

SPECIAL CASES

THE BAHAMAS

Limited data suggest a possible labor trafficking problem in The Bahamas. The Bahamas remains a special case for a third consecutive year because the presence of large numbers of undocumented migrants in the country continues to raise concerns that there may be a significant number of trafficking victims in need of assistance. While the government has been pro-active by collaborating with IOM on a draft anti-trafficking bill and engaging in anti-trafficking training efforts, a more effective government response would include enactment of national anti-trafficking laws and greater efforts to protect victims, particularly development of a pre-deportation mechanism to identify possible trafficking victims among undocumented migrants and detainees. Increased anti-trafficking training for government officials also would assist the government's efforts.

Scope and Magnitude. The Bahamas may be a destination and transit country for men, women, and children trafficked for the purposes of forced labor and commercial sexual exploitation. A large proportion of the country's population consists of undocumented Haitian immigrants, with estimates ranging from 30,000 to 60,000, some of whom may be subjected to conditions of involuntary servitude. Although most of these migrants arrive voluntarily in The Bahamas to work as domestic servants, gardeners, construction workers, and agricultural laborers, many are reported to be exploited by Bahamian employers who can coerce them to work long hours for no pay by withholding documents or threatening arrest and deportation. Past media reports indicate that a limited number of women and girls from Jamaica and other countries may be trafficked to The Bahamas for commercial sexual exploitation.

Government Efforts. Official recognition of human trafficking concerns and the need to enact anti-trafficking legislation increased in The Bahamas last year, in addition to awareness of the need to balance vigorous enforcement of immigration laws with protecting undocumented migrants from exploitation. To further advance its anti-trafficking efforts, the government should investigate the potential scope of the problem and continue to work with its legislature to pass a comprehensive law criminalizing all forms of human trafficking, including forced labor and domestic servitude. Under current Bahamian law, Title X of its Statute Law can be used to prosecute traffickers for sexual exploitation offenses. These provisions carry penalties up to eight years' imprisonment, which are sufficiently stringent and commensurate with penalties for other grave crimes, such as rape. Trafficking for forced labor is not prohibited. While The Bahamas has well-developed civil labor laws that guarantee workers a minimum wage, maximum working hours, and

other legal benefits, migrant workers usually do not have access to these protections, which makes them more vulnerable to coercive practices. Current Bahamian law also provides that a legal work permit is issued directly and exclusively to a local employer, who has the ability to cancel the permit and require a migrant to return home – an area of reported abuse and concern about labor trafficking activity. Last year, the government did not investigate or prosecute any trafficking cases.

The government has an interagency group to address trafficking concerns, and has assigned a priority to the passage of anti-trafficking legislation. Overall services for trafficking victims, however, remain extremely limited. The Bahamas operates no specialized trafficking shelters, although domestic violence services could be expanded to cover women and child trafficking victims. NGOs and faith-based organizations working with undocumented migrants have expressed a willingness to assist trafficking victims despite concerns about their security, but the government lacks an effective referral mechanism. The government also has no established mechanism for identifying trafficking victims among vulnerable populations, particularly immigration detainees. The Bahamas has not ratified the 2000 UN TIP Protocol.

BARBADOS

Barbados remains a special case for a second consecutive year due to a sustained lack of adequate information indicating a significant number of trafficking victims within the country. However, limited reporting continues to suggest the existence of some human trafficking in Barbados. Although reliable data from either the government or international organizations remains lacking, the Government of Barbados has been proactive in prosecuting a few suspected traffickers and making efforts to prevent new incidents of trafficking. A more effective government response would include enactment of national anti-trafficking laws and greater efforts to protect victims, particularly development of a pre-deportation mechanism for identifying trafficking victims among undocumented migrants and detainees.

Scope and Magnitude. Anecdotal information suggests that Barbados may be a destination and transit country for men, women, and children trafficked for the purposes of commercial sexual exploitation and forced labor. Some internal trafficking of children into prostitution may be facilitated by victims' families. Reports indicate that women and girls from Guyana, the Dominican Republic, and other Caribbean islands may be trafficked to Barbados for sexual exploitation in strip clubs and brothels, as well as for domestic servitude. Some migrants, mostly men from China, India, and Guyana, may be subjected to conditions of forced

labor in construction and other sectors. Barbados also may be a sex tourism destination.

Government Efforts. While Barbados has no specific law prohibiting human trafficking, existing statutes against sexual offenses and forced labor have been used to prosecute some trafficking-related crimes. In past years, the government initiated prosecutions against a small number of alleged traffickers, although it often deported foreign victim witnesses for immigration violations before they could assist with the government's prosecutions. Many of these cases were later dismissed due to lack of victim testimony. In 2007, regional security forces dismantled a sex trafficking ring destined for Barbados, which involved child victims as young as 13- and 14-years-old from China, Russia, and other Caribbean countries. Regional police officers from the Royal Canadian Mounted Police, along with Barbadian security forces, indicated that the main organizers of the ring were from Barbados and Guyana. No arrests or prosecutions in connection with this case have been reported. In another case, a local court convicted an India-based construction company for trafficking 14 Indian nationals into Barbados in 2005, and fined the company \$1,000. Prosecutors had attempted to secure a heavier punishment, but their case was weakened when the company sent the workers home before they could assist with the government's investigation. Additional anti-trafficking training – especially for law enforcement, immigration, and labor personnel – could assist Barbadian officials to identify victims and to provide support. During the reporting period, the government increased collaboration with NGOs, and took steps to raise public awareness of human trafficking by organizing anti-trafficking public forums and workshops.

Although the number of trafficking victims in Barbados may be limited, victim protection services, specifically targeting trafficking victims, are not readily available; the government relies on NGOs and international organizations to provide the bulk of assistance to trafficking victims. Immigration officials screen undocumented foreigners before deporting them, but do not specifically attempt to identify potential trafficking victims. Victims may be penalized for unlawful acts committed as a direct result of being trafficked. Barbados has not ratified the 2000 UN TIP Protocol.

BOTSWANA

The existence of a human trafficking problem in Botswana is suspected but cannot currently be corroborated by reliable reporting. Few people in the country accurately understand the concept of human trafficking and neither NGOs nor international organizations are working on the issue. Police, immigration officials, and NGOs are concerned about human trafficking and admit that

conditions exist that could possibly make Botswana a country of transit to South Africa. Botswana has long, porous borders that are difficult to monitor. It also has many residents who are potentially susceptible to trafficking, such as illegal immigrants from Zimbabwe, unemployed men and women, those living in rural poverty, agricultural workers in remote areas, and many children orphaned by HIV/AIDS. To combat trafficking effectively, the government should consider drafting and enacting laws that prohibit all forms of human trafficking, and launch a public awareness campaign to educate all Botswana – particularly women, children, and traditional leaders – on the nature and dangers of human trafficking.

Scope and Magnitude. Botswana may be a source, transit, and destination country for men, women, and children trafficked for forced labor and sexual exploitation. One local NGO received reports from Botswana women that they were forced to provide sexual services to tourists at some safari lodges; however, no complaints have been lodged with law enforcement officials. Parents in marginalized rural communities give their children to better-off families for employment as domestics in towns or herders at remote cattle posts, where these children are vulnerable to abuse, including sexual exploitation. Children engaged to work as domestics are typically promised schooling, but rarely receive it and often work long hours without compensation. Many Botswana households employ Zimbabwean women as domestic workers, often without proper work permits or the adequate payment of wages. The passports of these workers are often held by the employer on the pretext of obtaining legal documents or to avoid being robbed, creating the potential for coercion and abuse of the legal system that can lead to trafficking. Isolated cases of debt bondage have been reported, as well as the trafficking of Zimbabwean nurses and teachers into domestic labor and cattle herding in Botswana.

Government Efforts. Botswana does not have a law specifically prohibiting trafficking in persons, and some NGOs believe that local police do not pursue possible trafficking cases because there is no specific law against the crime. Existing Penal Code provisions against abduction, kidnapping, slave trading, forced labor, and procuring persons for the purpose of prostitution could be used to prosecute trafficking cases. No government agency has been given the official lead on human trafficking issues. The Department of Labor, through its local district offices, is responsible for conducting inspections, but monitoring for exploitative child labor is virtually nonexistent. There were no prosecutions, convictions, or fines for human trafficking or the use of exploitative child labor in 2007. In February 2008, the government approved a national plan for action for the elimination of child labor. The

government encourages and funds training of law enforcement and immigration personnel in anti-trafficking methods and procedures at regional institutes such as the International Law Enforcement Academy.

As no victims of trafficking have yet been officially identified, law enforcement and social services personnel have not established formal trafficking victim identification procedures, or procedures for referring victims to NGOs for the provision of protective services. However, the government regularly provides funding and other support to a wide range of NGO programs that service the needs of individuals who are most vulnerable to trafficking, especially women and children. While the government has not conducted a trafficking-specific education or awareness campaign, it held workshops, seminars, and awareness campaigns on exploitative child labor and hosted the Migration Dialogue for Southern Africa's workshop on "Human Trafficking and Legislative Responses in Southern Africa" in 2007.

BRUNEI

Brunei remains listed as a "special case" for a third consecutive year because the lack of reliable data makes it unclear whether there is a significant number of victims in the country. The presence of large numbers of legal migrant laborers in the country presents the possibility that some may face conditions of involuntary servitude. Coupled with reported predominant use of labor mediation rather than criminal prosecution in cases of severe labor exploitation, this raises concerns that there may be a trafficking problem in Brunei.

Scope and Magnitude. Brunei is a destination country for men and women who migrate legally from Indonesia, Malaysia, the Philippines, Bangladesh, the People's Republic of China (P.R.C.), and Thailand for domestic or low-skilled labor. A small but unknown number may be subjected to conditions of involuntary servitude after arrival. There were isolated instances of women forced into prostitution in Brunei. In part due to its small size, Brunei has a small trafficking challenge.

