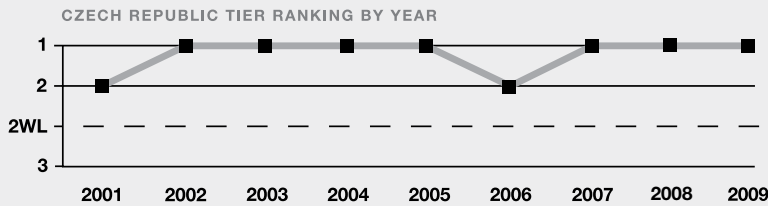


## CZECH REPUBLIC (Tier 1)

The Czech Republic is a source, transit, and destination country for women from Slovak Republic, Ukraine, Russia, Romania, Belarus, Moldova, Bulgaria, Mongolia, and Brazil trafficked to the Netherlands, Denmark, the United Kingdom, Switzerland, and Germany for the purpose of commercial sexual exploitation. The Czech Republic is a destination for men and women trafficked from Ukraine, Russia, Moldova, Belarus, China, Vietnam, Mongolia, and Brazil for the purpose of labor exploitation. Roma women are trafficked within the country and abroad for forced prostitution.

The Government of the Czech Republic fully complies with the minimum standards for the elimination of trafficking. In 2008, the government provided \$450,000 in funding for its domestic anti-trafficking programs, including more than \$280,000 for victim assistance. The government also maintained strong victim assistance and protection efforts, including the funding of safe repatriations for 10 trafficking victims during the reporting period.



**Recommendations for the Czech Republic:** Demonstrate increased efforts to prosecute, convict, and punish labor trafficking offenders with imprisonment; increase the use of Section 232a of the criminal code to ensure convicted traffickers receive higher penalties for both sex and labor trafficking offenses; increase the number of victims referred for assistance by law enforcement personnel; and continue strong prevention and awareness efforts to reduce the demand for commercial sex acts.

### Prosecution

The government sustained its solid law enforcement efforts over the previous year. The Czech Republic prohibits trafficking for the purposes of commercial sexual exploitation and forced labor through Sections 232a, 216, and 204 of its criminal code, and punishments prescribed under these statutes range from two to 15 years' imprisonment. These punishments are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. Prosecutors often use section 204 of the criminal code to prosecute traffickers. In 2008, police conducted 81 investigations – including 10 labor trafficking investigations – and prosecuted 110 persons for trafficking offenses, compared to 11 investigations and 121 individuals prosecuted in 2007.

The government convicted 64 trafficking offenders during the reporting period, down from 78 convicted offenders in 2007. Only 28 percent – 18 out of 64 traffickers convicted in 2008 – served time in prison, compared to 23 out of 78 traffickers convicted in 2007 who subsequently served time in prison. In 2008, 16 traffickers were sentenced to one to five years' imprisonment, and two traffickers were sentenced to five to 12 years' imprisonment.

### Protection

The government continued its impressive efforts to protect and assist victims over the reporting period. The government provided \$283,000 to NGOs to provide victim care in 2008; as a result, NGOs were able to provide approximately 76 victims with government-funded comprehensive assistance and shelter, compared to 75 victims assisted in 2007. The government also funded the repatriation of nine foreign victims and one Czech national during the reporting period. Foreign victims were granted an automatic 60-day period of reflection, during which time they received assistance while they decided whether to participate in criminal investigations. Victims were encouraged to assist in investigations and prosecutions; victims who cooperated with investigators were granted temporary residence and work visas for the duration of the relevant legal proceedings; 19 victims were granted temporary residency permits in 2008. Upon conclusion of the court proceedings, qualifying victims had the opportunity to apply for permanent residency; one victim was granted permanent residency in 2008, compared to three victims granted permanent residency in 2007. The government has a formal victim and identification mechanism; authorities referred 13 victims to NGOs for assistance during the reporting period. Victims were not fined or otherwise penalized for unlawful acts committed as a direct result of their being trafficked.

