Government, often arrested under vague charges such as "dangerousness" and "contempt of authority," are forced to carry out work that profits the state.

The Government of Cuba does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Cuban officials dismiss as politically motivated any criticisms of the government's failure to address trafficking. They have avoided developing a strategy to address the problem. The government needs to publicly acknowledge that trafficking occurs, implement a national plan to prevent teenagers from entering the sex trade, and end its forced labor practices.

### *Prosecution*

The government has no anti-trafficking law enforcement policy and there was no observed progress in punishing traffickers during the last year. The government instituted a broad crackdown against prostitution and related activities during 2003, including shutting down private home room rentals that reportedly contributed to the problem of child prostitution. Officials did not provide information on the effectiveness of these efforts. Existing statutes allow for the prosecution of sex trafficking offenses, but the government refuses to release any data on the few prosecutions that it reportedly conducts. Bilateral police cooperation has taken place on specific sex trafficking investigations, but as a matter of policy Cuban authorities do not admit to the existence of a problem. At least four U.S. citizens were arrested and have been convicted in Cuba on charges of "corruption of minors." Cuban authorities contributed evidence that led to the conviction of a major child pornographer in the U.S. and the dismantling of a pornography ring in Cuba, which involved commercially sexually exploited children.

### *Protection*

The government does not provide protection services to trafficking victims and there has been no progress in this area during 2003. Child victims of the sex trade are generally treated as criminals. Suspected prostitutes, including children, are often detained in police sweeps, held for several hours or days, fined, and released. The government describes its use of forced child labor as a "voluntary" arrangement and does not acknowledge that it constitutes trafficking.

### *Prevention*

The government undertakes no information campaign to prevent trafficking for sexual exploitation, although it admits that prostitution is a problem. The government fails to publicize the incidence and dangers of child prostitution.

## DOMINICAN REPUBLIC (TIER 2 - WATCH LIST)

The Dominican Republic is a source, transit, and destination country for men, women, and children trafficked for the purposes of sexual exploitation and forced labor. Dominican women and girls are trafficked to countries in Western Europe, Central American, the Caribbean, and South and North America for sexual exploitation. Estimates vary, but experts believe that 50,000 Dominicans have been in prostitution abroad, many having suffered some form of trafficking exploitation. The Dominican Republic is also a destination country – mainly for Haitians who are victims of trafficking for forced labor and sexual exploitation. Many Haitians working in agriculture, particularly in the sugar cane harvests, are trafficking victims. Experts estimate that 2,500-3,000 Haitian children are trafficked annually across the joint land border. Observers estimate 25,000-30,000 minors are in prostitution in the Dominican Republic; most are Dominicans, but some are Haitians. Many of these children are victimized in the sex tourism industry. The Dominican Republic is a significant transit country for many illegal migrants, including Chinese, most bound for the U.S. Some become trafficking victims as they are forced to work to repay large smuggling fees.

The Government of the Dominican Republic does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The Dominican Republic was reclassified from Tier 3 to Tier 2 in September 2003 as a result of several government initiatives, including the enactment of a new comprehensive law, the indictment of a Congressman for trafficking and the arrest of a major trafficker, and a public commitment by the Mejia administration to arrest and prosecute traffickers. Followup on these measures has been uneven. Law enforcement results remain inadequate; police have made few new arrests and there were no convictions of traffickers. The government has removed several high-level officials from positions in which they could profit from smuggling and trafficking of persons, but has not fired them from government altogether or prosecuted them. More needs to be done. A strong point is the Foreign Affairs Ministry, which has aggressively linked its embassies to collect information on trafficking patterns in order to help victims. Due to the lack of aggressive law enforcement and the magnitude of its trafficking problem, the Dominican Republic is placed on Tier 2 Watch List.

### ***Prosecution***

Although the Government of the Dominican Republic has established anti-trafficking police and prosecutor units, it lacks effective law enforcement. Available information is incomplete, but officials made two new arrests in the reporting period: one alleged child trafficker (Aracelis Sanchez Mora) and one trafficker arrested in October 2003. So far, neither case has gone to trial. The corruption-related prosecution of accused trafficker and Congressman Guillermo Radhames Ramos Garcia is still in the courts. Accused child trafficker Maria Martinez Nunez is still incarcerated in Najayo prison, awaiting prosecution. The military and immigration service detained over 50 suspects for infractions of the migration law, though it is unclear how many were traffickers. Most appear to have been only fined and released. Other efforts included closing down seven locations in Sosúa where children were exploited sexually by tourists. The Foreign Ministry recalled or fired several ranking Dominican diplomats for suspected complicity in smuggling and trafficking activities. None has been charged.

### ***Protection***

Facing resource constraints, the Dominican Republic lacks a comprehensive victim protection policy. Foreign victims are subject to swift deportation. Most victim assistance is provided by

NGOs. The government's only shelter for trafficking victims is still not operational. A number of government officials have attended NGO-offered training programs in the past year in order to improve their understanding of the new law, which calls for victim assistance. The Foreign Ministry trains consular officers to help trafficking victims abroad.

***Prevention***

The government has no comprehensive policy on preventing trafficking, but increasingly officials are doing more. The Foreign Affairs Ministry has empowered several networks of consular officials abroad who are collecting and sharing information on trafficking patterns. The Attorney General is speaking out on trafficking. He states that his office has rescued 2,000 girls from brothels, but further information on these cases was not provided. The government's anti-trafficking task force has worked closely with NGOs and launched a billboard campaign, radio programming, and a variety of training sessions. Border and coastline control continues to need more attention.

## ECUADOR (TIER 3)

Ecuador is a source, transit, and destination country for persons trafficked for sexual exploitation and forced labor. Most victims are children internally trafficked for prostitution; the ILO estimates that 5,200 minors are engaged in the sex industry. Ecuadorians are trafficked to Western Europe, particularly Spain. Because of Ecuador's lax border controls, many illegal migrants transit the country; some of these migrants may be trafficked. More complete information, pointing to a significant number of victims, has made it possible to include Ecuador in this report for the first time.

The Government of Ecuador does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Because there has been very limited information on trafficking until the release of an ILO report in late 2003, the government is only beginning to grapple with this challenge, including a serious problem with the commercial sexual exploitation of minors. Government leaders need to develop, publicize, and implement a comprehensive anti-trafficking policy and expand efforts to work with anti-trafficking NGOs. Ecuador should update and enforce its laws and prosecute traffickers who lure minors into prostitution. Ecuador needs to devote more resources to investigations and expand cooperation with Spain and other destination countries to detect and eliminate trafficking rings.

### *Prosecution*

The Government of Ecuador failed to make significant law enforcement efforts to directly combat trafficking in 2003. Ecuador lacks an anti-trafficking law enforcement strategy and has not conducted any arrests, prosecutions, or sentencing of traffickers. A number of existing laws—such as the statutes penalizing trafficking-like abuses during migrant smuggling—could be used against traffickers. In fact, the government significantly improved its arrests and prosecutions of illegal alien smugglers in 2003, which may help combat trafficking. Documented cases of Ecuadorians trafficked to Spain have not yet resulted in any law enforcement in Ecuador against the traffickers. The government should seek more assistance from Spain on these cases. Penal sanctions are not being applied against internal traffickers of minors for commercial sexual exploitation.

### *Protection*

The national government has no general policy to assist trafficking victims, but is committed to develop a program to assist children. The government has committed to working with the ILO to combat commercial sexual exploitation of minors, including developing protection and prevention programs for victims. Due partly to resource restraints, the government currently has no national policy to operate victim shelters, or to cooperate with those that do, although the city of Quito is working with international donors to develop shelters for exploited minors. The government has no policy to assist Ecuadorians trafficked abroad, but maintains that in practice it renders assistance to any of its citizens victimized abroad and that repatriated citizens are helped on an as-needed basis. The government has no data on foreign victims and provides no training to officials on how to assist them.

### *Prevention*

The Ecuadorian Government has no specific policies or programs to prevent trafficking. The government conducts several programs to keep children in school and to assist those at risk of child labor, but these measures are not specifically designed to prevent trafficking. In the past, the National Institute for Children and the Family conducted information campaigns in selected cities to keep minors out of the sex trade, but those measures ended in 2002.

## EL SALVADOR (TIER 2)

El Salvador is a source, transit, and destination country for women and children trafficked for sexual exploitation; it is also a source country for forced labor. Salvadorans are trafficked to the United States, Canada, Mexico, and other countries in Central America. Salvadoran women and children are trafficked internally for prostitution from the rural and eastern part of the country to urban areas. Most foreign victims are women and children from Nicaragua, Honduras, and countries in South America, particularly Colombia. In some cases Salvadorans have been trafficked for commercial agriculture to the United States.

The Government of El Salvador does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In particular, the government has failed to take effective action against underage prostitution. An effective anti-trafficking measure would be to change the law in order to make enforcement of prostitution laws fall under the National Civilian Police (PNC), rather than the less capable municipal guard forces. This measure would require the PNC to receive additional resources commensurate with this responsibility.

### *Prosecution*

The government does not vigorously enforce existing laws that prohibit trafficking and punish traffickers. Convictions are rare. The government indicted three suspected traffickers under the country's anti-trafficking law. These prosecutions are the first under the newly reformed anti-trafficking statute. The Attorney General's office should use this and other applicable laws to more aggressively investigate, prosecute, and convict brothel owners, especially those involved in the commercial sexual exploitation of children. In 2003, police arrested 33 individuals for commercial sexual exploitation of minors, prosecutors presented 51 individuals charged with involvement in child prostitution to the courts for either their initial hearing or trial, and San Salvador courts tried 17 individuals for violating anti-prostitution laws. Of these 17, one was convicted for involvement in child prostitution. The government in 2003 carried out anti-trafficking training for police, prosecutors, and judges. The government recently revised the law against sex crimes to increase the penalties for sex offenses against children, and to sanction individuals that use electronic means to distribute pornography.

### *Protection*

Limited by resources, the government provides reasonable protections for Salvadorans, particularly children, but it fails to adequately protect foreign trafficking victims. The government's child welfare agency (ISNA) provides protection, counseling, shelter, and legal assistance to at-risk Salvadoran children, including underage trafficking victims. During the reporting period, 69 children engaged in prostitution were turned over to ISNA's care. The government cooperates with NGOs and refers Salvadoran trafficking victims to them, but it runs no shelters specifically for trafficking victims. The government does provide funding to repatriate sick or minor Salvadorans from neighboring countries. Illegal immigrants, who may include foreign victims of trafficking, face quick deportation as a matter of policy, unless they are children.