Government Efforts. The Government of Brunei vigorously enforces immigration and labor codes. The government demonstrated some efforts to combat trafficking in persons; however, it often relied on administrative rather than criminal penalties. The Government of Brunei prohibits sex and labor trafficking in its Trafficking and Smuggling in Persons Order of 2004; however, there have never been any prosecutions under this order. Labor cases, involving allegations such as contract switching and non-payment of salaries, are usually tried under the Labor Act. The 2004 Trafficking

and Smuggling Order prescribes sentences of up to 30 years' imprisonment for acts of sex trafficking, which is sufficiently stringent. The Labor Act prescribes penalties for labor trafficking of up to three years' imprisonment, which is not sufficiently stringent. In December 2007, Brunei joined the ILO and initiated a review of its labor laws to bring them fully in compliance with ILO standards as part of its plan to ratify ILO Convention 182 on the Worst Forms of Child Labor.

In 2007, Brunei police investigated and made arrests in 10 cases involving foreign women in prostitution. The women were from Thailand, Indonesia, the Philippines, and P.R.C. and had entered the country as tourists. Police investigations indicated that the women had been identified as possible "prostitutes" by their home country law enforcement agencies. In one case, two women asserted that they were trafficked by their handlers. The women were provided shelter by their embassy, but declined to cooperate with the police investigation and were repatriated. In October 2007, two Thai nationals were arrested for living in part on the earnings of prostitution (pimping) from three Thai nationals who were possible trafficking victims and were sheltered at a government facility as the police investigated the case. Due to insufficient evidence of trafficking, and lack of cooperation of the victims, the suspected pimps were prosecuted under other criminal statutes.

The Department of Labor (DOL) regularly investigates labor-related cases involving job switching, salary deductions for recruitment fees, salary based on false promises, and high recruitment fees paid by the prospective employee. Some of these may involve trafficking. The government can prosecute employers for contract switching even if the contractual terms were changed with the consent or knowledge of the migrant worker. In 2007, DOL recorded 26 complaints by domestics and 108 complaints by garment workers against employers who failed to pay salaries. Sixteen of the complaints by domestic workers and 60 of the complaints by garment workers were resolved, largely by employer compensation payments. Eighteen complainants withdrew their claims, while the remaining cases were still under investigation. It is unknown how many of these cases involved trafficking.

Brunei continued efforts to protect trafficking victims. It provided shelter to three potential Thai trafficking victims at a government shelter facility. The victims subsequently requested repatriation which was funded by the Immigration Department. The trafficking law created a government-financed fund which can be used to cover the cost of repatriation. While there are no foreign NGOs or international organizations in Brunei to provide victim support, the embassies of several source countries provide shelter,

mediation, and immigration support services to their nationals. Brunei has no formalized, national system for identifying victims of trafficking, although individual law enforcement and social services agencies do have officers trained at victim identification. The government encourages victims to assist in investigations as witnesses and will permit them to obtain other employment pending trial proceedings. One foreign embassy reported that the Brunei government has provided shelter and repatriation assistance to its nationals who have fled to Brunei from neighboring areas of Malaysia to escape abusive labor conditions or commercial sexual exploitation.

The Government of Brunei has not conducted public awareness campaign programs on trafficking, although it did conduct training for law enforcement officials on victim recognition. Police, prosecutors, immigration officers, and officials from the Department of Community Development participate in training to improve their skills in identifying victims, conducting interviews, and providing counseling. Law enforcement officials participate in several regional training programs on trafficking. Brunei has not ratified the 2000 UN TIP Protocol.

HAITI

Haiti has been in political transition since widespread violence and political instability led to the resignation of former President Jean-Bertrand Aristide in 2004. Since the release of the 2007 Report, the government continued to struggle to provide basic services and security for citizens, and to control rampant crime in its capital, Port-au-Prince. In April 2008, the government's prime minister was forced to resign during violent food riots across the country. Haiti remains the least developed nation in the Western Hemisphere, and is one of the poorest countries in the world, with an average per capita income of less than \$500 per year, and an unemployment rate of nearly 60 percent. The UN Stabilization Mission in Haiti currently has more than 6,500 troops and 1,600 UN police on the ground to reduce gang violence and kidnappings. Due to the absence of effective government institutions and a well-trained and equipped national police force, Haiti has been addressing its significant human trafficking challenges. Haiti remains a special case for a third consecutive year in recognition of its transitional status. However, the U.S. Government strongly urges the Government of Haiti to take immediate action to address its serious trafficking in persons concerns. The following background and recommendations are provided to guide government officials.

Scope and Magnitude. Haiti is a source, transit, and destination country for men, women, and children trafficked for purposes of forced labor and commercial sexual exploitation. The majority of trafficking in Haiti stems from poor rural families giving

custody of their children to more affluent opportunities. The practice of trafficking such children, who are called *restaveks*, is widespread and often involves sexual exploitation, physical abuse, and domestic servitude, a severe form of trafficking in persons. While difficult to gauge, the Government of Haiti and UNICEF estimate the number of *restaveks* to range between 90,000 and 300,000. Haitian girls between the ages of six and 14 tend to be placed in urban households, and boys are trafficked into agricultural servitude. Some children are recruited or coerced into joining violent criminal gangs as fighters or thieves. Other Haitian children are sent to the Dominican Republic, where they live in miserable conditions. Dominican women and girls reportedly are trafficked into Haiti for commercial sexual exploitation, some to Haitian brothels serving UN peacekeepers. Haitians also commonly migrate to the Dominican Republic, the Bahamas, the United States, and other Caribbean nations, where after arrival, they reportedly may be subjected to conditions of forced labor on sugar-cane plantations, and in agriculture and construction.

Government Efforts. Haitian officials recognize that human trafficking is a serious problem in the country, including the exploitation of *restavek* children as domestic servants. The government should make every effort to enact comprehensive legislation to define and criminalize all forms of human trafficking, including forced labor and domestic servitude. With assistance from IOM, the Pan-American Development Foundation, and the OAS, the government drafted an anti-trafficking bill, which has been submitted to parliament in early March 2008. Under existing law, Haiti does not prohibit trafficking in persons, although other criminal statutes penalizing slavery, kidnapping, and violence against women could be used to prosecute some trafficking crimes until anti-trafficking legislation is passed. As a policy matter, the government's police child protection unit, the Brigade for the Protection of Minors (BPM), does not pursue *restavek* trafficking cases because there is no statutory penalty against the practice. Fighting trafficking in persons effectively depends, in part, on continuing Haitian and international efforts to build a functional national police force. In conjunction with passage of the draft anti-trafficking bill now before parliament, police and prosecutors will need more specialized anti-trafficking training. The government should take steps now to prepare for implementation of the new law and to assist victims. The government also should continue to work with NGOs and social-welfare agencies to improve its ability to identify, refer, and provide services to *restaveks* and other Haitian children exploited as domestic servants. During the reporting period, the government renovated a children's shelter outside of Port-au-Prince with international assistance. Shelter services for adult trafficking victims, however, do not exist. Increased anti-traf-

ficking training for judges, police, and prosecutors would assist the government's efforts, in addition to working with the Dominican Republic to improve security and aid trafficking victims in border areas. Haiti has not ratified the 2000 UN TIP Protocol.

IRAQ

Iraq remained in political transition for a sixth consecutive year and therefore is not ranked in this Report. The U.S. Government anticipates that the Government of Iraq's efforts to combat trafficking in persons in Iraq can be assessed in next year's Report.

Scope and Magnitude Iraq is a source and destination country for men and women trafficked for commercial sexual exploitation and involuntary servitude. Iraqi children are trafficked within the country and abroad for commercial sexual exploitation; criminal gangs may have targeted young boys, and staff of private orphanages may have trafficked young girls for forced prostitution. Iraqi women are trafficked within Iraq, as well as to Syria, Jordan, Kuwait, Qatar, United Arab Emirates, Turkey, and Iran for the purpose of commercial sexual exploitation. Iraq is also a destination for men and women trafficked from Georgia, India, Pakistan, Indonesia, Nepal, Philippines, and Sri Lanka for involuntary servitude as construction workers, cleaners, and handymen. Women from the Philippines and Indonesia are trafficked into the Kurdish territory for involuntary servitude as domestic servants. Some of these workers are offered fraudulent jobs in Kuwait or Jordan, but are then tricked or forced into involuntary servitude in Iraq instead; others go to Iraq voluntarily, but are still subjected to conditions of involuntary servitude after arrival. Although the governments of India, Pakistan, Sri Lanka, Thailand, and the Philippines have official bans prohibiting their nationals from working in Iraq, workers from these countries are coerced into positions in Iraq with threats of abandonment in Kuwait or Jordan, starvation, or force.

Iraq did not take any meaningful action to address trafficking in persons over the reporting period. Although it has a functioning judiciary, the government neither prosecuted any trafficking cases this year nor convicted any traffickers. Furthermore, the government offers no protection services to victims of trafficking, reported no efforts to prevent trafficking in persons, and does not acknowledge trafficking to be a problem in the country.

Recommendations for Iraq: Significantly increase criminal investigations of internal and transnational trafficking for both commercial sexual exploitation and involuntary servitude. The government should also provide victims of trafficking with protection services, and should ensure that they are

not detained, punished, or treated as criminals for acts committed as a result of being trafficked.

Government Efforts The Government of Iraq does not prohibit all forms of trafficking, but criminalizes the trafficking of children for commercial sexual exploitation through Article 399 of its penal code. This statute prescribes penalties of up to 10 years' imprisonment, which are sufficiently stringent to deter, but are not commensurate with those prescribed for other grave crimes, such as rape. It is particularly important that Iraq adopt legislative reforms that criminalize all forms of trafficking, train its law enforcement and judicial officers; take measures to curb the complicity of public officials in the trafficking of Iraqi women, begin prosecuting trafficking offenses under existing statutes, and sentence those convicted to sufficiently stringent prison terms.