### Prevention

The government sustained its trafficking prevention efforts during the reporting period. In 2008, the Ministry of Labor and Social Affairs worked with the Romanian government to help raise awareness about the dangers of trafficking among Romanians working in the Czech Republic; similar bilateral efforts were conducted with the governments of Moldova, Mongolia, Slovak Republic, Sweden, and Poland. The government continued funding a campaign aimed at reducing the demand for commercial sex acts among foreign tourists visiting the Czech Republic. The Czech Republic has not ratified the 2000 UN TIP Protocol.

## DENMARK (Tier 1)

Denmark is primarily a transit and destination country for women and girls trafficked from Bulgaria, Romania, Latvia, the Czech Republic, Thailand, Brazil, Nigeria,

and other West African countries for the purpose of commercial sexual exploitation. Victims from Africa are trafficked to Denmark primarily through Italy and Spain. In 2008, authorities noted an increase in the number of potential child trafficking victims from Romania, Bulgaria, Lithuania, Guinea, Hungary, Algeria, and China to Denmark for the purpose of forced petty theft.

The Government of Denmark fully complies with the minimum standards for the elimination of trafficking. In 2008, the Ministry of Immigration started a pilot program with IOM to fund the safe repatriation of victims to their country of origin; three victims of trafficking participated in the program.

**Recommendations for Denmark:** Offer long-term legal alternatives to foreign victims' removal to countries where they face retribution or hardship to a greater number of identified trafficking victims; and conduct an awareness and prevention campaign focused on both sex and labor trafficking.

### Prosecution

The Government of Denmark sustained its strong law enforcement efforts over the reporting period. Denmark prohibits trafficking for both sexual exploitation and forced labor through Section 262 of its criminal code, although prosecutors often use a prostitution procurement law to prosecute sex traffickers. Punishments prescribed for trafficking under section 262 extend up to eight years' imprisonment, are sufficiently stringent, and are commensurate with penalties prescribed for other grave crimes, such as rape. Police conducted a total of 34 trafficking investigations during the reporting period, the same number conducted in 2007. Authorities prosecuted 81 individuals for trafficking offenses, an increase from 52 trafficking cases prosecuted in 2007. In 2008, 19 trafficking offenders were convicted, including seven under the anti-trafficking statute and 12 under the procurement law; 31 trafficking offenders were convicted in 2007, including 10 under the anti-trafficking statute and 21 under the procurement law. All 19 trafficking offenders convicted in 2008 served some time in prison; none received suspended sentences. Sentences for convicted traffickers ranged from 12 to 42 months' imprisonment. In 2008, the National Police provided an updated trafficking reference manual to local districts.

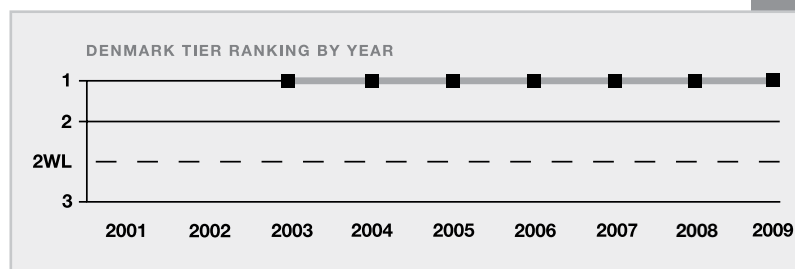
### Protection

Denmark sustained its victim assistance and protection efforts. Over the year, 72 victims received social, medical, and rehabilitative assistance. The government provided approximately \$1.7 million in funding for NGOs providing victims with medical assistance, shelter, legal assistance, and rehabilitative counseling. All foreign victims were offered a reflection period of 30 to 90 days; 12 victims used the reflection period in 2008. Although police encouraged victims to participate in trafficking investigations, only one victim assisted authorities in 2008 and was permitted to stay in Denmark for the

duration of the criminal proceedings, compared to three victims in 2007. One trafficking victim applied for and received asylum to remain in Denmark on the grounds that the victim faced hardship or retribution if returned to her country of origin.