### *Prevention*

The government has aggressively used the media to warn the public about trafficking. With UNICEF support, the government sponsored public service ads on television warning about trafficking associated with illegal migration. The government is participating in an ILO-IPEC "Timebound" Program to eliminate the commercial sexual exploitation of children. As part of this program, the government sponsored newspaper ads warning about this sexual exploitation. With U.S. Government support, the government's child welfare agency also sponsored publicity campaigns via posters, radio, and TV that warn about child trafficking situations.

## GUATEMALA (TIER 2 - WATCH LIST)

Guatemala is a source, transit, and destination country for Guatemalan and other Central American women and children trafficked for the purposes of sexual exploitation inside Guatemala and to the United States. Estimates of the total number of victims are not available, but one reliable NGO report identified 600-700 minors in centers of prostitution across Guatemala. A 2002 report by the UN Rapporteur estimated 2,000 minors in prostitution in Guatemala City alone. Trafficking for sexual exploitation also occurs across the Mexican-Guatemalan border. Mexico deported 81,000 Guatemalans in 2003; it is unknown how many may have been trafficking victims. To a lesser extent, there are reports (but no reliable estimates) of forced labor trafficking, mainly involving children used in begging rings in Guatemala City. Guatemala is also a transit country for illegal migrants from outside the region, such as Chinese; some may be trafficked.

The Government of Guatemala does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. For much of 2003, the government's anti-trafficking efforts were stagnant with almost no law enforcement efforts against traffickers. In a significant policy reversal in early 2004, the new Guatemalan administration has begun to address human trafficking in a coordinated approach, organizing police and prosecution units, conducting raids, and formulating a national strategy. The government signed an important new agreement on anti-trafficking border cooperation with Mexico. Because this assessment is based on the government's new commitments to fight trafficking at all levels over the next year, including prosecuting traffickers and addressing corruption, Guatemala is placed on Tier 2 Watch List.

### ***Prosecution***

After a long period of inaction, Guatemala authorities have recently mobilized prosecutors and police in a new aggressive policy to arrest and prosecute traffickers. In March 2004, the police conducted a number of brothel raids and arrested several suspected traffickers. At least four accused traffickers are awaiting prosecution. In a positive sign, authorities have begun to work with leading NGOs to identify child victims in underage prostitution. The government supports proposed legislation in Congress to stiffen sanctions against traffickers and better define trafficking-related crimes. These are all important steps forward, but the new administration needs to show a long-term commitment to arresting and prosecuting traffickers as well as fighting corruption that makes trafficking possible.

### ***Protection***

The new administration has committed to putting new energy into protection efforts that had stagnated in 2003. The government works with NGOs to identify child victims and move them to shelters; these efforts are expanding as part of Guatemala's new pledge to find victims. The Secretariat of Social Welfare currently runs one temporary shelter and has pledged to open a new one in Coatepeque in San Marcos province. The government needs to improve its efforts to protect adult victims and work with them in criminal investigations. Currently, all undocumented foreigners, including trafficking victims, are subject to deportation and given 72 hours to depart, but many stay in Guatemala.

### ***Prevention***

The new administration has pledged to give new direction to the government's interagency anti-trafficking group. Both the Secretariat for Social Communication and Immigration Service have announced plans for a public awareness campaign in 2004. A key test of the government's overall engagement will be Guatemala's implementation of the March 2004 agreement with Mexico to work closely on a range of trafficking problems on the joint border. Another important task will be to make progress on the national plan to fight commercial sexual exploitation of children.

## GUYANA (TIER 3)

Guyana is a country of origin, transit, and destination for young women and children trafficked primarily for sexual exploitation. Much of the trafficking takes place in the interior of the country, where observers indicate that likely over 100 persons are engaged in forced prostitution in isolated settlements. Victims are also found in prostitution centers in Georgetown and New Amsterdam. Guyanese victims originate mainly from Amerindian communities; some come from coastal urban centers. Most foreign victims are trafficked from Northern Brazil; some may also come from Venezuela. Guyana is also a transit country for victims trafficked into Suriname. More complete information, pointing to a significant number of trafficking victims, has made it possible to include Guyana in the report for the first time.

The Government of Guyana does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. This is due to a lack of understanding of the problem, as well as a paucity of resources that can be dedicated to fighting the problem. Guyana is only beginning to address human trafficking, much of which occurs in regions where the government has limited authority. The government should cooperate with the international community and its neighbors to develop a comprehensive anti-trafficking policy. National laws should be modernized to keep minors out of prostitution and sanction their traffickers. Victims should be rescued. Resources should be dedicated to protecting victims and prevention.

### ***Prosecution***

Guyana does not have a comprehensive law that addresses trafficking, nor does it generally arrest or prosecute traffickers. An existing statute that addresses some aspects of trafficking was used only once in 2003, resulting in a dismissed case. Officials are not trained to detect trafficking cases, and as a result they do not distinguish trafficking from migrant smuggling activity. Guyana does not fully control its isolated borders. Priority needs to be placed on rescuing children who are sexually exploited and prosecuting their traffickers.

### ***Protection***

The government has no policy of providing protection to trafficking victims and keeps no information on them. Any protection that the government might indirectly offer to victims would be in the form of modest assistance to the homeless.

### ***Prevention***

Faced with limited resources, the government does not carry out anti-trafficking information or education campaigns, and officials are just becoming aware of the need to take steps to prevent trafficking. The government's only efforts have been modest support for a local NGO assisting women in distress.

## HONDURAS (TIER 2 - WATCH LIST)

Honduras is a source and transit country for women and children trafficked for sexual exploitation. Many victims are Honduran children trafficked from rural areas to urban and tourist centers such as San Pedro Sula, the North Caribbean coast, and the Bay Islands. Observers documented more than 1,000 minors (mostly Hondurans) that were victims of commercial sexual exploitation in 2003. Foreign victims trafficked into commercial sexual exploitation originate from Mexico, Guatemala, Belize, and El Salvador. Honduran women and children are trafficked to the U.S., Canada, Mexico, Guatemala, and other countries in Central America. Honduras is also a transit country for illegal migration originating outside the region. Illegal migrants, such as Chinese, are known to transit Honduras. Willingly smuggled, many are later forced into debt bondage to pay off their smuggling fees.

The Government of Honduras does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. A few committed government officials are active on trafficking issues, but results are modest, particularly in view of the large number of victims. The government continues to lag on arresting and prosecuting traffickers. For these reasons, Honduras has been placed on Tier 2 Watch List.

### *Prosecution*

Honduras lacks a comprehensive law enforcement strategy and anti-trafficking law, but authorities mount occasional operations against traffickers. The government reported 11 trafficking-related arrests. In addition, authorities arrested four Chinese smugglers whose cases may include a trafficking dimension. Currently, three prosecutions are ongoing. There have been no reported convictions. Honduran police arrested international trafficker Roger Galindo in cooperation with U.S. officials. Higher priority needs to be given to arresting traffickers who operate underage brothels with impunity.

### *Protection*

The Honduran Government lacks a plan to assist trafficking victims. Some training of immigration and consular officials to identify victims has taken place and Honduran authorities have assisted in the return of victims from Mexico and Canada. Domestically, government policy remains ad hoc. Rescued child victims are placed in shelters financed by international donors and run by NGOs, but government efforts to remove children from brothels are largely ineffective. Foreign victims of trafficking are subject to summary deportation.

### *Prevention*

Although lacking a comprehensive prevention plan, Honduras has developed a strategy to focus on preventing the trafficking of women and children for commercial sexual exploitation. A working group of government agencies, international organizations, and NGOs developed a national plan against the commercial sexual exploitation of children and women, and has drafted legislation to strengthen the law against such crimes. This draft legislation was presented to the President of Congress on March 23, 2004. This plan includes a national awareness-raising campaign. The government supports, with international donor assistance, social and educational programs to help children in poverty. Honduras needs to increase its border monitoring efforts to interdict traffickers and rescue their victims.



## **JAMAICA (TIER 2 - WATCH LIST)**

Jamaica is a country of internal trafficking of children for sexual exploitation. Victims often travel from rural areas to urban and tourist centers where they are trafficked into prostitution. Child pornography involving trafficking victims is a concern on the island. The ILO estimated in 2001 that several hundred minors are involved in Jamaica's sex trade. Jamaica is also a transit country for illegal migrants moving to the U.S. and Canada; some of these migrants are believed to be trafficking victims.

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. Lacking a specific anti-trafficking statute, Jamaican officials have been stymied in efforts to arrest and prosecute traffickers who target children. A new "Child Care and Protection Act" was passed in 2004; law enforcement officials should take steps to implement it as promptly and effectively as possible. Corruption among immigration officials in facilitating the unauthorized international movement of persons remains a concern. Because this assessment is based on the government's commitment to vigorously enforce the Child Care and Protection Act rather than on concrete actions during the reporting period, Jamaica is placed on Tier 2 Watch List.

### ***Prosecution***

Jamaica's law enforcement efforts against traffickers were weak during 2003. The government's law enforcement strategy against child sex trafficking is based upon the new Child Care and Protection Act. The government does not collect law enforcement data on trafficking. From information provided on related offenses, it is clear that few arrests or prosecutions of child sex traffickers have occurred. The government is working with the IOM to enhance its ability to detect transnational trafficking, and an island-wide passenger entry and exit system is expected to be operational in the summer of 2004. In February 2004, Jamaican authorities arrested one Canadian and two Polish nationals attempting to smuggle nine Chinese nationals from Jamaica to the Bahamas.

### ***Protection***

The government has no formal policy for protecting child trafficking victims, but they are offered the same general assistance through social services to the needy and vulnerable that are provided to other children removed from abusive situations. There are no government-funded shelters specifically for trafficking victims, but the government's Child Development Agency oversees facilities for at-risk children. The government provides funding to NGOs that work to reintegrate child laborers who are victims of trafficking.

### ***Prevention***

Government officials recognize that children in poverty are vulnerable to trafficking, but government engagement is limited by resource constraints. The government's strategy is to work with international organizations such as UNICEF and ILO to carry out public awareness campaigns that focus on child education and women's empowerment. The government participates in an ILO program to combat child commercial sexual exploitation and child labor in the tourism industry. A campaign is planned to inform the public on the new Child Care and Protection Act, which includes provisions to protect trafficking victims and prosecute offenders.