The Iraqi government did not provide any protection services to victims of trafficking during the reporting period. The government did not operate shelters for trafficking victims, nor offer legal, medical, nor psychological services. Iraq continued to lack formal procedures to identify victims of trafficking among vulnerable groups, such as women arrested for prostitution. As a result, trafficking victims were sometimes jailed for unlawful acts committed as a result of being trafficked. The government provided no assistance to Iraqi victims repatriated from abroad, and some were criminally punished; for example, some victims who were trafficked abroad using false documents were arrested and prosecuted upon their return to Iraq. Iraq neither encouraged victims to assist in investigations against their traffickers, nor offered foreign victims legal alternatives to removal to countries in which they may face hardship or retribution.

The Government of Iraq did not take measures to prevent trafficking in persons this reporting period, despite reports of a growing trafficking problem among women and foreign nationals in the country for labor. The government does not sponsor any anti-trafficking campaigns, and did not monitor immigration and emigration patterns for evidence of trafficking. Iraq has not ratified the 2000 UN TIP Protocol.

KIRIBATI

Kiribati remains a special case for a second consecutive year, as information suggests there is a small-scale trafficking in persons problem in Kiribati; however, reliable statistical data from either the government or civil society remains lacking.

Scope and Magnitude. During the last year, international organizations and NGOs expressed concerns that internal trafficking of underage girls

for the purpose of commercial sexual exploitation by crews of foreign and local fishing vessels takes place occasionally in Kiribati. It is reported that approximately 17 girls were involved in commercial sexual exploitation in South Tarawa and Christmas Island. There is anecdotal evidence that a few third parties, sometimes including family members, facilitated commercial sexual exploitation of minors. Crews from Taiwanese and South Korean fishing vessels reportedly exploited underage girls on board for commercial sexual exploitation.

Government Efforts. The Government of Kiribati made limited efforts to combat human trafficking during the reporting period. Kiribati's 2005 comprehensive legislation criminalizes all forms of trafficking, and trafficking in children in particular, making these offenses for which it prescribes punishments of 14 to 20 years' imprisonment. The 2005 law also provides protection and rights for victims of trafficking. An inter-agency transnational crime task force made up of law enforcement officials from police, Attorney General's office, and the immigration, customs, and finance ministries meets monthly and includes trafficking in persons as one of its responsibilities. The Government of Kiribati did not prosecute any cases against human trafficking offenses during the reporting period.

The Government of Kiribati has a limited capacity to protect victims of trafficking and relies on civil society and international organizations to provide most victim services. The government's law enforcement and social services personnel do not have a formal system of proactively identifying victims of trafficking among high-risk persons with whom they come in contact; they identified no victims during the reporting period. Kiribati has not developed or implemented a referral process to transfer victims detained, arrested, or placed in protective custody by law enforcement authorities to institutions that provide short or long-term care. Kiribati does not have victim care facilities that are accessible to trafficking victims. The government does not have any formal arrangements or mechanisms in place to provide trafficking victims with access to legal, medical, or psychological services. Government officials acknowledged in its Report to the Committee on the Rights of the Child that commercial exploitation of children continues to be a problem in Kiribati.

Kiribati government officials are involved in an active outreach and education program on commercial sexual exploitation of children, led and funded by UNICEF. The government did not provide any specialized training for government or law enforcement officials on how to recognize, investigate, and prosecute instances of trafficking. However, the government participated in awareness-raising activities, in conjunction with NGOs, on commercial sexual exploitation of children during the reporting

period. The Government of Kiribati took no action to reduce the demand for commercial sex acts during the reporting period.

KOSOVO

Kosovo is a special case for the 2008 Report because it did not have an effective national government for most of the reporting period. The Kosovo Assembly declared Kosovo to be an independent state on February 17, 2008. Prior to that date and since 1999, Kosovo had been administered by the United Nations Interim Administrative Mission (UNMIK) in Kosovo.

Scope and Magnitude: Kosovo is a source, transit, and destination country for women and children trafficked transnationally and within the borders of Kosovo for the purpose of commercial sexual exploitation. There are reports from Kosovo of children being forced to beg, possibly by parents, raising concerns about possible trafficking. Kosovo government statistics indicate that most Kosovar victims are children, while most foreign victims are young women from Eastern Europe. Some victims transit Kosovo en route to Macedonia, Italy, and Albania. Traffickers shifted the commercial sex trade into private homes and escort services to avoid detection, a result of increased law enforcement checks on bars and restaurants.

Recommendations for Kosovo: Vigorously investigate and prosecute sex and labor trafficking offenders, as well as public officials complicit in trafficking; sustain efforts to ensure that convicted traffickers receive adequate punishments; provide trafficking-specific training for prosecutors; ensure adequate victim protection and that victims are not inappropriately penalized for unlawful acts committed as a result of being trafficked; and continue trafficking prevention activities, including efforts to reduce the demand for commercial sexual exploitation.

Government Efforts: Kosovo criminally prohibits sex and labor trafficking through its Provisional Criminal Code of Kosovo, which came into effect in 2004 and prescribes penalties for human trafficking that are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. In the first quarter of 2008 the Kosovo Police Service (KPS) closed 27 suspected brothels, compared to six closed in the same period in 2007, due to suspected trafficking. In 2007, there were 31 prosecutions and 24 convictions of sex traffickers in Kosovo. Twenty-two of those convicted received prison sentences ranging from one year to 20 years' in prison. One convict was fined and another was paroled. There were no reported investigations or prosecutions of labor trafficking. The government provided training on recognizing and investigating trafficking for police officers and border police,

although it acknowledges a lack of awareness of available anti-trafficking tools and legislation among some prosecutors. While there were reports of some officials' involvement in trafficking, particularly in the area of employment contract registration, there were no reported prosecutions or convictions of any such officials.

The Kosovo government, UNMIK, international organizations, and NGOs together developed standard operating procedures governing protection and assistance for trafficking victims. The government reported assisting 33 victims of trafficking in 2007, 14 of whom had been trafficked within Kosovo. The government partially funds one shelter and an assisted living project specifically for child trafficking victims. Domestic and foreign victims received protection and access to medical and psychological services through the government-run and funded shelter and IOM, as well as through NGOs offering additional shelters and services to victims. During the last year, the Ministry of Justice did not renew funding for additional NGOs it had funded in previous years. The government was able to provide 24-hour protection of limited duration to victims and allows victims to give anonymous testimony, but witness intimidation remained a serious problem in Kosovo. While regulations protect victims from being charged with unlawful acts committed as a result of being trafficked, there is anecdotal evidence that victims may have nonetheless been jailed or automatically deported for prostitution offenses. Victims of trafficking have legal alternatives to removal to countries where they face hardship or retribution through the granting of refugee status and approval of residency permits. The government reports that victims are not pressured to assist in investigation and prosecution of traffickers.

Most anti-trafficking awareness campaigns were run by international organizations and NGOs with the government's support. IOM and the Ministry of Justice sponsored anti-trafficking hotlines. In July 2007, the Prime Minister approved an initiative declaring October to be national trafficking awareness month. Officials participated in several roundtables and panel discussions on human trafficking, and the Ministry of Education, Science and Technology took part in a regional project to help parents prevent children from becoming trafficking victims. The Prime Minister's Advisory Office for Good Governance coordinates communication among counter-trafficking entities in Kosovo, including the relevant ministries, NGOs and international organizations. The national action plan expired in December 2006 with several goals unfulfilled. Kosovo's mayors are leading a campaign to address the illegal sex trade.

LESOTHO

Limited available data suggests the existence of a significant trafficking in persons problem in Lesotho, although this remains unsubstantiated. Lesotho remains a special case for a third consecutive year, due to the lack of reliable statistical information—from either the government or international organizations—regarding trafficking incidents to date. To combat trafficking, the government should consider drafting and enacting laws to prohibit all forms of human trafficking, as well as launching a public awareness campaign to educate all Basotho, but particularly women, children, and traditional leaders, on the nature and dangers of irregular migration and trafficking in persons.

Scope and Magnitude. Anecdotal but uncorroborated reports indicate that Lesotho may be a source and transit country for small numbers of women and children trafficked for forced labor and commercial sexual exploitation. Trafficking within Lesotho does not appear to be organized by rings or criminal syndicates, and some anecdotal information suggests trafficking may be practiced with the sanction of a victim's family, especially in the case of children. Basotho boys may be internally trafficked for use in cattle herding and street vending, while girls may be trafficked for cattle herding, domestic servitude, or commercial sexual exploitation. There are unconfirmed reports that young men or groups of women in some towns operate as pimps, exploiting underage girls in return for food and other basic needs. After migrating to neighboring South Africa in search of work, some vulnerable Basotho women and girls may become victims of trafficking for domestic labor or commercial sexual exploitation. There is also anecdotal evidence to suggest that, to avoid South African immigration controls, Lesotho is a transit point for the smuggling of South and East Asians into South Africa; some of these individuals may be victims of human trafficking. During the reporting period, an Ethiopian domestic claiming abuse by her Ethiopian employer was discovered in Maseru; it is likely that this woman is a victim of human trafficking.

Government Efforts. The absence of a law criminalizing trafficking hinders the government's ability to address the problem. The government has not yet passed or enacted the Child Protection and Welfare Bill drafted in 2005, which includes a provision prohibiting trafficking of children under the age of 18. Existing statutes prohibiting abduction, kidnapping, and the procurement of women and girls for prostitution could be used to prosecute trafficking, but do not sufficiently address all forms of trafficking and were not used during the reporting period. After receiving a report of a potential Ethiopian trafficking victim in Maseru, the Lesotho Mounted Police Service opened an investigation into the case

in January 2008. In the absence of a specific law defining trafficking as a criminal offense, the police charged the employers as well as the potential victim with violation of the Aliens Control Act and the Labor Law; the facts of the case are still being established in Lesotho's courts. Police and immigration authorities screen foreign migrants for indications of potential smuggling, kidnapping, and fraudulent documentation, but have received no training that would allow for the accurate identification of trafficking victims. Monitoring of Lesotho's borders is inadequate; criminal elements often take advantage of the porous borders to carry out illegal activities.