### Prevention

Denmark continued its trafficking prevention efforts during the reporting period. In August 2008, the government launched a campaign in schools called "Who is Paying the Price?" which is aimed at reducing the demand for commercial sex among young men. In 2008, the government partially funded an NGO to conduct an anti-trafficking awareness campaign in cinemas and in the media. In January 2008, the government funded a public service campaign alerting Danish nationals about the new law prohibiting sexual abuse of children overseas. The government continued to adequately monitor immigration patterns for evidence of trafficking.



## DJIBOUTI (Tier 2 Watch List)

Djibouti is a source, transit, and destination country for women and children trafficked for the purposes of commercial sexual exploitation and domestic servitude. Large numbers of voluntary economic migrants from Ethiopia and Somalia pass illegally through Djibouti en route to Yemen and other locations in the Middle East; among this group, a small number of women and girls may fall victim to involuntary domestic servitude or commercial sexual exploitation after reaching Djibouti City or the Ethiopia-Djibouti trucking corridor. Others fall victim to human trafficking after reaching their destinations in the Middle East. Djibouti's large refugee population – comprised of Somalis, Ethiopians, and Eritreans – remains vulnerable to various forms of exploitation, including human trafficking. A small number of girls from impoverished Djiboutian families may engage in prostitution with the encouragement of family members or other persons engaged in prostitution. Prostitution in Djibouti occurs in apartments, brothels, and on the streets; members of foreign militaries stationed in Djibouti reportedly contribute to the demand for women and girls in prostitution, including trafficking victims. Polish authorities identified one female Djiboutian trafficking victim in 2008.

The Government of Djibouti does not fully comply with the minimum standards for the elimination of trafficking;

however, it is making significant efforts to do so.

Despite these significant overall efforts, the government showed only limited evidence of progress in prosecuting specific human trafficking offenses and in raising public awareness of the crime; therefore, Djibouti is placed on Tier 2 Watch List.

**Recommendations for Djibouti:** Continue to enforce the anti-trafficking statute through the successful prosecution of trafficking offenders; launch a nationwide campaign to educate all levels of government officials and the general public on the issue of human trafficking; develop a plan for providing training on the anti-trafficking law and its provisions to law enforcement and social welfare officials, including judges, lawyers, police, immigration officers, and social workers; establish formal policies and procedures for government officials to proactively identify and interview potential trafficking victims and transfer them to the care, when appropriate, of local NGOs or international organizations; and establish mechanisms for providing increased protective services to trafficking victims, possibly through the forging of partnerships with NGOs or civil society organizations.

## Protection

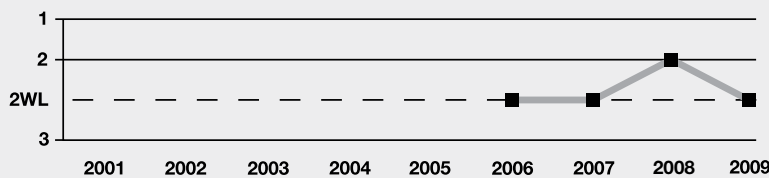
With few resources itself and a very small pool of local NGOs, the government had few options for meeting the needs of children exploited in prostitution during the year. One NGO, in consultation with the Ministry of Women, continued to operate a drop-in day center for street children at risk of becoming victims of trafficking, prostitution, or other forms of exploitation. The Council of Ministers took no action in 2008 to ensure comprehensive care for victims as mandated under Article 18 of Law 210. After detaining children on suspicion of engaging in prostitution, police attempted to locate and meet with parents or other family members to discuss appropriate child protection; children were then released to the care of family members. As a last resort, Ethiopian and Somali children detained by police on suspicion of involvement in prostitution were housed in quarters at the Police Academy before deportation. In 2008, renovation began on several rooms at the academy to improve accommodations for these children. Police worked with the Ministry of Health's clinic and hospitals, as well as NGOs, to provide medical care to victims of child prostitution. No charges were filed against minors detained on suspicion of engaging in prostitution in 2008. The police began a study of the family situations of prostituted minors in 2008.