## MEXICO (TIER 2 - WATCH LIST)

Mexico is a source, transit, and destination country for persons trafficked for sexual exploitation and labor. Trafficking patterns in Mexico are diverse and complicated. Many victims are Mexican children internally trafficked for commercial sexual exploitation. Reliable estimates point to 16,000-20,000 Mexican and Central American child sex victims in Mexico, found largely in border, urban, and tourist areas. Women are also trafficked into the Mexican sex trade and a significant number are moved into the United States. Most victims are Mexican and Central American, but they also originate from the Caribbean, South America, Asia, and Eastern Europe. Mexican and Central American agricultural workers have been victims of forced labor trafficking from Mexico into the U.S. There are no reliable estimates on trafficking victims or exploited laborers. Mexico is a major transit country for illegal migration into the U.S. and many cross-border trafficking victims are difficult to identify because their cases are shrouded in this clandestine transnational movement.

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 results of Mexico's efforts to fight trafficking are mixed. Mexico needs national-level commitment to fight trafficking and a national anti-trafficking law. As with other significant transit countries, Mexico is severely challenged to identify and rescue potential trafficking victims who are in transit. The government needs to expand cooperation on both of its land borders with Guatemala and the United States to identify trafficking cases that occur as part of cross-border illegal migration. The Mexican-Guatemalan March 2004 Memorandum Of Understanding on trafficking is a good start. In view of the commitment of Mexican officials to do more to fight trafficking in the face of a significant problem, the country is placed on Tier 2 Watch List.

### *Prosecution*

Lacking a comprehensive anti-trafficking law, Mexico has no national law enforcement strategy to address human trafficking, but scattered criminal cases have been brought against traffickers. Much more needs to be done. Available 2003-04 federal government data indicate that there were 27 arrests made and 16 additional arrest warrants issued for sexual exploitation trafficking offenses. There was no information available on the sentencing of any traffickers for sexual exploitation in 2003. Many more arrests and prosecutions were carried out against criminal migrant smugglers, including 85 convictions, but no information is available on which, if any, of these cases involved trafficking exploitation. Mexico tends to prosecute smugglers who commit human rights abuses. Mexico's cyber-crimes unit eliminated 200 Internet sites dedicated to child pornography that exploited child trafficking victims. Mexico has also taken steps to investigate and prosecute individuals facilitating child prostitution. Corruption among some officials continues to be a significant concern, and Mexico has made efforts to investigate and prosecute corrupt officials, but still more needs to be done.

### *Protection*

Mexico lacks an overarching government approach to protect trafficking victims, but uncoordinated policies do assist Mexican victims. For example, the government funds NGOs and runs shelters that offer basic services to Mexicans in need, including those who may have been trafficked. On the other hand, all undocumented foreigners, including potential trafficking victims, face detention and deportation. Depending on their situation, foreign minors may be given some temporary assistance.

### ***Prevention***

The government continues to display an ad hoc approach to prevention. There are some isolated successes, and other areas that call out for attention, but the efforts are meager in response to the scope of the problem. The government's social welfare agency (DIF) implements a national plan to stop child sexual exploitation. DIF carries out awareness campaigns and runs a hotline that assists exploited minors. Mexico's immigration service (INM) provides information on the human rights of foreign migrants and attempts to coordinate policies with Mexico's neighbors to deter illegal migration. But INM is overwhelmed by the number of illegal migrants in Mexico. The government's policy of immediate deportation limits its ability to investigate trafficking schemes and act to prevent them. Mexico has supported anti-trafficking policies at international forums, such as the UN Commission on Human Rights.

## NICARAGUA (TIER 2)

Nicaragua is a source and transit country for women and children trafficked for sexual exploitation. Nicaraguans are trafficked from rural to urban areas within the country, and to other parts of Central America and Mexico. Most victims are Nicaraguan children prostituted by their traffickers.

The Government of Nicaragua does not fully comply with minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government's new measures announced in 2003 to fight sex trafficking of minors are commendable, but Nicaragua continues to lack an effective law enforcement strategy. As social agencies continue the slow process of removing children in poverty from prostitution, law enforcement officials need to move much more aggressively against commercial establishments that profit from this exploitation. The Ministry of Foreign Affairs should seek out Nicaraguan victims abroad and expand bilateral efforts to combat trafficking.

### *Prosecution*

The government's new national plan to fight sexual exploitation of minors calls for law enforcement against child sex traffickers, but officials should also develop enforcement measures to address all forms of trafficking. In 2003, four traffickers were convicted: one club owner trafficker received 3-5 years in prison; three other traffickers were sentenced to four years and were required to compensate their victims. Nicaraguan law should be modernized to criminalize underage prostitution; Nicaraguan law currently permits minors aged 14-17 to engage in prostitution, which creates opportunities for traffickers.

### *Protection*

Victim assistance is minimal for Nicaraguans and non-existent for foreigners. Foreign victims discovered illegally in the country are detained and face summary deportation. The government has understandably focused its victim protection plans on helping Nicaraguan minors in sexual exploitation. The government cooperates with NGOs in fighting sexual exploitation of minors, but there are no government shelters for such victims. The Ministry of Foreign Affairs helped two Nicaraguan victims return from Guatemala, but much work remains to be done in repatriating victims.

### *Prevention*

In 2003, the government launched a broad strategy to combat the commercial sexual exploitation of children. The five-year plan is ambitious and its effectiveness will depend upon the sustained commitment of senior officials and resources. A broad national anti-trafficking coalition, which includes the government and NGOs, was formed in February 2004; the coalition plans to compile information about trafficking throughout the country and use the media to enhance public awareness. Facing scarce resources, most of the government's current efforts are tied to international donor funding. With this assistance, government agencies (e.g., the women's division of the national police and the Education Ministry) conduct awareness campaigns for high school students. The Immigration service and police seek to interdict international traffickers, but their efforts are complicated by the high incidence of migrant smuggling, and the fact that victims often fail to cooperate.

## PANAMA (TIER 2)

Panama is a transit and destination country for women and girls, primarily from Colombia and the Dominican Republic, trafficked for sexual exploitation. Transiting victims are bound for Costa Rica and the United States via Central America. Panamanian children are trafficked internally for sexual exploitation. The production and transmission of child pornography, which involves trafficking victims, are growing concerns, along with small but organized commercial sex operations exploiting minors. Panama has a regulated commercial sex industry in which trafficking does occur. Illegal prostitution (adult and underage) is responsible for the largest percentage of victims. There are reports that Panama is a transit country for debt-bonded illegal migrants. More complete information, pointing to a significant number of victims, has made it possible to include Panama in this report for the first time.

The Government of Panama does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Panamanian officials acknowledge trafficking is a problem. The government has updated and enhanced an anti-trafficking statute in March 2004, but must sustain improvements in victim protection measures and increase regional and bilateral cooperation. Elimination of a visa program designed to bring prostitutes to Panama could enhance the government's anti-trafficking measures, but more effort is needed to combat abuses in the sex trade. Panama's new National Commission for the Prevention of Sexual Crime Exploitation must increase public awareness and provide support for increased prosecutions.

### *Prosecution*

Panama's recently enhanced anti-trafficking law should spur an increase of investigations, arrests, and prosecutions, which up to now have only been sporadic. The Panamanian police Sex Crimes Unit made 10 arrests for trafficking-related crimes in 2003. Five of these defendants are awaiting trial. Three other high-profile traffickers had their convictions upheld by the Supreme Court (top sentence was 76 months).

### *Protection*

Panama's updated anti-trafficking statute should help improve victim protection, which has lacked organization and resources. Victim referrals should be better organized and the referral system well publicized. The enhanced law will provide for victim compensation and foreign victims will be afforded special disposition on migration matters. Currently, there is a lack of organized data collection on victims, but the new statute requires the Commission to establish a comprehensive database. The Immigration service deported close to 400 foreign prostitutes in 2003 and officials maintain that none claimed victim status although procedures are in place for them to do so. Immigration's efforts could be enhanced by providing more transparency, for example, by ensuring that a neutral observer, such as the Ombudsman, is involved. While a number of government officials have received training on trafficking, including victim identification and protection, more training is needed at all levels.

### *Prevention*

Prevention efforts were unorganized, but recent initiatives have increased public awareness and show promise. Many high-ranking government officials have spoken out about efforts to combat trafficking. The government had lacked a formal national education campaign, but has recently improved outreach via press conferences, radio interviews, and television programs. The government provides a victim hotline.

## PARAGUAY (TIER 2 - WATCH LIST)

Paraguay is a source country for women and children trafficked to Argentina and Spain for sexual exploitation and forced labor. Paraguayans, often poor children, are trafficked internally, from rural to urban areas. Paraguay is also a destination country for girls trafficked from neighboring countries for sexual exploitation. Trafficking in the three-border region around Ciudad del Este is an ongoing problem. Unofficial government estimates indicate over 1,000 Paraguayans are victims of trafficking internally and abroad. As more complete information on trafficking has become available, pointing to a significant number of victims, Paraguay is being included in this report for the first time.

The Government of Paraguay does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government should be commended for recognizing trafficking as a problem, but concentrated national efforts are required to prosecute traffickers and maintain law enforcement data. Paraguay should renew its cooperative efforts with Spain and Argentina to close down trafficking rings. The government should take positive steps to warn potential victims of trafficking dangers. Given the pledges of senior government officials to do more, Paraguay is placed on Tier 2 Watch List.

### *Prosecution*

The government has no strategy to carry out law enforcement against traffickers, although individual cases have been pursued. Paraguay has a basic anti-trafficking statute, but that and other laws that could be used against traffickers are not adequately enforced. The government does not collect data on arrests and convictions of traffickers, but has pledged to begin doing so. In a positive development in February 2004, police arrested two Taiwanese traffickers operating in the three-border area.

### *Protection*

Government efforts to assist Paraguayan victims outside the country are limited by resource constraints. The Secretariat for Repatriations takes the lead in helping victims abroad and works with the Foreign Ministry to assist their return to Paraguay. Overall, few social services are provided for Paraguayan victims of internal trafficking. Government funds help support an NGO in the three-border region that runs a hotline and a shelter for victims. The government works with the International Program on the Elimination of Child Labor (ILO-IPEC) to address exploitation in the domestic work of children in Asunción and the sexual exploitation of children on the country's border with Argentina and Brazil.

### *Prevention*

The government does little to prevent trafficking. Although the Secretariat for Women has programs to promote women's economic decision-making, the government does not warn women about the dangers of being trafficked for sexual exploitation to Europe or Argentina. The government has recently adopted a comprehensive national plan to protect children from internal trafficking, but is only at the beginning stages of implementing it. Paraguay does not adequately monitor its borders.