Government officials have a limited understanding of human trafficking and are generally unaware of how to recognize victims; as such, they do not provide specific assistance to them. The Ministry of Home Affairs and the police's Child and Gender Protection Unit cooperate with the local UNICEF and UNESCO offices to address reports of children in prostitution. UNESCO and representatives of several government ministries and local NGOs established an inter-ministerial human trafficking committee in 2006 to conduct research into and create awareness of human trafficking in the country; this committee does not include all relevant stakeholders and has proven ineffective to date. The government's ongoing incremental implementation of tuition-free primary level education is expanding school enrollment and attendance, which reduces the opportunities for child trafficking. The government did not, however, take efforts to address demand for commercial sex acts during the year.

NAMIBIA

The existence of a significant human trafficking problem in Namibia is suspected, but remains unsubstantiated by sufficient reliable reporting. The Ministry of Labor and Social Welfare's commissioning of a study on child labor demonstrates the government's increasing awareness of and interest in the issue which, until recently, was not believed to be a problem in the country. To improve the effectiveness of its fight against human trafficking, the Government of Namibia should consider two initial steps: develop a baseline understanding of the problem, which could include reviewing existing reports and engaging stakeholders; and designate a focal point within the government to coordinate dialogue and action by relevant government entities. As further information is developed, public awareness raising and training of relevant law enforcement and social services officials could facilitate the identification and assistance of victims, and help determine the extent of the problem.

Scope and Magnitude. Limited reporting suggests that Namibia may be a source and destination

country for trafficked children; however, the magnitude of this problem is unknown. It is suspected that the largest percentage of trafficking victims are children engaged in prostitution. There is evidence that small numbers of Namibian children are trafficked within the country for domestic servitude, as well as forced agricultural labor, cattle herding, and possibly vending. There have been a few reported cases of Zambian and Angolan children trafficked to Namibia for domestic servitude, agricultural labor, and livestock herding. Namibia's high HIV/AIDS prevalence rate has increased the number of orphans and other vulnerable children at risk of exploitation and trafficking.

Government Efforts. The Prevention of Organized Crime Act of 2004 specifically criminalizes trafficking in persons and prescribes up to 50 years' imprisonment or fines of up to \$140,000 for those convicted. This act, however, cannot be implemented until the government completes its ongoing process of drafting and announcing implementing regulations. Namibia's Labor Act of 2007 prohibits forced labor and provides for imprisonment of up to four years. Existing laws also prohibit child labor, child prostitution, pimping, and kidnapping, which could be used to prosecute trafficking cases. The government, however, has never prosecuted a case of human trafficking. The Police's Serious Crime Unit is tasked with monitoring and investigating possible instances of human trafficking, but did not investigate any such cases during the reporting period. In 2007, 19 Filipino workers at a local garment factory filed a complaint in the labor courts alleging their employer confiscated their passports, confined them to the premises, and forced them to accept sub-par working conditions. The labor inspectorate began investigating the allegations and a labor court ordered that the workers not be deported before finalization of the complaint. Through the Women and Child Protection Unit within the police, the government provided specialized training in providing services to victims of sexual abuse for 102 police officers and 25 Ministry of Health social workers during the reporting period.

NGOs and other civil society entities provided shelter facilities to which government authorities referred victims of crime. The Namibian Police's Women and Child Protection Unit also implemented a referral agreement with a local NGO that offered counseling to victims of trauma. The government has a policy framework to assist internally trafficked persons, but the system has never been practically tested. The Namibian legal system provides protection to victims who wish to testify against their abusers and a comprehensive asylum policy under which trafficking victims could seek relief from deportation to countries where they faced retribution or hardship.

No government agency leads Namibia's efforts to combat trafficking, though the Ministry of Labor is engaged in programming to combat the worst forms of child labor. The ministry partners with the Namibia Agricultural Union and the Namibia Farm Workers' Union to conduct awareness campaigns against child labor. Labor inspectors are trained to identify the worst forms of child labor and process cases. In January 2008, the government hosted a national conference on child labor, a significant portion of which focused on the issue of child trafficking in the country. A national child labor action plan was ratified at this conference. The Ministry of Gender Equality and Child Welfare and the Ministry of Health and Social Services operate welfare programs for orphans and vulnerable children by providing grants and scholarships to keep them in school and referrals to foster homes.

PALAU

Limited data suggests the existence of a trafficking problem in Palau involving foreign women trafficked for commercial sexual exploitation and male and female migrant workers who may face involuntary servitude upon arrival in Palau. Palau is included as a Special Case due to the lack of reliable statistical information – from either the government or international organizations – regarding trafficking incidents to date. In part due to its small population, Palau's trafficking problem may be of small scale. However, there are indications that there is a trafficking problem.

Scope and Magnitude. Foreign women from the Philippines and the People's Republic of China (P.R.C.) reportedly were trafficked to Palau for the purpose of commercial sexual exploitation in karaoke bars. Several Filipinas were recruited to work as waitresses in Palau, but were trafficked into commercial sexual exploitation. Men and women from the Philippines, P.R.C., and Bangladesh migrate willingly to Palau to work as domestics, in agriculture, or in construction, but after arrival many face conditions of involuntary servitude. Some foreign workers, particularly domestics and unskilled laborers, were forced to accept jobs different from those for which they were recruited. Employers sometimes verbally threatened or withheld passports and return tickets of foreign workers desiring to change jobs. Non-citizens are officially excluded from the minimum wage law, making them vulnerable to involuntary servitude.

Government Efforts. The Government of Palau prohibits trafficking in persons, with penalties ranging from ten to 50 years' imprisonment and fines of up to \$500,000. Palau also has laws against slavery, fraud, and prostitution. In May 2007, a Chinese couple, two Filipinas and a Palauan businesswoman were convicted of trafficking for the purpose of

commercial sexual exploitation. This was Palau's first use of the 2005 anti-trafficking legislation. The group operated a restaurant/karaoke bar and employed 15 Filipinas and nine Chinese waitresses who were forced into commercial sexual exploitation and subjected to food deprivation, confinement, and illegal salary deductions. The Chinese couple was sentenced to 20 years' imprisonment, fined \$50,000, and ordered to pay \$18,000 in restitution and airfare to repatriate the victims. One Filipina was sentenced to three years in prison and fined \$5,000; the other was sentenced to one year in prison and fined \$5,000. All are subject to deportation after serving a third of their terms and paying all fines. The Palauan businesswoman, in a plea agreement, had her 15-year prison term dismissed, had her \$100,000 fine reduced to \$20,000, and was ordered to pay \$15,000 in restitution.

The Immigration and Labor Ministries and the Office of the Attorney General are responsible for combating trafficking; however, the government lacked resources to address the problem. Moreover, the government does not have a formal procedure to identify victims of trafficking among vulnerable groups such as women arrested for prostitution. The government encourages victims to assist in the investigation and prosecution of trafficking. Ten of the 24 female victims in the aforementioned case cooperated closely with the Office of the Attorney General. There was no formal assistance available for victims, and some victims were penalized for unlawful acts committed as a direct result of their being trafficked, such as prostitution violations. However, in the case of the Filipina waitresses, the victims were offered the option of remaining in Palau and seeking different employment or returning home.

SOLOMON ISLANDS

The Solomon Islands remains a special case for a second consecutive year because available information is not of sufficient quantity or reliability to determine that there is a significant number of trafficking victims in the country. There are indications, however, that the Solomon Islands may have a trafficking problem.

Scope and Magnitude. There is anecdotal evidence that young women from Southeast Asian countries such as Indonesia, the People's Republic of China, the Philippines, and Malaysia are trafficked to the Solomon Islands for the purpose of commercial sexual exploitation. Reports also indicate that girls and women are trafficked within the Solomon Islands for the purpose of commercial sexual exploitation to logging camps. Child sex tourism appears to be a small problem with some visiting nationals of the United Kingdom, Australia, and France sexually exploiting local children. There are reports that boys and girls are taken out to foreign and local fishing vessels by their parents for commercial

sexual exploitation with fishermen in exchange for fish. Children are occasionally sold into commercial sexual exploitation to pay bills or to earn school fees.

Government Efforts. In the last four years, the Solomon Islands have benefited from a large-scale intervention led by Australia to enhance stability after civil unrest. The Solomon Islands criminally prohibits sex and labor trafficking in Chapter 26 of its updated 1978 Penal Code, which prescribes penalties that are sufficiently stringent and commensurate with those prescribed for rape. The government may have prosecuted some cases of trafficking, but was unable to provide statistics.

The Government of the Solomon Islands has a limited capacity to protect victims of trafficking and would need to rely on civil society or religious organizations to provide services. The Government of the Solomon Islands has not conducted public awareness or prevention programs on trafficking or child sex tourism, though in August 2007 the Prime Minister called for action against loggers sexually exploiting children at logging camps. The government does not participate in public awareness programs supported by international organizations or NGOs. The Solomon Islands has not ratified the 2000 UN TIP Protocol.

SOMALIA

Somalia remains a special case for a sixth consecutive year due to the lack of a viable central government since 1991. Its geographic area is divided among the self-declared independent Republic of Somaliland, the semi-autonomous region of Puntland, and the remainder of the country, which is nominally under the control of the Transitional Federal Government (TFG). During the reporting period, the TFG remained preoccupied with the task of securing government representatives and installations from threats posed by extremist elements; human trafficking was not viewed as an issue of immediate priority. In addition, the TFG currently lacks the necessary means to identify, investigate, or address systemic issues in Somalia, including those related to trafficking in persons; its capacity to address human trafficking will not increase without tangible progress in reestablishing governance and stability in Somalia.