The government accommodated a growing number of asylum-seeking defectors from the Eritrean military during the reporting period. As of March 2009, the government and UNHCR registered 129 Eritrean military defectors – some of whom may be trafficking victims – as asylum-seekers after conducting joint interviews. The government has not yet developed a formal referral process to transfer trafficking victims to the care of NGOs, or a system for proactively identifying victims of trafficking among vulnerable populations. Authorities did not encourage victims to participate in investigations or prosecutions of traffickers.

## Prevention

During the reporting period, the government did not launch an information campaign specifically targeted at raising public awareness of human trafficking. In an effort to prevent the forced labor and commercial sexual exploitation of Ethiopian and Somali illegal migrants in Yemen and Saudi Arabia, however, the state-run media published numerous stories on the dangers of illegal migration. In addition, the military regularly detained boats suspected to be smuggling African migrants to Yemen and imprisoned their operators. Article 16 of Law 210 requires the government to establish or support policies or programs to prevent human trafficking through awareness campaigns, training programs, and social and economic initiatives; no discernable progress was made in any of these areas during the reporting period. During the reporting period, the government invited IOM to open an office in Djibouti, and provided office space within the Ministry of Labor. In March 2009,

DJIBOUTI TIER RANKING BY YEAR



## Prosecution

The Government of Djibouti made nascent efforts to bring trafficking offenders and migrant smugglers to justice during the reporting period. Law 210, "Regarding the Fight Against Human Trafficking," enacted in December 2007, covers both internal and transnational trafficking and prohibits all forms of trafficking in persons. It provides for the protection of victims regardless of ethnicity, gender, or nationality, and prescribes penalties of up to 30 years' imprisonment for trafficking offenders. These penalties are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. The Ministry of Justice reported its use of Law 210 during the reporting period to prosecute and convict illegal migrant smugglers and their accomplices, but it did not provide further information on such cases; it is unclear whether any of them involve human trafficking. Throughout the year, Djibouti's *Brigade des Moeurs* (Vice Police) conducted regular nighttime sweeps of the capital's bars and streets and preventatively detained an unknown number of Ethiopian and Somali minors suspected to be engaged in prostitution. The brigade reportedly detained their exploiters as well; specific information regarding the punishment of pimps was not provided.

government officials began collaborating with IOM for an awareness campaign on the dangers of irregular migration, including the risk of becoming a trafficking victim. The government worked to reduce the demand for commercial sex acts by continuing to investigate child sexual exploitation cases and deploying a regular police vice squad. The government did not take any known measures in 2008 to reduce the demand for forced labor.

## DOMINICAN REPUBLIC (Tier 2 Watch List)

The Dominican Republic is a source, transit, and destination country for men, women, and children trafficked for the purposes of commercial sexual exploitation and forced labor. Dominican women are trafficked for commercial sexual exploitation to Argentina, Australia, Brazil, Costa Rica, Cyprus, Haiti, Jamaica, the Netherlands, Panama, Slovenia, Suriname, Switzerland, Turkey, and Venezuela. A significant number of women, boys, and girls are trafficked within the country for forced prostitution and domestic servitude. In some cases, parents push children into prostitution to help support the family. Child sex tourism is a problem, particularly in coastal resort areas, with child sex tourists arriving year-round from various countries, particularly Spain, Italy, Germany, Canada, and the United States and reportedly numbering in the thousands. Haitian nationals, including children, who voluntarily migrate illegally to the Dominican Republic may subsequently be subjected to forced labor in the service, construction, and agriculture sectors.