## PERU (TIER 2 - WATCH LIST)

Peru is a source country for women and children trafficked internally for sexual exploitation. Most Peruvian victims of internal trafficking are girls forced or coerced into prostitution in nightclubs, bars, and brothels. Some victims are girls trafficked as domestic servants. Most internal trafficking networks move girls from rural to urban areas; traffickers recruit victims through local, informal, and family-based contacts. Peruvians have also been trafficked to Western Europe, particularly Spain. Illegal migrants, some of whom may be trafficked, also transit Peru. More complete information on trafficking, pointing to a significant number of victims, has made it possible to include Peru in this report for the first time.

The Government of Peru does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Government officials have recently acknowledged the gravity of the country's trafficking problem and established a new multi-agency working group to coordinate state action. Officials need to develop a comprehensive national plan, revise and update statutes covering trafficking-related offenses, take law enforcement action against traffickers, improve intelligence, and initiate cooperation with international destination countries such as Spain. Based on new commitments to act vigorously against trafficking, Peru is placed on Tier 2 Watch List.

### *Prosecution*

Peru's weak prosecution efforts improved modestly in 2003. The government does not yet have an effective anti-trafficking law enforcement policy, but is developing one. Comprehensive new anti-trafficking legislation has been drafted and is slated for expedited consideration by the legislature. In January 2004, the Ministry of Interior created an anti-trafficking unit, which conducted raids on brothels and rescued victims. Prosecutors have initiated one trafficking prosecution, which is still pending. Nationwide in 2003, 83 persons were arrested for pimping; none of these arrests has led to a prosecution. The Ministry of Interior has pledged to keep statistics on trafficking cases. Government corruption and complicity in the cross-border movement of persons remains a major problem.

### *Protection*

Peru lacks a national strategy to provide protection for victims of trafficking. But some government protection measures are available under existing social services for crime victims in Peru. The Ministry of Women and Children runs 38 centers nationwide that provide temporary housing for female crime victims. The Ministry of Foreign Affairs has no policy to assist victims abroad, a serious shortcoming that should be promptly addressed.

### *Prevention*

Peru does not have a national prevention strategy and officials have much to do, but some existing government programs, such as teaching children about commercial sexual exploitation in schools, have helped to warn potential victims. The Ministry for Women and Children runs a hotline for domestic violence (over 6,000 calls in 2003). Ministry officials are aware of trafficking and have led government efforts to eliminate the worst forms of child labor, including commercial sexual exploitation. These and other social assistance programs are modest steps in the right direction; the multi-agency working group is now called upon to develop and implement an aggressive and comprehensive plan.

## SURINAME (TIER 2 - WATCH LIST)

Suriname is a transit and destination country for women and children trafficked for the purpose of sexual exploitation. Suriname may also be a transit country for persons trafficked for forced labor. Brazilian, Dominican and Colombian women are trafficked to Surinamese brothels. Brazilians are trafficked through Suriname and on to Europe, typically The Netherlands. Brazilian women are in prostitution in isolated mining camps in the interior of Suriname; some may be trafficking victims. Haitians are smuggled through Suriname to French Guiana, and Chinese are smuggled into and through Suriname. Some persons smuggled may become trafficking victims because they are put into forced labor to repay their smuggling debts.

The Government of Suriname does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Suriname's efforts were reclassified from Tier 3 to Tier 2 in September 2003 as a result of several government initiatives: an inter-agency working group was formed, senior government officials spoke out publicly, police conducted raids, and prosecutors and judges were trained. The results of these initial efforts have been uneven. Senior government officials seek to fight trafficking, but much work still needs to be done. Authorities are not trained to distinguish trafficking victims from illegal migrants. The government should aggressively investigate illegal migration, which often veils trafficking operations. It should also take steps to identify and prosecute traffickers and assist their victims. For these reasons, Suriname is placed on Tier 2 Watch List.

### *Prosecution*

Suriname is struggling to implement an anti-trafficking law enforcement policy. The country lacks a comprehensive law, but outdated statutes prohibit slavery, migrant smuggling, and pimping. These statutes are not adequately enforced. From July to December 2003, police conducted 23 raids on brothels; they arrested prostitutes, but no traffickers. In July 2003, one person was prosecuted and sentenced to 11 months in jail and three years' probation for prostituting her 11-year-old daughter. No other anti-trafficking prosecutions or convictions were reported. Corruption among officials who monitor prostitution is a concern.

### *Protection*

The government's policy on victim protection is unevenly applied. A police hotline has been established, but authorities are not trained to identify trafficking victims and often summarily deport them. Officials who monitor foreign prostitutes are concerned, first and foremost, with legal residency status, rather than screening for victims. The authorities identified no victims of trafficking in 23 raids in 2003. Instead, police detained 24 women prostitutes; 18 were deported and no trafficking victims were identified among them. The existence of extensive prostitution—illegal but tolerated—by foreign women, which takes place in urban areas and in isolated camps, suggests that victims are not being identified. The only examples of trafficking victims identified by the authorities in the past two years were four Dominican women who complained in 2002 that their travel documents were illegally held. Commendably, they were assisted and repatriated.

### *Prevention*

Officials are aware of the need to prevent trafficking and have made some efforts to devise a national strategy, but much work still needs to be done, particularly in training government officials. The government established an inter-agency working group that includes a major NGO, and an anti-trafficking national plan is being developed. Public service announcements are being aired as of February 2004. Preventive measures will require better border control and oversight of visa issuance.



## VENEZUELA (TIER 3)

Venezuela is a source, transit, and destination country for women and children trafficked for the purposes of sexual exploitation. Brazilian and Colombian women and girls are trafficked to and through Venezuela. Venezuelans are trafficked internally for the domestic sex trade and to Western Europe, particularly Spain. Venezuelan sex tourism that encourages underage prostitution is a concern. There are reports that in border areas Venezuelans are trafficked to mining camps in Guyana for sexual exploitation and abducted by the Revolutionary Armed Forces of Colombia (FARC) to be used as soldiers. Venezuela is a transit country for illegal migration; some of these migrants are believed to be trafficking victims.

The Government of Venezuela does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Due to Venezuela's current political situation, the government is not devoting serious attention or resources to trafficking in persons, which is a growing regional problem. The government carries out no anti-trafficking law enforcement; it has no victim protection policy. For these reasons, Venezuela is being reclassified from Tier 2 to Tier 3.

### *Prosecution*

The government has no pro-active law enforcement strategy to combat trafficking. Human rights organizations and police have received some complaints about trafficking, but Venezuelan authorities maintain they have not identified a widespread problem. There were no reported arrests or convictions of traffickers in the context of internal underage prostitution or international trafficking in 2003. Venezuelan officials acknowledged that at least one human trafficking accusation was brought to their attention by the Spanish police, but stated that they found no evidence that a crime had taken place. Current information available from Spanish and Brazilian official sources indicates more cooperation with Venezuela is needed to investigate trafficking. For example, the Spanish police liberated at least 14 Venezuelans in forced prostitution in Spain in 2003. A major Brazilian study identifies 10 international trafficking routes into Venezuela. The anti-trafficking border agreement signed between Brazilian and Venezuelan authorities in 2003 ("Pact of Pacaraima") is a good start. Draft legislation addressing organized crime could potentially enhance Venezuelan's anti-trafficking efforts. In addition, penal code articles 174 and 389 prohibit and punish any form of slavery.

### *Protection*

The government has no policy to protect trafficking victims. The government administers three shelters for battered women, including a telephone hotline, but officials keep no information on whether any trafficking victims find shelter there. The government does not train officials in identifying or rescuing victims. In the past, Venezuelan border officials summarily deported undocumented foreigners. The government is not aware if any of the deportees were trafficking victims, but automatic deportations of undocumented individuals are becoming less common due to the collaboration of Venezuelan border officials with the regional Office of the United Nations High Commissioner for Refugees, which is based in Caracas.

### *Prevention*

The government does not formally acknowledge trafficking as a significant problem and conducts no information or education campaigns. The government provides some support for programs to empower women economically. To its credit, the government has removed immigration officials involved in human smuggling, which often can be linked to human trafficking. But Venezuela's long porous borders facilitate the movement of trafficked persons into and through the country and require better government control.

## SPECIAL CASES

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### BRUNEI

Brunei is not listed on the report this year because information available does not indicate a significant number of victims.

**Scope and Magnitude.** There are reports that Brunei is a destination for a small number of women from Thailand and the People's Republic of China (P.R.C.) who were trafficked for the purposes of forced prostitution.

**Government Efforts.** Brunei has a statute that outlaws sexual exploitation and trafficking of women and children. Penalties for trafficking for sexual exploitation carry sentences of up to 30 years' imprisonment. Brunei authorities have taken steps to curb specific practices including the salary checkoff system that led to labor unrest. There are some protective measures for foreign workers, but they are not uniformly applied. Some foreign embassies provide protection services, including temporary shelter, for workers involved in labor disputes. Brunei has neither conducted public awareness programs nor provided training for government officials on trafficking.

### REPUBLIC OF THE CONGO

The Republic of the Congo is only recently emerging from extended armed conflict. It will take time before the government establishes a credible police presence throughout the country. Armed guerrilla groups, particularly in the Pool region, have ceased hostilities, but have not fully disarmed. The absence of security in the country, and the government's challenge in rebuilding a country in which a significant percentage of the population was displaced by conflict, make it necessary to classify the Republic of the Congo as a special case.

**Scope and Magnitude.** A significant number of children serving with armed rebel militias have not been disarmed and reintegrated, though the government adopted a policy to not use child soldiers. Recent reports indicate that indigenous minority populations may be subjected to forced labor situations. NGOs and international organizations provide care and assistance to many trafficking victims. The Republic of the Congo has no law that specifically prohibits trafficking in persons, but traffickers could be prosecuted under existing laws on rape, illegal entry, forced labor, slavery, and prostitution.

**Areas for Improvement.** The government should continue efforts to reintegrate former child soldiers when they are freed from rebel control, take steps to establish a law enforcement framework to address trafficking, and be prepared to provide protection and services to trafficking victims if they are found in areas the government controls.

### EAST TIMOR

East Timor is not listed on the report this year because of a lack of information indicating a significant number of victims.

**Scope and Magnitude.** Press reports and reporting from origin countries indicate that East Timor is a destination country for persons trafficked for the purposes of sexual exploitation. These reports indicate that women from Thailand, Indonesia, Vietnam, and the P.R.C. have been trafficked to East Timor for forced prostitution. There has also been one report of commercial sexual exploitation of children in East Timor.