Scope and Magnitude. Information regarding trafficking in Somalia remains extremely difficult to obtain or verify; however, the Somali territory is believed to be a source, transit, and destination country for trafficked men, women, and children. In Somali society, certain groups are traditionally viewed as inferior and are marginalized; Somali Bantus and Midgaan are sometimes kept in servitude to other more powerful Somali clan members as domestics, farm laborers, and herders. During the

year, the TFG and extremist groups opposed to them reportedly conscripted children for use in armed conflict. Armed militias purportedly internally traffic Somali women and children for sexual exploitation and forced labor. Because of an inability to provide care for all family members, some Somalis willingly surrender custody of their children to people with whom they share family relations and clan linkages; some of these children may become victims of forced labor or commercial sexual exploitation. There are anecdotal reports of children engaged in prostitution, but the practice is culturally proscribed and not publicly acknowledged. Human smuggling is widespread in Somalia and there is evidence to suggest that traffickers utilize the same networks and methods as those used by smugglers. Dubious employment agencies are involved with or serve as fronts for traffickers, especially to target individuals destined for the Gulf States. Somali women are trafficked to destinations in the Middle East, including Iraq, Lebanon, and Syria, as well as to South Africa, for domestic labor and commercial sexual exploitation. Somali men are trafficked into labor exploitation as herdsmen and menial workers in the Gulf States. Somali children are reportedly trafficked to Djibouti, Malawi, and Tanzania for commercial sexual exploitation and exploitative child labor. Ethiopian women are trafficked through Somalia to the Middle East for forced labor and sexual exploitation. Small numbers of Cambodian men are trafficked to work on long range fishing boats operating off the coast of Somalia.

Government Efforts. The respective authorities operating in Somalia's three regions did not make significant progress in addressing human trafficking during the reporting period. There are laws in the Republic of Somaliland explicitly prohibiting forced labor, involuntary servitude, and slavery, but no specific laws exist against these practices in other parts of Somalia. Trafficking for sexual exploitation may be prohibited under the most widespread interpretations of Shari'a and customary law, but there is neither a unified police force in the territory to enforce these laws, nor any authoritative legal system through which traffickers could be prosecuted. In south central Somalia, the TFG's Ministry of National Security and Internal Affairs is, in theory, responsible for anti-trafficking efforts, but lacks operational capacity and awareness of human trafficking; it made no concrete efforts to combat the crime during 2007. In Puntland, the Ministry of the Interior and the Refugees Affairs Commission take the lead on trafficking issues. Puntland authorities operated a temporary transit and processing center where Ethiopian migrants receive counseling and assistance from local and international humanitarian organizations. After a government restructuring in Somaliland, both the Ministry of the Interior and the Ministry of Security claim to take the lead on human trafficking issues. In 2007, the Somaliland

Human Rights Commission began a study of human trafficking in Somaliland.

Government officials are not trained to identify or assist trafficking victims and took no known action against the practice. In the absence of effective systems of revenue generation, as well as any legal means to collect resources and then distribute them for some common good, no resources are devoted to preventing trafficking or to victim protection across the majority of the Somali territory. There are limited private initiatives to provide victim protection in all of the regions. There are reports that government officials may be involved in trafficking; business people involved in smuggling in Puntland, for instance, purportedly enjoy protection and work with the knowledge of influential officials within the administration. Somalia has not ratified the 2000 UN TIP Protocol.

SWAZILAND

The existence of a significant human trafficking problem in Swaziland is suspected but unsubstantiated by adequate, reliable reporting. Government officials lack understanding of what constitutes trafficking in persons, but have publicly acknowledged that it occurs within the country, though the extent of the problem is unknown. To combat trafficking, the government should consider launching a public awareness campaign to educate the Swazi population on the nature and dangers of human trafficking, investigating well-known “hot spots” of child prostitution for situations of trafficking, and enacting appropriate laws to prohibit all forms of human trafficking.

Scope and Magnitude. Swaziland is a source, transit, and likely a destination country for women and children trafficked for the purposes of forced labor and sexual exploitation, but the existence of a significant number of trafficking victims is unconfirmed. Anecdotal evidence indicates that Swazi girls, particularly orphans, are trafficked within the country for commercial sexual exploitation and domestic servitude in the cities of Mbabane and Manzini, as well as to South Africa and Mozambique for the same purposes. Swazi boys may be trafficked for forced labor in commercial agriculture and market vending. Some Swazi women are forced into prostitution in South Africa and possibly Mozambique after migrating to these countries in search of work. Small numbers of Mozambican women may be trafficked to Swaziland for sexual exploitation, and perhaps transit through the country en route to South Africa. Mozambican boys migrate to Swaziland to obtain jobs requiring low-skilled manual labor, such as car washing, livestock herding, and portering; some of these boys may be victims of human trafficking.

Government Efforts. While Swaziland has no law specifically prohibiting trafficking, existing statutes against crimes such as kidnapping, forced and compulsory labor, aiding and abetting “prohibited immigrants” to enter the country, brothel keeping, and procurement for prostitution could be used to prosecute traffickers. However, a draft bill — the Sexual Offenses and Domestic Violence Bill — which specifically criminalizes sex trafficking and mandates psychological services for victims, remains under review for the third year. Penalties under this draft bill would be severe and include death if the trafficking victim is under 16 years of age or the trafficker belongs to an organized trafficking ring. No case of child labor or trafficking has ever been presented to the Office of the Director of Public Prosecution for action, nor has any official report of trafficking been made to the Royal Swaziland Police Service’s Domestic Violence, Child Protection, and Sexual Offenses Unit.

The relationship between the government and elements of civil society on the issue of human trafficking is strong; however, the government has not made the issue a priority and depends on the NGO sector to provide victim care. While the police’s Child Protection Unit lacks training in regard to identifying and combating trafficking, its staff has shown interest in the issue and works with NGOs to provide assistance to crime victims. The Social Welfare Department of the Ministry of Health and Social Welfare operates a half-way house for abused women that could provide shelter to trafficking victims.

There were no government-run anti-trafficking campaigns during the reporting period. However, in late 2007, the Ministry of Home Affairs’ Gender Unit participated in the organization of an event that was part of the 16 Days of Activism Against Gender Violence campaign organized by local NGOs to fight abuse of women and children; a portion of the event addressed human trafficking. In 2007, the government provided approximately \$9.4 million for orphaned and vulnerable children to attend school, which reduced the opportunities for child trafficking. The government did not undertake activities to reduce demand for commercial sex acts during the year. Swaziland has not ratified the 2000 UN TIP Protocol.

TONGA

Tonga is not ranked in the Report this year because available information is not of sufficient quantity or reliability to determine that there is a significant number of trafficking victims in the country. In part due to its small population, Tonga’s trafficking problem may be of small scale. However, unconfirmed and anecdotal reports suggest that trafficking does take place in Tonga.

Scope and Magnitude. There were no confirmed reports that persons were trafficked to, from, or within the country. However, a public health facility identified 14 minors engaged in commercial sexual exploitation during the year and there were other isolated reports of women and underage girls in commercial sexual exploitation. There were reports that members of foreign fishing vessel crews solicited Tongan underage girls for commercial sex. There were unsubstantiated reports of employers holding travel documents or salaries as a means to compel labor and restrain Philippine nationals working in Tonga. There were also unconfirmed reports that some nationals from the People's Republic of China working legally and illegally in Tonga may have been coerced into prostitution or forced labor.

Government Efforts. While Tongan law does not specifically address trafficking in persons, an anti-slavery statute could be used to prosecute some trafficking offenders. Section Two of the Constitution prohibits slavery and forced labor. Sections 126 and 127 of the Criminal Offences Act prohibit procurement for commercial sex. Nevertheless, the Tongan government did not investigate reports of trafficking during the year.

Tonga does not have victim care facilities which are accessible to potential trafficking victims. Tonga's law enforcement and immigration personnel have no formal system to proactively identify potential victims of trafficking among high-risk persons and no victims were identified during the reporting period.

There were no government-run anti-trafficking information or education campaigns conducted during the reporting period. The Government of Tonga provided no specialized police training for recognizing and investigating incidents of trafficking during the reporting period. Immigration officials participated in training offered by the New Zealand government that included trafficking in persons issues. Tonga contributed troops to international peacekeeping efforts but reported no allegations or investigations of Tonga Defence Service personnel for allegations of facilitating trafficking in persons or exploiting trafficking victims.

TUNISIA

Tunisia is not listed in the Report this year because available information is insufficient to substantiate a significant number of trafficking victims in the country. It is possible, however, that victims of trafficking remain undetected due to lack of efforts in Tunisia to proactively identify victims among vulnerable groups, such as undocumented migrants.

Scope and Magnitude. Tunisia is a transit country for North and sub-Saharan African men

and women migrating to Europe, some of whom may be trafficked for the purpose of involuntary servitude or sexual exploitation. The Government of Tunisia does not systematically differentiate trafficking victims from illegal migrants traveling through the country. Tunisia may also be a source country for internal trafficking of children for commercial sexual exploitation and labor, such as for domestic servitude.

Government Efforts. Tunisia does not prohibit all severe forms of trafficking in persons, but does prohibit forced prostitution through Article 233 of its penal code; which prescribes punishment of three to five years' imprisonment. In 1995, the Government of Tunisia passed the Child Protection Code, which protects children under 18 years old from participation in wars or armed conflicts, prostitution, and hazardous labor conditions; prescribed penalties for violations range from imprisonment for 16 days to one year. The government also prohibits forced labor, bonded labor, and slavery under the labor code; Article 236 prescribes fines as punishment. These prescribed penalties are neither sufficiently stringent nor commensurate with those prescribed for other grave crimes, such as rape. Tunisia could use other statutes to punish trafficking; for example, Article 250 of the penal code sentences those who illegally confine persons for any reason to ten years' imprisonment. In addition, the government could punish mistreatment of a child under section 224 of its Penal Code; prescribed penalties under this statute are up to five years' imprisonment. The government pursued no trafficking prosecutions under these laws this year. Training of Tunisian law enforcement officers and prosecutors is needed for more effective efforts against trafficking crimes. The Tunisian government might also consider enacting a comprehensive anti-trafficking law that criminalizes all forms of trafficking in persons, including both internal and transnational trafficking, and that assigns penalties that are sufficiently stringent to deter the crime and that adequately reflect the heinous nature of the crime.