The Government of the Dominican Republic does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these overall significant efforts, the government did not show evidence of progress in prosecuting and punishing trafficking offenders including complicit officials; therefore, the Dominican Republic is placed on Tier 2 Watch List. The Dominican government increased its efforts to educate the public about the dangers of trafficking, improved its assistance to victims, announced a national plan to combat trafficking, and took some disciplinary action against lower-level officials suspected of complicity in trafficking activity.

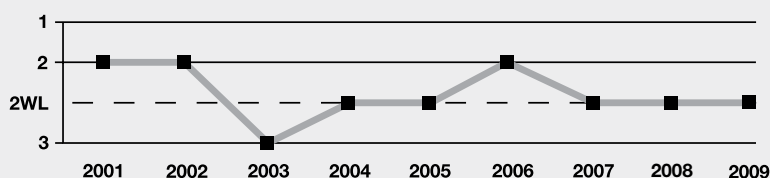
### Recommendations for the Dominican Republic:

Intensify efforts to prosecute and punish trafficking offenders, especially public officials complicit in or facilitating human trafficking; increase investigations into potential labor trafficking situations; continue to increase victim assistance and shelter services; provide greater legal protections for undocumented and foreign trafficking victims; increase prevention and demand-reduction efforts; intensify efforts to identify and care for all trafficking victims; and continue to increase anti-trafficking training for government and judicial officials.

### Prosecution

The government modestly increased law-enforcement efforts against some trafficking offenders, and began to investigate and punish lower-level public officials for complicity in trafficking activity over the last year. Dominican law prohibits all forms of trafficking through its comprehensive anti-trafficking Law 137-03, which prescribes penalties of up to 20 years' imprisonment. Such penalties are sufficiently stringent and commensurate with those prescribed for other grave offenses, such as rape. In 2008, the government continued several trafficking investigations. Since 2007, there have been no convictions on trafficking charges under Law 137-03, but the government made a greater effort during the year to differentiate between alien smuggling and human trafficking crimes, which are prohibited under the same law and are often confused. Although the Government initiated an investigation into press reports from 2007 that high-level officials were directly involved in the smuggling and trafficking of Chinese nationals, it demonstrated no progress on this investigation during 2008. Lack of resources, corruption, and generally weak rule of law limit the government's ability to address trafficking issues, and allegations of official complicity in trafficking continued. No senior officials were investigated or prosecuted; since August 2008, however, 45 inspectors from the Migration Directorate were removed from their positions for possible involvement in trafficking. Five of these former inspectors are under active investigation and two are in preventative detention. Other lower-level officials have been suspended or disciplined. During the reporting period, the government cooperated with U.S. law enforcement agencies and contributed to an international case involving the trafficking of Dominican women to Switzerland. As many trafficking victims enter the island with legitimate documents through regular ports of entry, IOM and the Office of the Undersecretary for Consular and Migratory Affairs trained migration inspectors on detecting false and altered documents, inspection of travel documents and visas, detecting imposters, and differentiating between smuggling clients and trafficking victims.

DOMINICAN REPUBLIC TIER RANKING BY YEAR



### Protection

The government improved its efforts to protect trafficking victims, although it continued to rely heavily on NGOs and international organizations for the bulk of shelter