**Government Efforts.** The government recognizes that trafficking is a problem, but authorities have difficulty distinguishing trafficking victims from illegal migrants. While there is strong political will to address the problem, the government lacks the resources to effectively combat trafficking. The East Timorese Government is developing a national action plan and a comprehensive anti-trafficking law. The government has not developed the capacity to compile full information on trafficking arrests, prosecutions, and convictions. In 2003, authorities reported several raids of brothels, but only two arrests of traffickers. In one raid, authorities discovered up to 23 trafficking victims from Thailand. There is a lack of coordination between prosecutors and the police, and law enforcement officials generally lack training. There have been only sporadic efforts at victim protection and no anti-trafficking campaigns have been conducted in East Timor, in part because East Timor has not been a country of origin for trafficking victims.

**Areas for Improvement.** Government action should concentrate on adopting a strong and comprehensive anti-trafficking law; improving victim protection measures; arresting and prosecuting persons involved in trafficking; and actively engaging with NGOs and regional and international bodies. The government and the United Nations should also promptly address credible reports that UN peacekeepers are clients of brothels that have trafficked women.

## HAITI

The collapse of the Aristide regime in February 2004, and the violence and looting that surrounded it, left Haiti lacking an effective government that can address the significant trafficking in persons challenge that the country faces. For that reason, Haiti has not been evaluated in the report's Tier system. Instead, it is being placed among special cases for the 2004 report until the new government has a record on trafficking to evaluate. The following background and recommendations are provided to help guide officials of the new government.

**Scope and Magnitude.** Haiti is a source, transit and destination country for men, women and children trafficked for the purposes of sexual exploitation and forced labor. Haitian youth are internally trafficked in the "restavek" tradition in which poor mothers give custody of their children to more affluent families, in the hope that they will receive an education and economic opportunities. The reality is more often maltreatment and abuse and long hours of uncompensated hard labor. Haitian officials have estimated that 90,000-120,000 children are "restaveks," many of whom are mistreated and live in conditions that can amount to slavery. Haitians also migrate illegally to the Dominican Republic, French Guiana, Suriname, and St. Martin and other Caribbean islands. Many are vulnerable to trafficking. Significant trafficking takes place across the Dominican-Haitian border. Large numbers of undocumented Haitians who have migrated to the Dominican Republic are forced to labor in agriculture, particularly the sugar cane harvest. Observers estimate 2,500-3,000 Haitian children are trafficked annually into the Dominican Republic. Dominican women and girls are trafficked into Haiti for prostitution, and Haitian police

have estimated that several hundred may be held in debt bondage in Port-au-Prince. Haiti is also a source and transit country for illegal migration, much of it bound for the U.S. and Canada. Some of these illegal migrants, such as Chinese, are forced into labor to repay smuggling debts.

***Areas for Attention for the new Government of Haiti.*** The new Government of Haiti should enact a comprehensive anti-trafficking statute that defines and penalizes the crime. Once the Haitian National Police force is reconstituted, the government should earmark resources to a fully staffed police unit dedicated to fighting human trafficking with the authority to gather intelligence, investigate and arrest traffickers. That unit should conduct raids to free trafficking victims held in Port-au-Prince and other urban areas. It should investigate international traffickers and interdict out-bound trafficking. The Ministry of the Interior should continue to expand its efforts at the border, in conjunction with the police, to investigate international traffickers and interdict out-bound trafficking. Haitian officials should seek out opportunities to cooperate with the Government of the Dominican Republic. The Social Welfare Ministry (IBESR) should be given more resources to assist victims.

## IRAQ

Iraq is a country still in transition. The Iraqi Governing Council (IGC) is working with the Coalition Provisional Authority (CPA) to help establish an interim government that will assume power on July 1, 2004 and administer the country until elections take place and a permanent constitution is ratified, no later than December 31, 2005. Because of the special circumstances in Iraq, it is difficult to get a highly accurate picture of the human trafficking situation in the country. This report, gathered from various information sources, is but an attempt to identify the extent of human trafficking in Iraq as well as efforts underway to fight it.

Iraq appears to be a country of origin for women trafficked for the purpose of sexual exploitation to other countries within the region and to India. Reports indicate that an increasing number of Iraqi women and girls are being trafficked into Yemen for sexual exploitation. Some of these victims cited threats against their families as a means of coercion; others may be victims of debt bondage. To a lesser extent, there have been reports of girls and women being trafficked within Iraq for sexual exploitation. Shortly after the war, a number of young Iraqi women and boys were kidnapped and held for ransom, with some kidnapped girls being sold into prostitution. At this stage, due to the lack of adequate information, the scope and magnitude of the internal trafficking problem in Iraq remains difficult to establish. Once a formal Iraqi government is established, it will need to develop and implement a national anti-trafficking action plan that includes a comprehensive anti-trafficking law; law enforcement training in identification, investigation and interdiction; and regional coordination on anti-trafficking efforts.

***Prosecution.*** The CPA alerted U.S. personnel in Iraq to the possible emergence of trafficking in persons in post-war Iraq. The CPA also announced its zero-tolerance policy regarding U.S. personnel involvement in trafficking or related activities, and instructed U.S. Military Police to enforce this policy. Iraqi translators working for the CPA were alerted to the situation and encouraged to report information on any trafficking and kidnapping cases. Representatives from the U.S. Military and Iraqi police follow these leads and, as a result, numerous kidnapers, rapists, and suspected traffickers have been arrested and jailed by joint U.S.-Iraqi police actions.

The U.S. Military Police and Iraqi Police arrested six men for kidnapping young girls and selling them into prostitution. The CPA modified the penalties for kidnapping to provide a maximum punishment of life imprisonment for each offense. Penalties for rape and indecent assault were also modified to provide a maximum punishment of life imprisonment.

**Protection.** Although currently there are no shelters for victims of trafficking, such persons may be referred to hospitals or international organizations for assistance. The future government of Iraq will need to develop and implement comprehensive and effective victim protection measures, including the provision of shelters and legal, medical, and psychological services.

**Prevention.** Currently there are no preventive programs in Iraq. The future government of Iraq will need to develop and implement effective and innovative anti-trafficking measures, including outreach programs directed at reaching particularly vulnerable groups in the society, such as women and children. It will also have to train its future diplomats to detect and care for victims of trafficking in key destination countries.

## LIBERIA

Liberia is a nation in a profound state of change and uncertainty. The newly formed National Transitional Government of Liberia (NTGL) took office in October 2003, ending 14 years of armed conflict. The government coalition currently controls little territory outside of Monrovia, the capital city. United Nations Mission in Liberia (UNMIL) peacekeeping forces are charged with restoring order throughout the countryside and training a reformed Liberian National Police force. It will take time before a credible police presence can be established throughout the country to enforce existing laws, including those against trafficking. Current government priorities are focused on disarming ex-combatants and distributing food and medicine.

**Scope and Magnitude.** Liberia is a source country for men, women and children trafficked for sexual exploitation, soldiering, and domestic and commercial labor. Government forces regularly conscripted men, women, and particularly children into their ranks during round-ups, as did rebel factions when raiding refugee and internally displaced persons camps. Child soldiers were forced to work as porters, cooks, messengers and combatants. In addition, young girls were recruited for sexual slavery, forced marriage, and combat. UNICEF estimates there are 15,000 child soldiers within armed groups, comprising up to 80% of some factions. The two rebel factions—LURD and MODEL—and elements of former government militias currently enslave victims in diamond and gold mines. Liberian children are also forced to porter supplies across the borders with Guinea and Sierra Leone and have been forcibly recruited into warring factions in Cote d'Ivoire.

**Government Efforts.** There is growing political will to combat trafficking and the Ministry of Justice is drafting a national plan of action to combat trafficking in persons. The NTGL is working with the National Commission on Disarmament, Demobilization, Rehabilitation, and Reintegration, comprised of representatives from the warring factions, the transitional government and UNMIL, to end the forced conscription of Liberians into militias. The cease-fire has slowed such recruitment, but it continues outside the greater Monrovia area. The demobilization program provides child soldiers with specialized counseling and assistance. Officials of the

Ministry of Justice's Human Rights Department received training in identifying trafficking and intervening effectively. The Ministry is piloting a campaign in Monrovia to raise awareness of Liberia's trafficking problem.

**Areas for Improvement.** The government should continue its efforts to regain control of outlying areas, rebuild its police force and judicial system, and demobilize and provide assistance to child soldiers.

## LIBYA

Libya is considered a special case because press, media, and NGO reports indicate a significant human trafficking problem within its territory, although the U.S. Government has not had a diplomatic presence in Libya during the reporting period that would permit confirmation of these reports. Libya recently engaged with other affected countries to combat illegal smuggling, including human trafficking.

Most reports depict Libya as a transit country for men, women, and children from Africa and Asia who come to the country in the hope of eventually transiting to Europe. Most Africans arrive via the arduous journey through the Sahara. Last summer, about 200 Africans attempting to reach Europe perished in the waters of the Mediterranean when their boat capsized. In the summer of 2003, there were reports of as many as 2,600 Africans arriving into Italy each month by boat. These victims on average pay \$800-\$1,000 to their smugglers, some of whom may be forced to work as prostitutes, laborers, and beggars to pay the debt incurred in their trafficking. There are also reports of a sizable expatriate community in Libya, including 600,000 Sub-Saharan Africans, some of whom may be trafficking victims.

**Government Action.** Due to lack of information the extent of the Libyan Government's efforts to fight trafficking is not clear, but its joint and active collaborations with other affected countries indicate that Libya is making significant efforts to fight human trafficking. In 2003, Italy and Libya signed an agreement to jointly patrol their territorial waters to curb trafficking. In February 2004, the Libyan Government extradited a major Eritrean human trafficker to Italy, after the Italian Government issued a warrant for her arrest. In 2003, press reports indicated 14,000 illegal arrivals in Sicily, the seizure of 195 ships and the arrest of 72 smugglers (some of whom maybe traffickers) by Italian authorities.

In 2004, the Nigerian police handed over 20 of its nationals to Nigerian anti-trafficking authorities for further investigations and prosecution. The victims were on their way to Libya via the Niger Republic.

**Areas for Improvement.** The Government of Libya, given the extensive trafficking within its territory, should provide more information to help determine the extent of the problem as well as evaluate its anti-trafficking efforts. It should also continue cooperating with source and destination countries on anti-trafficking efforts. Libya should similarly cooperate with the International Organization for Migration and NGOs active in the fight against human trafficking.

## SOMALIA

Somalia has been without a central government since 1991. It is a country of origin and destination for trafficked women and children. Armed militias forcibly conscript Somali victims for sexual exploitation and forced labor. Some victims may be trafficked to the Middle East and Europe for sexual exploitation or forced labor. Trafficking networks are reported to be involved in transporting child victims to South Africa for sexual exploitation.