The government monitors its borders closely to interdict smuggling and trafficking rings. However, Tunisia does not employ a formal mechanism to systematically identify trafficking victims among illegal migrants and those arrested for prostitution. Victims of trafficking, if identified, have access to social services available for the abused and vulnerable, but Tunisia does not have protection services specifically for victims of trafficking. The government assigns a child protection delegate to each district to ensure that child sexual abuse victims receive adequate medical care and counseling. Tunisia also employs government workers, including social workers, to assist in three shelters for abused women and children operated by the

Tunisian National Women's Union. Nonetheless, some child victims of commercial sexual exploitation may be incarcerated for prostitution offenses. A formal victim identification mechanism to ensure that victims of trafficking – particularly minor victims – are not automatically deported, jailed, or punished for criminal acts committed as a result of being trafficked would be greatly beneficial. Similarly, the government's offering of legal alternatives to foreign trafficking victims' removal to countries where they may face hardship or retribution is recommended.

Clients of persons in prostitution face jail sentences of six months' to two years' imprisonment. Nonetheless, the government should also consider instituting a public awareness campaign to reduce the demand for commercial sex acts.

TURKMENISTAN

Turkmenistan is not listed on the report this year because available information is insufficient to substantiate a significant number of victims in the country.

Scope and Magnitude: Turkmenistan appears to be a source country for Turkmen women trafficked to Turkey, Algeria, Sudan, Tunisia, the United Kingdom, Thailand, the U.A.E., Cyprus, Kazakhstan, Kyrgyzstan, Pakistan, Iran, and Israel for the purpose of sexual exploitation; Turkey is also a destination for women trafficked for domestic servitude. It is also a source for men trafficked to Turkey for the purpose of forced labor, specifically in textile sweatshops. Women may be trafficked internally from rural provinces to larger cities for the purpose of sexual exploitation and involuntary servitude. According to IOM, there were 20 identified Turkmen victims trafficked to Turkey in 2007.

Government Efforts: Although the Government of Turkmenistan does not publicly acknowledge trafficking as a problem and does not actively investigate cases of trafficking, it did make significant efforts by adopting the "Law on the Battle against Trafficking in Persons" in December 2007. The law identifies responsible ministries within the government to combat trafficking and requires authorities to develop measures to prevent trafficking, prosecute traffickers, and assist victims. While adoption of the new anti-trafficking law is a positive step forward, additional legislation is needed to provide necessary implementation of the law. Amending the criminal code to provide penalties for trafficking in persons would also be a significant effort.

Although there are no laws prohibiting trafficking in persons, traffickers may be prosecuted under various articles of the penal code. The government

did not prosecute any trafficking cases or convict or sentence any traffickers over the reporting period. There was no dedicated funding for law enforcement agencies to address trafficking in 2007. Although the government did not provide specialized training for government officials on how to recognize, investigate, and prosecute instances of trafficking, 30 government officials from various ministries attended a seminar on trafficking conducted by IOM in November 2007. Corruption remained a serious problem throughout society and within the government and corruption among migration and travel authorities is believed to contribute to the trafficking of women abroad. Although there was anecdotal evidence of bribery of government officials, there were no reports of direct involvement of government officials in human trafficking.

The Government of Turkmenistan did not provide medical assistance, counseling, shelter, or rehabilitative services to victims of trafficking nor did it supply funding to foreign or domestic anti-trafficking NGOs to provide services to victims; however, the government did allow IOM to remain in the country and to continue to provide services. The new law passed in December 2007 has provisions for victim care facilities and guarantees protection and assistance for victims of trafficking. Government personnel employ no formal victim identification procedures, though some law enforcement officers reportedly referred victims to NGOs for assistance on an ad-hoc basis. The government does not encourage victims to assist in the investigation and prosecution of trafficking cases. At the same time, there is evidence suggesting that in some cases, law enforcement officers detained and interrogated victims in order to obtain information, though there were no reports of victim imprisonment. Burdensome administrative procedures often impede victims from obtaining civil legal redress against their traffickers.

Turkmenistan did not sponsor any anti-trafficking awareness campaigns in 2007. The vast majority of the public is unaware of human trafficking and is not sufficiently informed about the possible dangers of working abroad. The government does not monitor the trafficking situation within its borders, although the new law provides a strategy to do so. Adequate implementation of the new law would address current deficiencies and would advance the government's ability to combat trafficking in persons by initiating trafficking prosecutions, and raising general public awareness.

RELEVANT INTERNATIONAL CONVENTIONS

Country	Protocol to Prevent, Suppress & Punish Trafficking in Persons		ILO Convention 182, Elimination of Worst Forms of Child Labour	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		ILO Convention 29, Forced Labour	ILO Convention 105, Abolition of Forced Labour
	Signature	Ratification, Accession (a), or Acceptance (A)	Ratification	Signature	Ratification, Accession (a)	Signature	Ratification Accession (a)	Ratification	Ratification
Afghanistan					X(a)		X(a)		X
Albania	X	X	X					X	X
Algeria	X	X	X		X(a)			X	X
Angola			X		X(a)		X(a)	X	X
Argentina	X	X	X	X	X	X	X	X	X
Armenia	X	X	X	X	X	X	X	X	X
Australia	X	X	X	X	X	X	X	X	X
Austria	X	X	X	X	X	X	X	X	X
Azerbaijan	X	X	X	X	X	X	X	X	X
Bahamas	X		X					X	X
Bahrain		X(a)	X		X(a)		X(a)	X	X
Bangladesh			X	X	X	X	X	X	X
Barbados	X		X					X	X
Belarus	X	X	X		X(a)		X(a)	X	X
Belgium	X	X	X	X	X	X	X	X	X
Belize		X(a)	X	X	X	X	X	X	X
Benin	X	X	X	X	X	X	X	X	X
Bolivia	X	X	X	X	X		X(a)	X	X
Bosnia & Herzegovina	X	X	X	X	X	X	X	X	X
Brazil	X	X	X	X	X	X	X	X	X
Brunei					X(a)				
Bulgaria	X	X	X	X	X	X	X	X	X
Burkina Faso	X	X	X	X	X	X		X	X
Burma		X(a)							
Burundi	X		X		X	X		X	X
Cambodia	X	X	X	X	X	X	X	X	X
Cameroon	X	X	X	X		X		X	X
Canada	X	X	X	X	X	X	X		X
Central African Rep.	X	X(a)	X					X	X
Chad			X	X	X	X	X	X	X
Chile	X	X	X	X	X	X	X	X	X
China, People Rep.			X	X	X	X			
Colombia	X	X	X	X	X	X	X	X	X
Congo, Dem Rep of		X(a)	X		X(a)	X	X	X	X
Costa Rica	X	X	X	X	X	X	X	X	X
Cote D'Ivoire			X					X	X
Croatia	X	X	X	X	X	X	X	X	X
Cuba				X	X	X	X	X	X
Cyprus	X	X	X	X	X			X	X
Czech Republic	X		X	X		X	X	X	X
Denmark	X	X	X	X	X	X	X	X	X

RELEVANT INTERNATIONAL CONVENTIONS

Country	Protocol to Prevent, Suppress & Punish Trafficking in Persons		ILO Convention 182, Elimination of Worst Forms of Child Labour	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		ILO Convention 29, Forced Labour	ILO Convention 105, Abolition of Forced Labour
	Signature	Ratification, Accession (a), or Acceptance (A)		Signature	Ratification, Accession (a)	Signature	Ratification Accession (a)		
Djibouti		X(a)	X	X				X	X
Dominican Republic	X	X	X		X(a)	X		X	X
East Timor					X(a)		X(a)		
Ecuador	X	X	X	X	X	X	X	X	X
Egypt	X	X	X		X(a)		X	X	X
El Salvador	X	X	X	X	X	X	X	X	X
Equatorial Guinea	X	X	X		X(a)			X	X
Estonia	X	X	X	X	X	X		X	X
Ethiopia			X					X	X
Fiji			X	X		X		X	X
Finland	X	X(A)	X	X		X	X	X	X
France	X	X	X	X	X	X	X	X	X
Gabon	X	X	X	X	X	X		X	X
Gambia, The	X	X	X	X		X		X	X
Georgia	X	X	X		X(a)			X	X
Germany	X	X	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(a)	X					X	X
Guinea Bissau	X	X(a)	X	X		X		X	X
Guyana		X(a)	X					X	X
Haiti	X			X		X		X	X
Honduras		X(a)	X		X(a)		X(a)	X	X
Hungary	X	X	X	X		X		X	X
India	X			X	X	X	X	X	X
Indonesia	X		X	X		X		X	X
Iran			X		X			X	X
Iraq			X					X	X
Ireland	X		X	X		X	X	X	X
Israel	X		X	X		X	X	X	X
Italy	X	X	X	X	X	X	X	X	X
Jamaica	X	X	X	X		X	X	X	X
Japan	X		X	X	X	X	X	X	
Jordan			X	X	X	X	X	X	X
Kazakhstan			X	X	X	X	X	X	X
Kenya		X(a)	X	X		X	X	X	X
Kiribati		X(a)						X	X
Korea, Rep. Of	X		X	X	X	X	X		
Kuwait		X(a)	X		X(a)		X(a)	X	X