and protection services offered to victims. The *Comite Inter-institucional de Proteccion a la Mujer Migrante*, in cooperation with the Ministry for Women and an NGO, offered victims legal and psychological assistance. The government contributed funds to a religious order which assisted trafficking victims at its refugee centers around the country. IOM also used these facilities to assist victims. An NGO operated *El Centro de Acogida*, a center for repatriated Dominican trafficked women, which provided medical and legal services, employment assistance, and continued education. Shelters for child trafficking victims were run by the *Consejo Nacional para la Ninez y la Adolescencia*, a government agency. The Dominican Criminal Procedure Code contains mechanisms for the protection of witnesses and victims, though these protections were largely limited to victims who were willing to testify in court proceedings. Victims' rights were generally respected once they were recognized as victims, and they were not typically jailed or penalized for unlawful acts committed as a direct result of being trafficked. Dominican authorities encouraged victims to assist with the investigation and prosecution of their traffickers. Victims without identity documents or in illegal status generally had difficulty accessing protective services. Out of a group of 14 trafficked Ecuadorian women, one remained in the Dominican Republic to help police with the investigation and prosecution of their traffickers. Victims and traffickers sometimes struck deals, usually via their attorneys, whereby victims received compensation from their traffickers in lieu of pursuing a criminal case. The government trained consular officials posted abroad to recognize and assist Dominican nationals trafficked overseas. The government did not provide foreign victims with clear legal alternatives to their removal, but even so it did not remove them to countries where they face retribution. In one case it provided long-term residency.

### Prevention

The government continued to increase its prevention efforts during the year. The inter-agency National Commission Against Trafficking announced its national action plan in December 2008. The Prevention Unit of the Department of Alien Smuggling and Trafficking in Persons, working with the Ministries of Labor and Education, warned children at schools around the country of the dangers of alien smuggling, commercial sexual exploitation, and trafficking. The Attorney General, Migration Directorate, Navy, Secretary of State for Women, and *Programa Radial* also ran anti-trafficking information campaigns. Notices now posted in Santo Domingo's international airport list the penalties under Dominican law for the criminal offense of commercial sexual exploitation of children. Prostitution of adults is legal, though police raided brothels as a means to address demand for commercial sex acts with children and to look for underage girls engaging in prostitution. The government also made efforts to reduce demand for commercial sexual acts by prosecuting foreign pedophiles for sexually exploiting minors.

## ECUADOR (Tier 2)

Ecuador is a source, transit, and destination country for men, women, and children trafficked for the purposes of commercial sexual exploitation and forced labor. The majority of trafficking victims are believed to be children trafficked within the country from border and central highland areas to urban centers for commercial sexual exploitation, as well as for domestic servitude, forced begging, and forced labor in mines and other hazardous work. According to a recent government study, the main destination provinces for human trafficking include Pichincha, Guayas, Esmeraldas, and Manabi. Ecuadorian children are trafficked to Colombia, Venezuela, Chile, and the Dominican Republic for forced labor, particularly street begging, forced vending, and as domestic servants. Ecuadorian women are trafficked to Colombia, Peru, Venezuela, and Western Europe for commercial sexual exploitation. To a lesser extent, Ecuador is a destination country for the trafficking of Colombian and Peruvian women and girls for commercial sexual exploitation, particularly in border areas, the Amazon region, and cities such as Quito, Santo Domingo, and Esmeraldas. Ecuador is a transit country for Asian nationals to the Western Hemisphere; while some migrants consent to being smuggled through Ecuador, others fall victim to human traffickers along the way.

The Government of Ecuador does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government sustained strong law enforcement measures against sex trafficking offenders, in addition to victim assistance. However, the government's law enforcement efforts did not sufficiently address forced labor, sex trafficking crimes involving adults, or evidence of trafficking-related complicity of some local government officials. Moreover, the government's recent decision to lift its tourist visa requirement has resulted in a heavy influx of migrants into the country, some of whom may be trafficked.

**Recommendations for Ecuador:** Continue vigorous efforts to investigate and prosecute trafficking offenses – including forced labor – and convict and punish trafficking offenders, including public officials complicit in trafficking activities, particularly at the local level; increase anti-trafficking training for law enforcement and other government officials; increase raids on brothels that exploit underage children; and develop formal procedures for identifying trafficking victims among vulnerable populations, particularly adult women in prostitution and foreign migrants subject to high smuggling debts.