There is political commitment within the Somaliland and Puntland administrations to address trafficking, but corruption and a lack of resources prevent the development of effective policies. Officials are known to condone human trafficking. In May 2003, Puntland authorities reported that they dismissed two officials for involvement in trafficking 133 Sri Lankans. No resources are devoted to preventing trafficking or to victim protection, although some police efforts seek to target traffickers. Various forms of trafficking are prohibited by statutory, Sharia, and customary law, but no traffickers have been prosecuted. Government officials are not trained to identify or assist trafficking victims. NGO's work with internally displaced persons, some of whom may be trafficking victims.

**Areas for Improvement.** All of the major factions in Somalia should cease the use of forced and conscripted labor, especially children. Government officials should target and prosecute traffickers.

## YEMEN

Yemen is a special case because information on trafficking is fragmentary and difficult to corroborate.

Yemen may be a country of origin and destination for internationally trafficked persons. In the past, trafficking has not been a problem in Yemen, but indications exist that one may be emerging. There are reported cases of children trafficked within Yemen for child labor and to Saudi Arabia for begging. Reports in 2003 and 2004 indicate that increasing numbers of Iraqi women and girls were trafficked to Yemen for prostitution. Because trafficking is a nascent issue in Yemen, no surveys or reports are available on the scope and magnitude of the problem.

**Government Action.** Yemeni law does not specifically prohibit trafficking in persons, but several other statutes are being used to prosecute traffickers. The government arrested eight people for attempting to traffic 20 children to Saudi Arabia for begging; these cases are pending. The Ministry of Interior issued a circular to the governorates that border Saudi Arabia instructing its field offices to be alert to potential trafficking situations and arrest perpetrators. Once the government became aware of the possibility that Iraqi women were trafficked to Yemen, a ruling was issued requiring entry visas for all Iraqis. Trafficked children recovered from Saudi Arabia were returned to their families, and Yemeni Ministry of Interior officials explained to the victims' families the risks involved in sending their children abroad. The government supports programs that indirectly address trafficking, such as programs promoting literacy, combating child labor, and combating violence against women.

The Department will, over the next year, continue to engage the government of Yemen on trafficking issues.

## U.S. GOVERNMENT EFFORTS

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**T**he U.S. Government condemns trafficking in persons and remains firmly committed to fighting this scourge and protecting victims who fall prey to traffickers. Our commitment to eradicate trafficking includes:

- Vigorously enforcing U.S. laws against all those who traffic in persons;
- Raising awareness at home and abroad about human trafficking and how it can be eradicated;
- Identifying, protecting, and assisting those victims exploited by traffickers;
- Reducing the vulnerability of individuals to trafficking through increased education, economic opportunity, and protection and promotion of human rights; and
- Employing diplomatic and foreign policy tools to encourage other nations, the UN and other multilateral institutions to work with us to combat this crime, draft and enforce laws against trafficking, and hold accountable those engaged in it.

### **Trafficking Victims Protection Reauthorization Act of 2003**

In December 2003 Congress passed and President Bush signed the Trafficking Victims Protection Reauthorization Act, which enhanced the State Department's reporting of government efforts to combat modern-day slavery by:

- Providing new tools for addressing destination countries that may be turning a blind eye to trafficking;
- Making convictions and sentencing of traffickers as important as investigations and prosecutions in evaluating country efforts to eliminate trafficking;
- Requiring better statistical monitoring, providing greater access to critical law enforcement data related to trafficking; and,
- Creating a Special Watch List.

### **The PROTECT Act**

Another law was enacted in 2003 to give U.S. authorities better tools to combat international sex tourism and the commercial sexual exploitation of children, as well as domestic federal offenses of child abuse, child kidnapping, and child torture. In April 2003, the PROTECT Act (Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003) was passed by the Congress and signed into law by President Bush. The Act serves as a historic milestone for protecting children while severely punishing those who victimize young people. Of particular note, the PROTECT Act allows law enforcement officers to prosecute Americans who travel abroad and sexually abuse minors, without having to prove prior intent to commit illicit crimes. The law also strengthens the punishment of child sex tourists. If convicted, child sex tourists now face up to 30 years imprisonment, an increase from the previous maximum of 15 years. The PROTECT Act made several other changes to the law with a focus on protecting children from sexual predators, including: extending the statute of limitations for federal crimes involving the abduction or physical or sexual abuse of a child for the lifetime of the child; expanding the potential reach of federal sex trafficking prosecutions by extending federal jurisdiction to crimes committed in foreign commerce; establishing parallel penalty enhancements



for the production of child pornography overseas; and, criminalizing actions to arrange or facilitate the travel of child sex tourists.

Other U.S. Government efforts and mechanisms to combat trafficking in persons include the annual Trafficking in Persons report; the President's Interagency Task Force to Monitor and Combat Trafficking in Persons; and, the Office to Monitor and Combat Trafficking in Persons in the U.S. Department of State.

### **The Office to Monitor and Combat Trafficking in Persons ("TIP Office")**

The State Department's "TIP Office" is mandated to: combat and eradicate human trafficking by focusing worldwide attention on the international slave trade; assisting countries to eliminate trafficking; promoting regional and bilateral cooperation; supporting service providers and NGOs active in trafficking prevention and victim protection efforts. The TIP office also assists foreign governments in drafting or strengthening anti-trafficking laws and funds law enforcement and victim assistance training to foreign governments to ensure traffickers are fully investigated and prosecuted to final conviction.

The TIP Office supported more than 240 anti-trafficking programs in over 75 countries in fiscal year 2003. The types of assistance include the following: economic alternative programs for vulnerable groups; education programs; training for government officials and medical personnel; development or improvement of anti-trafficking laws; provision of equipment for law enforcement; establishment or renovation of shelters, crisis centers, or safe houses for victims; support for voluntary and humane return and reintegration assistance for victims; and support for psychological, legal, medical and counseling services for victims provided by NGOs, international organizations and governments.



## OTHER U.S. AGENCY ACTIVITIES

The TVPA also mandates that federally-funded or administered benefits and services, such as cash assistance, medical care, food stamps, and housing, be made available for certain non-citizen trafficking victims. During 2003, trafficking victims in the U.S. received information from federal authorities about the rights and protections available to them. The Departments of State, Justice, and Homeland Security have been implementing this mandate.

### Federal Law Enforcement Assistance

Federal investigators from the Federal Bureau of Investigation, the Immigrations and Customs Enforcement Bureau (ICE), the Diplomatic Security Service, as well as other federal officials who encounter trafficking victims hand out a brochure describing a trafficking victim's rights and the protections available to him or her. ICE also operates a hotline for victims and non-governmental organizations to communicate directly with the ICE victim-witness assistance program. The ICE hotline number is 1-866-DHS-2ICE. Alternatively, the U.S. Department of Justice's Trafficking in Persons and Worker Exploitation Task Force hotline is 1-888-428-7581. In 2003, ICE provided its 25 field offices funds to purchase items to help assist trafficking victims. Funding was used for car seats to safely transport minor children of trafficking victims, clothing, personal hygiene items, bags for personal belongings, cots for children, and other needed items.

ICE retrofitted 25 cars with tinted glass so that investigators and victim-witness coordinators could transport victims, including trafficking victims, with confidentiality. ICE coordinated with its New York office to provide nationwide translation services for victims of trafficking in ICE investigations.

The Department of Health and Human Services (HHS) provides certification and eligibility letters for victims that allow them to access most benefits and services comparable to the assistance provided to refugees. In March 2004, a HHS-sponsored hotline for victims of trafficking, run by an NGO, was activated. The number is: 1-888-373-7888. In fiscal year 2003, HHS issued \$3.48 million to 15 organizations to help victims of trafficking with a range of services, including temporary housing, independent living skills, cultural orientation, and transportation needs, and for educational programs and legal assistance.

In fiscal year 2003, HHS provided 151 certifications and benefits eligibility letters, of which 145 were certification letters to adults and six were eligibility letters to child trafficking victims. Over 200 trafficking victims rescued in the Kil Soo Lee case are provided services by a HHS grantee. The case, prosecuted between 2001 and 2004, is the largest U.S. trafficking case to date, and involved Vietnamese and Chinese nationals trafficked to American Samoa.

The Department of Justice also met immediate needs of victims of trafficking in persons through witness assistance programs and services provided by the grantees of the Department of Justice's Office for Victims of Crime (OVC). In January 2003, the OVC awarded 12 grants totaling more than \$9.5 million to non-governmental organizations for the purpose of providing trafficking victims with comprehensive or specialized services, and to provide these grantees with training

and technical assistance for program support. Grantee organizations must provide comprehensive services, including immediate housing.

Victims of trafficking often need legal assistance with immigration and other matters. Since the passage of the TVPA, the Legal Services Corporation must make available legal assistance to trafficking victims. The Legal Services Corporation is a private, non-profit corporation established by Congress which funds legal aid programs around the nation to help indigent Americans gain equal access to the civil justice system. The Legal Services Corporation grantees assisted a total of 81 victims nationwide during fiscal year 2003.

### **Immigration Benefits**

There are two immigration benefits available through the TVPA to trafficking victims who meet certain eligibility requirements. Victims may be authorized “continued presence” to temporarily remain in the United States if federal law enforcement determines they are potential witnesses to trafficking.

Victims may also petition the Bureau of Citizenship and Immigration Services within the Department of Homeland Security to receive “T visas,” which are available to victims who have complied with reasonable requests for assistance to investigate or prosecute acts of trafficking. Victims who receive T non-immigrant status may remain in the United States for three years, and can then apply for permanent residency.

As of September 30, 2003, the Department of Homeland Security had granted an estimated 374 continued presence requests. For trafficking victims that request repatriation, U.S. Government personnel assist in the repatriation process by liaising with foreign governments to facilitate the victim's return and to try to ensure that the victim is not trafficked again.

### **Investigations and Prosecutions of Traffickers**

Human trafficking cases are among the most labor- and time-intensive matters undertaken by the Department of Justice. They often involve language barriers, multiple investigating agencies, overseas investigations, and in many cases, severe sexual or physical trauma to victims and witnesses, requiring the expertise of various professionals including rape counselors, psychiatrists, physicians, and child interview specialists.