RELEVANT INTERNATIONAL CONVENTIONS

Country	Protocol to Prevent, Suppress & Punish Trafficking in Persons		ILO Convention 182, Elimination of Worst Forms of Child Labour Ratification	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		ILO Convention 29, Forced Labour Ratification	ILO Convention 105, Abolition of Forced Labour Ratification
	Signature	Ratification, Accession (a), or Acceptance (A)		Signature	Ratification, Accession (a)	Signature	Ratification Accession (a)		
Kyrgyz Republic	X	X	X		X(a)		X(a)	X	X
Laos		X(a)	X		X(a)		X(a)	X	
Latvia	X	X	X	X	X	X	X	X	X
Lebanon	X	X	X	X	X	X		X	X
Lesotho	X	X	X	X	X	X	X	X	X
Liberia		X(a)	X	X		X		X	X
Libya	X	X	X		X(a)		X(a)	X	X
Lithuania	X	X	X		X(a)	X	X	X	X
Luxembourg	X		X	X		X	X	X	X
Macedonia, Rep.of	X	X	X	X	X	X	X	X	X
Madagascar	X	X	X	X	X	X	X	X	
Malawi		X(a)	X	X		X		X	X
Malaysia			X					X	
Mali	X	X	X		X(a)	X	X	X	X
Malta	X	X	X	X		X	X	X	X
Mauritania		X(a)	X		X			X	X
Mauritius		X(a)	X	X		X		X	X
Mexico	X	X	X	X	X	X	X	X	X
Moldova, Rep. Of	X	X	X	X	X	X	X	X	X
Mongolia			X	X	X	X	X	X	X
Montenegro		X(a)		X	X(a)		X	X	X
Morocco			X	X	X	X	X	X	X
Mozambique	X	X	X		X(a)		X(a)	X	X
Nepal			X	X	X	X		X	
Netherlands, The	X	X(A)	X	X	X	X		X	X
New Zealand	X	X	X	X		X	X	X	X
Nicaragua		X(a)	X		X(a)		X(a)	X	X
Niger	X	X	X	X	X			X	X
Nigeria	X	X	X	X		X		X	X
North Korea									
Norway	X	X	X	X	X	X	X	X	X
Oman		X(a)	X		X(a)		X(a)	X	X
Pakistan			X	X		X		X	X
Panama	X	X	X	X	X	X	X	X	X
Paraguay	X	X	X	X	X	X	X	X	X
Papua New Guinea			X					X	X
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	X	X
Portugal	X	X	X	X	X	X	X	X	X
Qatar			X		X(a)		X(a)	X	X
Romania	X	X	X	X	X	X	X	X	X

RELEVANT INTERNATIONAL CONVENTIONS

Country	Protocol to Prevent, Suppress & Punish Trafficking in Persons		ILO Convention 182, Elimination of Worst Forms of Child Labour	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		ILO Convention 29, Forced Labour	ILO Convention 105, Abolition of Forced Labour
	Signature	Ratification, Accession (a), or Acceptance (A)		Signature	Ratification, Accession (a)	Signature	Ratification Accession (a)		
Russia	X	X	X			X		X	X
Rwanda	X	X	X		X(a)		X(a)	X	X
Saudi Arabia	X	X	X					X	X
Senegal	X	X	X	X	X	X	X	X	X
Serbia	X	X	X	X	X	X	X	X	X
Sierra Leone	X			X	X	X	X	X	X
Singapore			X			X		X	
Slovak Republic	X	X	X	X	X	X	X	X	X
Slovenia	X	X	X	X	X	X	X	X	X
Solomon Islands								X	
Somalia						X		X	X
South Africa	X	X	X		X(a)	X		X	X
Spain	X	X	X	X	X	X	X	X	X
Sri Lanka	X		X	X	X	X	X	X	X
Sudan			X		X(a)	X	X	X	X
Suriname		X(a)	X	X		X		X	X
Swaziland	X		X					X	X
Sweden	X	X	X	X	X	X	X	X	X
Switzerland	X	X	X	X	X	X	X	X	X
Syria	X		X		X(a)		X(a)	X	X
Tajikistan		X(a)	X		X(a)		X(a)	X	X
Tanzania	X	X	X		X(a)		X(a)	X	X
Thailand	X		X		X(a)		X(a)	X	X
Togo	X		X	X	X	X	X	X	X
Tunisia	X	X	X	X	X	X	X	X	X
Turkey	X	X	X	X	X	X	X	X	X
Turkmenistan		X(a)			X(a)		X(a)	X	X
Uganda	X		X		X(a)		X(a)	X	X
Ukraine	X	X	X	X	X	X	X	X	X
United Arab Emirates			X					X	X
United Kingdom	X	X	X	X		X	X	X	X
United States	X	X	X	X	X	X	X		X
Uruguay	X	X	X	X	X	X	X	X	X
Uzbekistan	X							X	X
Venezuela	X	X	X	X	X	X	X	X	X
Vietnam			X	X	X	X	X	X	
Yemen			X		X(a)		X(a)	X	X
Zambia		X(a)	X					X	X
Zimbabwe			X					X	X

TRAFFICKING VICTIMS PROTECTION ACT – MINIMUM STANDARDS FOR THE ELIMINATION OF TRAFFICKING IN PERSONS

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, measures to reduce the demand for commercial sex acts and for participation in international sex tourism by nationals of the country, measures to ensure that its nationals who are deployed abroad as part of a peacekeeping or other similar mission do not engage in or facilitate severe forms of trafficking in persons or exploit victims of such trafficking, and measures to prevent the use of forced labor or child labor in violation of international standards.

- (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, including nationals of the country who are deployed abroad as part of a peacekeeping or other similar mission who engage in or facilitate severe forms of trafficking in persons or exploit victims of such trafficking, 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.



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STOPPING HUMAN TRAFFICKING, SEXUAL EXPLOITATION, AND ABUSE BY INTERNATIONAL PEACEKEEPERS

In response to Congressional mandate, this section summarizes actions taken by the United Nations (UN), North Atlantic Treaty Organization (NATO), and the Organization for Security and Cooperation in Europe (OSCE) to prevent trafficking in persons. Beginning this year, individual country narratives in this Report will, when applicable, describe efforts by governments to ensure that nationals deployed abroad as part of a peacekeeping or similar mission do not engage in, or facilitate, severe forms of trafficking in persons or exploit victims of such trafficking, as well as efforts to hold accountable nationals who engage in such conduct. This analysis is included if the government has 100 or more military personnel deployed in peacekeeping missions. Governments are ultimately responsible for holding civilian and military personnel accountable for acts of misconduct while on peacekeeping or humanitarian missions.

UNITED NATIONS (UN)

The United Nations is implementing a series of reforms, and in May 2007, adopted additional measures to prevent military and civilian personnel assigned to UN peacekeeping and humanitarian missions from engaging in sexual exploitation and abuse. Below are highlights of key UN reforms and the status of allegations registered in 2007. The measures apply to the approximately 90,000 UN uniformed personnel (troops, military observers, and police) and 10,000 UN international and locally-hired civilian staff members engaged in peacekeeping worldwide.

Prevention

- UN Staff Regulations classify sexual exploitation and abuse as a form of serious misconduct subject to disciplinary action, including summary dismissal.
- Consultants, individual contractors, volunteers, military observers, and civilian police are legally bound by the standards of the Secretary General's 2003 bulletin. All contracts and "letters of undertaking" include these standards.
- The UN has a new revised model memorandum of understanding (MOU) that includes provisions for addressing sexual exploitation and abuse. This MOU, adopted by the UN General Assembly on July 24, 2007 (GA 61/267 B), is being used as a template for negotiations with potential troop contributing countries (TCCs). The UN continues to discuss standards of conduct with current TCCs.
- UN peacekeeping missions have instituted "off-limits premises and areas," curfews, telephone hotlines, and required mission personnel to wear their uniforms at all times.
- With donor funding, United Nations Department of Peacekeeping Operations (DPKO) initiated mission-customized infor-

mation campaigns and strategies to combat commercial sexual exploitation. In January 2008, this initiative was launched in Cote D'Ivoire, Democratic Republic of Congo, Haiti, Liberia, Sudan and East Timor.

- DPKO established a secure Web-based software program to track sexual exploitation and abuse cases that will ensure that those personnel who have been dismissed or repatriated for sexual exploitation violations are barred from serving in future UN missions. This tracking system is being pilot tested for launch in the second quarter of 2008.
- DPKO developed three training modules for different levels of personnel. These training modules are given to the TCCs for pre-deployment training; however, DPKO is not able to verify if the training has been completed. All personnel arriving at UN missions are made aware of the UN's standards of conduct and "zero tolerance" policy, and receive sexual exploitation and abuse prevention training. Reports from US Embassies in UN Mission countries indicate that training is occurring regularly and that conduct and discipline teams (CDTs) are active.
- Civilian managers and military commanders are responsible for ensuring implementation of the UN's programs and policies to eliminate sexual exploitation and abuse. Civilian managers are formally evaluated by the Heads of UN Missions on their efforts to implement the UN's zero-tolerance policy.

Victim Assistance

- The UN has a new victim assistance strategy, United Nations Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by United Nations

Staff and Related Personnel, adopted by the UN General Assembly December 19, 2007 (resolution GA 62/214). It enables the UN to address the needs of victims who may have suffered at the hands of UN personnel. The strategy enables the UN to help children born as a result of sexual exploitation and abuse. Assistance for victims and their children may include medical treatment, counseling, social support, legal services or material care. The UN is in the process of issuing implementation guidelines to all missions.