### Prosecution

The government demonstrated strong but incomplete law enforcement efforts against trafficking in persons crimes last year. Ecuador prohibits all forms of human trafficking pursuant to a 2005 amendment to its penal code; trafficking for the purpose of labor exploitation carries a punishment of six to nine years'

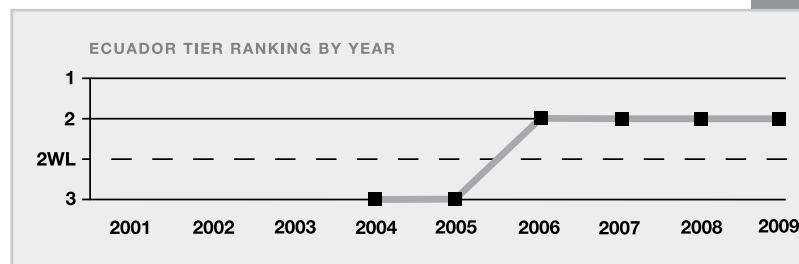
imprisonment, and trafficking for sexual exploitation carries a penalty of eight to 12 years' imprisonment. Penalties for human trafficking may be increased, by aggravating circumstances, to a maximum of 35 years' imprisonment. Such penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes. During the reporting period, Ecuadorian authorities opened 85 trafficking cases across the country, and achieved convictions in 38 trafficking cases from previous years, securing sentences ranging from four to 12 years' imprisonment against offenders. Such results represent a substantial increase in efforts when compared to 2007, when the government opened 76 prosecutions and convicted five trafficking offenders.

Most cases during the current reporting period involved the inducement of children into prostitution or commercial sexual exploitation. A small number of prosecutions are related to labor exploitation, but do not appear commensurate to the incidence of forced labor in the country, particularly the large number of children exploited for forced begging and forced domestic work. Despite reports of trafficking-related corruption, particularly related to civil registry officials issuing false identity documents to Colombian minors, no investigations, prosecutions, or convictions of potentially complicit officials took place last year. According to Ecuadorian police, brothel owners commonly use false identity documents to exploit foreign children in prostitution, and to avoid criminal liability for immigration and trafficking violations in the event of a police raid. The government continued to train law enforcement personnel on anti-trafficking skills, and organized an international conference with neighboring countries on forced begging.

### Protection

The Ecuadorian government committed additional resources to assist trafficking victims last year. The government ensured trafficking victims' access to legal, medical, and psychological services in victim care facilities, though available shelters for trafficking victims remained lacking in many parts of the country. The government funded NGOs to provide additional victim services, allotting \$423,467 in resources for such efforts last year. Through its Victim and Witness Protection Program, the Public Ministry operated specialized anti-trafficking police units in the cities of Guayaquil, Machala, Portoviejo, Cuenca, and Quito. These units accompanied other police authorities on brothel raids to coordinate immediate protective services for identified trafficking victims, and assistance for victim witnesses during court proceedings. Last year the government identified and assisted approximately 56 victims of trafficking; 12 victims accepted services from the Victim and Witness Protection Program. The government encouraged victims to assist with the investigation and prosecution of their traffickers. Law enforcement and social services personnel employed formal procedures to identify child victims of commercial sexual exploitation,

but did not demonstrate adequate efforts for identifying adult trafficking victims among women exploited in brothels and other vulnerable populations. Authorities did not penalize trafficking victims for unlawful acts committed as a direct result of their being trafficked. The Ecuadorian government did not provide legal alternatives to the removal of foreign victims to countries where they faced hardship or retribution, though foreign victims were not typically deported from the country.



### Prevention

The Government of Ecuador sustained anti-trafficking prevention efforts last year. Senior government officials, including the president, condemned human trafficking in public speeches. The government continued anti-trafficking campaigns against forced child begging and child sex tourism, in addition to a media campaign warning "clients" that purchasing child prostitution is a punishable crime. The government, however, did not report other steps to reduce demand for commercial sex acts purchased from adults or forced labor of adults during the reporting period.