As of April 2004, the Criminal Section of the Civil Rights Division had 153 open trafficking investigations – twice as many as compared with three years earlier. Over one-half of these investigations were initiated as a result of the “Trafficking in Persons and Worker Exploitation Task Force Complaint Line,” 1-888-428-7581, established in February 2000. In fiscal years 2001 through 2003, the Department of Justice’s Civil Rights Division and US Attorneys Offices initiated prosecutions of 110 traffickers, nearly a three-fold increase compared to the previous three fiscal years. In fiscal years 2001 through 2003, the Department of Justice secured 77 convictions and guilty pleas, a 50 percent increase over the previous three years.

In *United States v. Kil Soo Lee*, the largest trafficking prosecution ever brought by the Department of Justice, the Civil Rights Division led a long and difficult investigation resulting in a 22-count indictment against five defendants charged with subjecting workers to involuntary servitude in a garment factory in American Samoa. The indictment, filed in federal court in Hawaii, charged that the defendants transported more than 200 Vietnamese and Chinese nation-

als, mostly young women, to work as sewing machine operators in a Daewoosa garment factory. The victims, some of whom were held for up to two years, were forced to work through extreme food deprivation, beatings, and physical restraint.

The victims were held in barracks on a guarded company compound, and were threatened with confiscation of their passports, deportation, economic bankruptcy, severe economic hardship to family members, false arrest, and personal injury. One victim had an eye gouged out by a defendant who struck her with a jagged pipe in order to punish her for refusing to comply with the defendants' orders. On August 31, 2001 two of the five defendants entered guilty pleas to conspiracy for their involvement in the scheme. On February 21, 2003, a jury convicted Lee, the factory owner and ring-leader, on nearly all counts. Sentencing will occur in June 2004. The other two defendants, his subordinates, were acquitted. In April, 2002, 270 Vietnamese and Chinese workers who labored in the Daewoosa garment factory on American Samoa won an important legal victory. The High Court of American Samoa ordered the factory and two Vietnamese government-owned labor agencies to pay \$3.5 million to the workers. Other cases are highlighted in the annual Department of Justice report.

### **International Grant Activity**

The ideal way to combat trafficking is to prevent the victimization of people in the first place. Because the United States is a destination country for trafficked people, prevention activities in which the U.S. Government engages abroad are particularly important. Through the Department of State, the Department of Labor's Bureau of International Labor Affairs and the U.S. Agency for International Development, the U.S. Government offers a substantial amount of international assistance to help prevent trafficking in persons, and for improving the treatment of victims and the prosecution of traffickers abroad.

In FY 2003, the U.S. Government supported approximately 190 anti-trafficking programs totaling \$72.2 million, and benefiting over 92 countries, up from 118 programs in 55 countries in fiscal year 2001. The Government of the United States has invested \$147.5 million on anti-trafficking efforts over the last two fiscal years. The U.S. Government's international anti-trafficking efforts run the gamut from small projects to large multi-million-dollar programs to develop comprehensive regional and national strategies to combat the worst forms of child labor.

Based on U.S. Government findings over many years of international development work, assistance that has a positive impact on anti-trafficking efforts includes: development or improvement of anti-trafficking laws; provision of equipment for law enforcement; economic alternative programs for vulnerable groups; education programs addressing both the supply and demand sides of trafficking in persons; training for government officials and medical personnel; anti-corruption measures; establishment or renovation of shelters, crisis centers, or safe-houses for victims; support for voluntary and humane return and reintegration assistance for victims; and support for psychological, legal, medical and counseling services for victims provided by NGOs, international organizations and governments.

### **Report on the Worst Forms of Child Labor**

The Department of Labor also publishes an annual report, mandated by the Trade and Development Act of 2000, on efforts governments are taking to meet their international commitments to eliminate the worst forms of child labor, including the trafficking of children for exploitative labor and commercial sexual exploitation. The Trade and Development Act (TDA)

provides that efforts to eliminate the worst forms of child labor count as an important eligibility criterion for countries that are recipients of trade benefits under the Generalized System of Preferences, the Caribbean Basin Trade Partnership Act, and the African Growth and Opportunity Act. The TDA Report released in 2003 chronicled the incidence of the worst forms of child labor, and government efforts to combat it, in over 140 countries and territories.

### **International Engagement**

The U.S. Government also engages internationally through cooperation with countries that support the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, which supplements the UN Convention Against Transnational and Organized Crime, adopted by the UN General Assembly in November 2000; the United States signed the Convention and Protocol in December 2000 and the President has submitted them to the Senate for advice and consent to ratification.

Three other international instruments that address the sale of and trafficking in children have also been adopted - International Labor Organization (ILO) Convention 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (which the United States ratified in February 1999), the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (which the United States ratified in December 2002), and the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (which the United States ratified in December 2002). The Department of Labor works with the ILO to bring international attention to countries' obligations under ILO Convention 150, the Abolition of Forced Labor, as well.

### **Training of NGOs**

Non-governmental organizations (NGOs) have been vital to the U.S. Government's efforts to identify and help trafficking victims as well as to prosecute trafficking cases. The U.S. Government engages in extensive outreach to NGOs, which are often the first point of contact with trafficking victims. These contacts foster good relations with groups that receive and shelter trafficking victims and are often in a position to encourage victims to come forward and report abuse. Additionally, in those situations in which law enforcement is actively involved in liberating victims from servitude, some NGOs can provide safe houses for the victims.

U.S. Government personnel have been working closely with NGOs across the country to train service providers on the provisions of the TVPA, as amended. Through such training, federal prosecutors, Federal Bureau of Investigation and ICE agents, immigration officials and Health and Human Services' personnel have forged strong relationships with NGOs, learned about potential new cases, acquired NGO assistance in procuring refuge and support for trafficking victims, educated non-governmental organizations on the requirements for identifying a victim of a severe form of trafficking, and trained service providers on the roles they can play to contribute toward the success of a trafficking investigation and prosecution.

### **Labor Programs**

The Department of Labor (DOL) also supports programs through the International Organization's International Program on the Elimination of Child Labor as well as through non-governmental and faith-based organizations that address child trafficking in 20 countries around the world, either as the central focus of the project or as a component of a broader project.

These projects rescue children from trafficking and exploitative work situations and provide them with rehabilitation services and educational opportunities.

Programs funded under DOL's Child Labor Education Initiative promote school attendance and provide educational opportunities for victims of child trafficking and children at risk of being trafficked. In the United States, DOL's Employment and Training Administration also assists victims with job training regardless of immigration status. This training includes job search assistance, career counseling, and occupational skills training.

### **Senior Policy Operating Group on Trafficking in Persons**

In February 2002, pursuant to the TVPA, President George W. Bush established a Cabinet-level Interagency Task Force to Monitor and Combat Trafficking in Persons. The Task Force is chaired by the Secretary of State and includes the Attorney General, the Secretary of Defense, the Secretary of Labor, the Secretary of Health and Human Services, the Secretary of Homeland Security, the Director of Central Intelligence, the Director of the Office of Management and Budget, and the Administrator of the U.S. Agency for International Development.

The Task Force's responsibilities include coordination and implementation of the Administration's anti-trafficking activities. In February 2003, the Congress passed and the President signed legislation creating the Senior Policy Operating Group on Trafficking in Persons (SPOG), chaired by the Director of the State Department's Office to Monitor and Combat Trafficking in Persons. The purpose of the SPOG is to bring together senior policy officials from the Task Force member agencies. This year the SPOG was responsible for a number of inter-agency policy developments including:

- Coordination of U.S. agency strategic plans to address trafficking in persons;
- Development of an inter-agency grant policy statement to help implement the President's National Security Presidential Directive on Trafficking in Persons;
- Creation of a website that lists member agency grants and grants opportunities; and
- Coordination of the President's \$50 million initiative announced at the U.N. to fight trafficking in persons abroad.

## RELEVANT INTERNATIONAL CONVENTIONS\*

Country	Protocol to, Prevent, Suppress & Punish Trafficking in Persons		ILO Convention 182, Elimination of Worst Forms of Child Labor	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography		Optional Protocol to the Convention on the Rights of the Child in Armed Conflict		Convention on the Elimination of all Forms of Discrimination Against Women	
	Signature	Ratification, Accession (a)	Ratification	Signature	Ratification, Accession (a)	Signature	Ratification, Accession (a)	Signature	Ratification, Accession (a)
Afghanistan					X (a)		X (a)	X	X (a)
Albania	X	X	X						X
Angola			X						X (a)
Argentina	X	X	X	X	X	X	X	X	X
Armenia	X	X		X		X			X (a)
Australia	X			X		X		X	X
Austria	X		X	X		X	X	X	X
Azerbaijan	X	X	X	X	X	X	X		X (a)
Bahrain			X						X (a)
Bangladesh			X	X	X	X	X		X (a)
Belarus	X	X	X		X (a)			X	X
Belgium	X		X	X		X	X	X	X
Belize		X (a)	X	X	X	X	X	X	X
Benin	X		X	X		X		X	X
Bolivia	X		X	X	X			X	X
Bosnia & Herzegovina	X	X	X	X	X	X	X		X
Brazil	X	X	X	X	X	X	X	X	X
Brunei									
Bulgaria	X	X	X	X	X	X	X	X	X
Burkina Faso	X	X	X	X		X			X (a)
Burma		X (a)							X (a)
Burundi	X		X			X		X	X
Cambodia	X			X	X	X		X	X (a)
Cameroon	X		X	X		X		X	X
Canada	X	X	X	X		X	X	X	X
Chile	X		X	X	X	X	X	X	X
China, People's Rep. of			X	X	X	X		X	X
Colombia	X			X	X	X		X	X
Congo, Dem. Rep. of the	X		X		X	X	X	X	X
Congo, Rep. of			X					X	X
Costa Rica	X	X	X	X	X	X	X	X	X
Côte d'Ivoire			X					X	X
Croatia	X	X	X	X	X	X	X		X
Cuba				X	X	X		X	X
Cyprus	X	X	X	X					X (a)
Czech Republic	X		X			X	X		X
Denmark	X	X	X	X	X	X	X	X	X
Dominican Republic	X		X			X		X	X