Investigations

- The DPKO has CDTs in place at UN headquarters and most UN peacekeeping missions. These teams are charged with informing local communities of the UN's zero-tolerance policy and procedures for reporting abuse, receiving complaints, carrying out initial assessments of allegations, and determining whether specific allegations should be reported to the Office of Internal Oversight Services (OIOS) as Category I offenses (serious) warranting full investigation. Category II (less serious) allegations are handled by the peacekeeping mission itself.
- OIOS has investigative personnel currently stationed in five peacekeeping missions; however, OIOS management is taking steps to move its personnel to regional UN offices for cost efficiency, which may adversely affect the deterrent benefit of being embedded in peacekeeping missions.
- In 2007 there were 127 new allegations against UN peacekeeping personnel, a decrease from 357 allegations in 2006. The largest number of allegations came to light in the summer of 2007 affecting a roughly 700-member Moroccan contingent at the UN Mission in Cote D'Ivoire. While charges against most members of this contingent were not substantiated, the Moroccan government confined its troops to barracks. The contingent was due for rotation home and was replaced by another Moroccan contingent, which was stationed in a different area of Cote D'Ivoire. OIOS has completed its investigation, but its findings have not yet been made public. In 2007, allegations were also made against UN peacekeeping personnel in the UN missions in Haiti and the Democratic Republic of Congo.
- According to DPKO, as of December 31, 2007, the UN completed 123 investigations of allega-

tions of sexual exploitation and abuse. There were 114 repatriations and no suspensions.

Further information on the UN's sexual exploitation and abuse prevention measures is available at: <http://www.un.org/Depts/dpko/CDT/index.html>.

NORTH ATLANTIC TREATY ORGANIZATION (NATO)

NATO has measures in place to prevent military or civilian personnel assigned to NATO-led missions from engaging in human trafficking. Since May 2007, there have been no reports of any NATO personnel or units engaging in, or facilitating, human trafficking. NATO currently has seven on-going missions with tens of thousands of soldiers, and undertakes numerous other activities throughout the year. In June 2004, NATO allies and partners adopted a policy on combating trafficking in human beings. Among its provisions, NATO initiated an anti-human trafficking training for personnel taking part in NATO-led missions, committed to supporting host-country law enforcement in anti-trafficking investigations, and incorporated contractual provisions prohibiting contractors from engaging in trafficking. Anti-human trafficking directives are incorporated in all NATO operational plans. NATO employs three anti-human trafficking awareness training modules for troops, commanders, and military police, which are available online to personnel and are also offered at NATO's two training facilities. NATO provides anti-trafficking training for personnel and international staff prior to deployment. Officials and staff are subject to disciplinary action including dismissal for violations of NATO's zero-tolerance policy. NATO allies and partners are responsible for taking any legal action against nationals participating in NATO missions. Personnel taking part in NATO missions are instructed to refer victims to local NGOs in order to receive legal or social services, and to work cooperatively with local law enforcement officials if they encounter a human trafficking situation. NATO has appointed its Assistant Secretary General for Defense Policy and Planning as Senior Coordinator on Counter-Trafficking in Human Beings to oversee its anti-human trafficking implementation efforts.

In the reporting period, over 1,000 individuals completed counter-trafficking training at NATO Schools in 2007 (in addition to pre-deployment

training conducted by troop-contributing nations). Progress has been made in the ongoing development of a specialized anti-trafficking course at the NATO Partnership for Peace Training Centre in Turkey with a pilot course completed in October 2007. The first annual report on Military Aspects of NATO Policy on Trafficking in Human Beings was submitted in February 2008.

Further information on NATO's anti-human trafficking prevention measures can be found at: <http://www.nato.int/issues/trafficking/>.

ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE (OSCE)

The Organization for Security and Cooperation in Europe is implementing measures to prevent personnel from engaging in human trafficking, sexual exploitation, and abuse. No new measures have been adopted since May 2007. There have been no reports of any OSCE personnel engaging in, or facilitating, the trafficking of human beings. The OSCE has 19 field missions and approximately 3,450 personnel, including contractors, seconded staff, and international and locally-based employees. The OSCE Secretary General is responsible for overseeing OSCE's efforts to prevent misconduct by personnel. The OSCE's Code of Conduct for Staff and Mission Members (Appendix 1 to Permanent Council 550/Corr.1, 27 June 2003) addresses general conduct of officials and staff while on mission, and "Staff Instruction 11" specifically focuses on preventing trafficking in persons. The OSCE Ministerial Council Decision 16/05, Ensuring the Highest Standards of Conduct and Accountability of Persons Serving International Forces and Missions calls on participating states to take the necessary steps to prevent human trafficking, sexual exploitation and abuse, and, as necessary, discipline its personnel. The OSCE Ministerial Council Decision 15/06, Combating Sexual Exploitation of

Children, directs the OSCE executive structures to ensure that the issue of child sexual exploitation is incorporated in the code of conduct trainings and awareness-raising materials targeted at OSCE officials. These documents are incorporated into OSCE training modules provided during orientation training for all OSCE personnel, including for locally-hired staff at missions. Officials and staff are subject to disciplinary action including dismissal. However, OSCE member states and partners are ultimately responsible for taking any legal action against nationals participating in OSCE missions who violate the policy. Personnel at field missions are instructed to refer alleged victims to local NGOs for legal or social services and to work cooperatively with local law enforcement officials if they encounter a human trafficking situation.

Further information on the OSCE's anti-trafficking prevention measures is available at: <http://www.osce.org/activities/13029.html>.

"Instead of books, I was given beatings. I assume you come from a place where there is an idea that humans have rights. Why does no one care about slavery here?"

—Muong, a Sudanese (Dinka) slave;
A Crime So Monstrous (2008) by E. Benjamin Skinner



A poster from Bulgarian NGO *Diva*, plays on fact that some sex trafficking victims are lured by promises of modeling jobs or glamorous lives.

La force de l'ONUCI, c'est le respect de l'autre



ensemble, disons

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06-20-61-00 ou 20-23-61-00

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UN Peacekeeping Mission in Cote d'Ivoire poster denouncing sexual exploitation and abuse.

GLOSSARY OF ACRONYMS

ECOWAS	Economic Community of West African States
ECPAT	End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes
EU	European Union
ILO	International Labour Organization
ILO-IPEC	International Labour Organization, International Program for the Elimination of Child Labour
IOM	International Organization for Migration
NGO	Non-Governmental Organization
OAS	Organization of American States
OSCE	Organization for Security and Cooperation in Europe
UN	United Nations
UNDP	United Nations Development Program
UNHRC	United Nations High Commissioner for Refugees
UNICEF	United Nations Children’s Fund
UNIFEM	United Nations Development Fund for Women
UNODC	United Nations Office on Drugs and Crime
2000 UN TIP Protocol	Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime

HUMAN TRAFFICKING DEFINED

The chart below, developed by the Solidarity Center, extrapolated and simplified from the 2000 UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and children definition, is a useful tool for analyzing individual cases to determine whether or not they constitute trafficking. In order for a situation to be trafficking, it must have at least one of the elements within each of the three criteria of Process, Means, and Goal.

Human Trafficking is:

PROCESS	+	WAY/MEANS	+	GOAL
Recruitment or Transportation or Transferring or Harboring or Receiving	AND	Threat or Coercion or Abduction or Fraud or Deceit or Deception or Abuse of Power	AND	Prostitution or Pornography or Violence/Sexual Exploitation or Forced Labor or Involuntary Servitude or Debt Bondage (with unfair wages) or Slavery/Similar practices

If one condition from each category is met, the result is trafficking. For adults, victim consent is irrelevant if one of the Means is employed. For children consent is irrelevant with or without the Means category.

A CLOSING NOTE FROM THE DRAFTERS OF THE REPORT

As the staff of the office that produces this report, we are regularly exposed to the myriad forms of trafficking that capture the aspirations and extinguish the dignity of so many, and we see the plight of the victims who experience the worst of human greed. Amidst this collage of misery a particularly heinous crime stands out: the sexual slavery of society's most precious members, its children. Earlier this year, we learned of a particularly compelling personal story.

In an African city, Ama, a young girl in her early adolescent years was found running from a brothel where she and other children had been subjected to repeated rapes—as many as five per hour—for the profit of the brothel manager. A line of “customers” waited nightly, paying the equivalent of \$3 to rob her of her childhood, one rape at a time. When given the chance to escape, thanks to a police raid, she emerged crying and afraid of her future. An NGO worker looked into her childish eyes and tried to comfort her by saying: “You don’t ever have to do this again; you will be taken to a safe place and be cared for.” Ama remained mute out of uncertainty and fear. When told she could go to school, Ama’s eyes brightened with hope: “Do you mean it? Can I really go to school?” She clutched the NGO worker, who assured Ama that she would. Yet later, as the result of inadequate care and security, she likely disappeared from a shelter and back into the clutches of traffickers. Her whereabouts and welfare today are unknown.

Ama’s brief flicker of hope haunts us, for it defies all that we strive to accomplish. It humbles us, as it should humble all governments committed to human trafficking’s abolition. Ama’s plight highlights the deeply entrenched greed of some, while underscor-

ing the enormity of the challenge ahead. In her brief respite from hell, Ama sought a childhood she had been denied, and then her new hope was taken from her.

This Report is dedicated to Ama, a beautiful child who fell victim to slavery despite the attempts of many to prevent it. Only with the tireless efforts of those committed to seeing an end to child trafficking—in civil society, in media, in governments—will Ama be freed and others spared similar horrors. The lack of resources and political will brought to bear on this problem must be addressed; activists seeking the emancipation of child slaves must be empowered and assisted. Without Ama free, we cannot rest.



Ama and other children waiting in a police station after their rescue from a brothel.

Thank you for your support. Thank you for joining us.

Adoma Adae
Elyse Bauer Anderson
Jennifer Schrock Donnelly
Christine Chan-Downer
Dana Dyson
Shereen Faraj
Barbara Fleck
Mark Forstrom

Katrina Fotovat
Elizabeth Fuller
Eleanor Kennelly Gaetan
Paula R. Goode
Megan L. Hall
Mark P. Lagon
Jill K. Larsen
Laura J. Lederer

Abraham Lee
Carla Menares Bury
Sally Neumann
Gayatri Patel
Rachel Yousey Raba
Amy O’Neill Richard
Amy J. Rofman
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Shara Simms
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Felecia A. Stevens
Mark B. Taylor
Jennifer Topping
Veronica Zeitlin



Burmese children laboring in Thailand's seafood industry.

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