Country	Protocol to, Prevent, Suppress & Punish Trafficking in Persons		ILO Convention 182, Elimination of Worst Forms of Child Labor	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography		Optional Protocol to the Convention on the Rights of the Child in Armed Conflict		Convention on the Elimination of all Forms of Discrimination Against Women	
	Signature	Ratification, Accession (a)	Ratification	Signature	Ratification, Accession (a)	Signature	Ratification, Accession (a)	Signature	Ratification, Accession (a)
East Timor					X (a)				X (a)
Ecuador	X	X	X	X	X	X		X	X
Egypt	X	X	X		X (a)			X	X
El Salvador	X	X	X	X		X	X	X	X
Equatorial Guinea	X	X	X		X (a)				X (a)
Estonia	X		X	X		X			X (a)
Ethiopia			X					X	X
Finland	X		X	X		X	X	X	X
France	X	X	X	X	X	X	X	X	X
Gabon			X	X		X		X	X
Gambia, The	X	X	X	X		X		X	X
Georgia	X		X						X (a)
Germany	X		X	X		X		X	X
Ghana			X	X		X		X	X
Greece	X		X	X		X	X	X	X
Guatemala		X (a)	X	X	X	X	X	X	X
Guinea			X					X	X
Guyana			X					X	X
Haiti	X			X		X		X	X
Honduras			X		X (a)		X (a)	X	X
Hong Kong									
Hungary	X		X	X		X		X	X
India	X							X	X
Indonesia	X		X	X		X		X	X
Iran			X						
Iraq			X						X (a)
Israel	X			X		X		X	X
Italy	X		X	X	X	X	X	X	X
Jamaica	X		X	X		X	X	X	X
Japan	X		X	X		X		X	X
Kazakhstan			X	X	X	X	X		X (a)
Kenya			X	X		X	X		X (a)
Korea, Rep. of	X		X	X		X			X
Kuwait			X						X (a)
Kyrgyz Republic	X				X (a)		X (a)		X (a)
Laos		X (a)						X	X
Latvia	X			X		X			X (a)
Lebanon	X		X	X		X			X (a)



Country	Protocol to, Prevent, Suppress & Punish Trafficking in Persons		ILO Convention 182, Elimination of Worst Forms of Child Labor	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography		Optional Protocol to the Convention on the Rights of the Child in Armed Conflict		Convention on the Elimination of all Forms of Discrimination Against Women	
	Signature	Ratification, Accession (a)	Ratification	Signature	Ratification, Accession (a)	Signature	Ratification, Accession (a)	Signature	Ratification, Accession (a)
Liberia			X						X (a)
Libya	X		X						X (a)
Lithuania	X	X	X			X	X		X (a)
Macedonia (FYROM)	X		X	X	X	X	X		
Madagascar	X		X	X		X		X	X
Malawi			X	X		X			X (a)
Malaysia			X						X (a)
Mali	X	X	X		X (a)	X	X	X	X
Mauritania			X						X (a)
Mauritius		X (a)	X	X		X			X (a)
Mexico	X	X	X	X	X	X	X	X	X
Moldova, Republic of	X		X	X		X			X (a)
Morocco			X	X	X	X	X		X (a)
Mozambique	X		X		X (a)				X (a)
Nepal			X	X		X		X	X
Netherlands, The	X		X	X		X		X	X
New Zealand	X	X	X	X		X	X	X	X
Nicaragua			X					X	X
Niger	X		X	X					X (a)
Nigeria	X	X	X	X		X		X	X
North Korea									X (a)
Norway	X	X	X	X	X	X	X	X	X
Pakistan			X	X		X			X (a)
Panama	X		X	X	X	X	X	X	X
Paraguay	X		X	X	X	X	X		X (a)
Peru	X	X	X	X	X	X	X	X	X
Philippines	X	X	X	X	X	X	X	X	X
Poland	X	X	X	X		X		X	X
Portugal	X		X	X	X	X	X	X	X
Qatar			X		X (a)		X (a)		
Romania	X	X	X	X	X	X	X	X	X
Russia	X		X			X		X	X
Rwanda	X	X	X		X (a)		X (a)	X	X
Saudi Arabia	X		X					X	X
Senegal	X	X	X	X	X	X	X	X	X
Serbia & Montenegro	X	X	X	X	X	X	X		X
Sierra Leone	X			X	X	X	X	X	X
Singapore			X			X			X (a)



# TRAFFICKING VICTIMS PROTECTION ACT — MINIMUM STANDARDS FOR THE ELIMINATION OF TRAFFICKING IN PERSONS

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**Trafficking Victims Protection Act of 2000, Div. A of Pub. L. No. 106-386, § 108, as amended.**

## **(A) Minimum standards**

For purposes of this chapter, the minimum standards for the elimination of trafficking applicable to the government of a country of origin, transit, or destination for a significant number of victims of severe forms of trafficking are the following:

- (1) The government of the country should prohibit severe forms of trafficking in persons and punish acts of such trafficking.
- (2) For the knowing commission of any act of sex trafficking involving force, fraud, coercion, or in which the victim of sex trafficking is a child incapable of giving meaningful consent, or of trafficking which includes rape or kidnapping or which causes a death, the government of the country should prescribe punishment commensurate with that for grave crimes, such as forcible sexual assault.
- (3) For the knowing commission of any act of a severe form of trafficking in persons, the government of the country should prescribe punishment that is sufficiently stringent to deter and that adequately reflects the heinous nature of the offense.
- (4) The government of the country should make serious and sustained efforts to eliminate severe forms of trafficking in persons.

## **(B) Criteria**

In determinations under subsection (a)(4) of this section, the following factors should be considered as indicia of serious and sustained efforts to eliminate severe forms of trafficking in persons:

- (1) Whether the government of the country vigorously investigates and prosecutes acts of severe forms of trafficking in persons, and convicts and sentences persons responsible for such acts, that take place wholly or partly within the territory of the country. After reasonable requests from the Department of State for data regarding investigations, prosecutions, convictions, and sentences, a government which does not provide such data, consistent with the capacity of such government to obtain such data, shall be presumed not to have vigorously investigated, prosecuted, convicted or sentenced such acts. During the periods prior to the annual report submitted on June 1, 2004, and on June 1, 2005, and the periods afterwards until September 30 of each such year, the Secretary of State may disregard the presumption contained in the preceding sentence if the government has provided some data to the Department of State regarding such acts and the Secretary has determined that the government is making a good faith effort to collect such data.
- (2) Whether the government of the country protects victims of severe forms of trafficking in persons and encourages their assistance in the investigation and prosecution of such trafficking,

including provisions for legal alternatives to their removal to countries in which they would face retribution or hardship, and ensures that victims are not inappropriately incarcerated, fined, or otherwise penalized solely for unlawful acts as a direct result of being trafficked.

- (3) Whether the government of the country has adopted measures to prevent severe forms of trafficking in persons, such as measures to inform and educate the public, including potential victims, about the causes and consequences of severe forms of trafficking in persons.
- (4) Whether the government of the country cooperates with other governments in the investigation and prosecution of severe forms of trafficking in persons.
- (5) Whether the government of the country extradites persons charged with acts of severe forms of trafficking in persons on substantially the same terms and to substantially the same extent as persons charged with other serious crimes (or, to the extent such extradition would be inconsistent with the laws of such country or with international agreements to which the country is a party, whether the government is taking all appropriate measures to modify or replace such laws and treaties so as to permit such extradition).
- (6) Whether the government of the country monitors immigration and emigration patterns for evidence of severe forms of trafficking in persons and whether law enforcement agencies of the country respond to any such evidence in a manner that is consistent with the vigorous investigation and prosecution of acts of such trafficking, as well as with the protection of human rights of victims and the internationally recognized human right to leave any country, including one's own, and to return to one's own country.
- (7) Whether the government of the country vigorously investigates, prosecutes, convicts, and sentences public officials who participate in or facilitate severe forms of trafficking in persons, and takes all appropriate measures against officials who condone such trafficking. After reasonable requests from the Department of State for data regarding such investigations, prosecutions, convictions, and sentences, a government which does not provide such data consistent with its resources shall be presumed not to have vigorously investigated, prosecuted, convicted, or sentenced such acts. During the periods prior to the annual report submitted on June 1, 2004, and on June 1, 2005, and the periods afterwards until September 30 of each such year, the Secretary of State may disregard the presumption contained in the preceding sentence if the government has provided some data to the Department of State regarding such acts and the Secretary has determined that the government is making a good faith effort to collect such data.
- (8) Whether the percentage of victims of severe forms of trafficking in the country that are non-citizens of such countries is insignificant.
- (9) Whether the government of the country, consistent with the capacity of such government, systematically monitors its efforts to satisfy the criteria described in paragraphs (1) through (8) and makes available publicly a periodic assessment of such efforts.
- (10) Whether the government of the country achieves appreciable progress in eliminating severe forms of trafficking when compared to the assessment in the previous year.

## GLOSSARY OF ACRONYMS

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IOM – International Organization for Migration

ILO – International Labor Organization

ILO-IPEC – International Labor Organization, International Program on the  
Elimination of Child Labor

UN – United Nations

UNICEF – United Nations Children’s Fund

UNIFEM – United Nations Development Fund for Women

UNHCR – UN High Commissioner for Refugees

UNDP – UN Development Program

EU – European Union

OSCE – Organization for Security and Co-operation in Europe

ECOWAS – Economic Community of West African States (ECOWAS)



## A CLOSING NOTE FROM THE DRAFTERS OF THE REPORT

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Writing this report from our windowed offices in Washington, D.C., we have seen spring arrive with its warmth, glory, and promise of a new cycle of life. Yet as we celebrate the change in seasons, we are reminded that for millions of children, women and men around the world – enslaved in sexual or labor bondage – there is no respite from the relentless hell they face. And every day, more victims join them. We owe to them our utmost analytical, diplomatic, and programmatic efforts. This report is their collective story.

Drafting and coordinating a report that evaluates foreign governments' anti-trafficking actions has challenged us and our partners at home and abroad as we strive for accuracy and fairness. Hewing to the letter and spirit of the Trafficking Victims Protection Act, we place a premium on prompting improvements in behavior through cooperation and engagement with like-minded governments throughout the world. But inaction on behalf of victims must be highlighted and comes with a cost.

We want to thank our colleagues within the Department of State and in other U.S. Government Departments who helped refine and coordinate this report. We thank our colleagues in foreign embassies here in Washington and in governments around the world who gave their considerable time and attention to our requests for information, and most importantly, their cooperation in fighting trafficking in persons. We thank the victims whose stories contributed to this report, and the NGOs working to end this scourge. But most of all, we want to thank you, the reader, for taking the time to review the report. We hope you will be moved in some way to contribute to the global effort to eradicate modern-day slavery.

We feel privileged to have worked on a report of such tremendous import and are proud to have been entrusted to draft it by Secretary Powell. It is our fervent hope that through the report's detailed depiction of human trafficking the world over, it will encourage necessary reforms. It is our hope that traffickers will be punished for their barbaric behavior. It is our hope that more victims will find a hand extended to help them through the trauma of rape, enslavement, and dehumanizing conditions to the hope of a new future.

The distance from Washington to the world's darkest and most inaccessible sites of modern-day slavery is getting shorter.

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