## EGYPT (TIER 2 Watch List)

Egypt is a source, transit, and destination country for women and children trafficked for the purposes of forced labor and sexual exploitation. Some of Egypt's estimated one million street children – both boys and girls – are exploited in prostitution and forced begging. Local gangs are, at times, involved in this exploitation. Egyptian children are recruited for domestic and agricultural labor; some of these children face conditions indicative of involuntary servitude, such as restrictions on movement, non-payment of wages, threats, and physical or sexual abuse. In addition, wealthy men from the Gulf reportedly travel to Egypt to purchase "temporary marriages" with Egyptian females, including girls who are under the age of 18; these arrangements are often facilitated by the females' parents and marriage brokers. Child sex tourism is increasingly reported in Cairo, Alexandria, and Luxor. Young female Sudanese refugees, including those under 18, may be coerced into prostitution in Cairo's nightclubs by family or Sudanese gang members. Egypt is a transit country for women trafficked from Uzbekistan, Moldova, Ukraine, Russia, and other Eastern European countries to Israel for sexual exploitation; organized crime groups are involved in these movements.

The Government of Egypt does not fully comply with minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government enacted amendments to the Child Law prohibiting child trafficking, provided training for government officials on the use of these amendments, and began the prosecution of several alleged sex trafficking offenders. Despite these overall efforts, the government did not show adequate progress in advancing anti-trafficking law enforcement efforts over the last year; therefore Egypt is placed on Tier 2 Watch List. The government continues to lack formal victim identification procedures and protection services, and some victims of trafficking are punished for acts committed as a direct result of being trafficked. The government took minimal steps to combat the serious issues of child sex tourism and the involuntary domestic servitude of children or to raise awareness of trafficking among the general public.

**Recommendations for Egypt:** Substantially increase law enforcement activity against trafficking, including the growing problems of the involuntary domestic servitude of children and child sex trafficking; draft and enact legislation criminalizing all forms of human trafficking; institute and apply a formal victim identification procedure to ensure that trafficking victims are not punished or otherwise treated as criminals for acts committed as a direct result of being trafficked; provide in-kind or financial support to NGOs providing protection services to victims; and implement a comprehensive public information campaign to educate the public on the definition and dangers of trafficking.

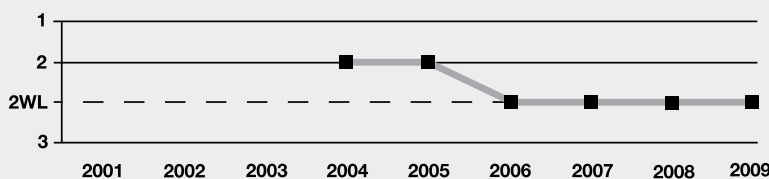
1961 prohibits the use of coercion, threats, or abuse to induce a person into prostitution and the commercial sexual exploitation of those under 21 years old. Penalties prescribed for the above crimes range from one to seven years' imprisonment; these are also sufficiently stringent and commensurate with those prescribed for other grave crimes. Unlike other child laborers, however, child domestic workers are not protected under existing labor laws. In September 2008, the National Coordinating Committee to Combat and Prevent Trafficking in Persons began drafting a comprehensive anti-trafficking law.

Under the Child Law and the Anti-Prostitution Law, the Alexandria Public Prosecutor's Office commenced in March 2009 with the prosecution of two defendants suspected of kidnapping eight street children and forcing them to engage in prostitution with wealthy Egyptians and tourists from the Gulf States in exchange for money. Also in March, the South Giza Prosecutors Office initiated the prosecution of a man and his wife on charges of selling their three daughters into prostitution to tourists from the Gulf for \$550 a week per child. The Egyptian government did not, however, report efforts to investigate or prosecute cases of the involuntary domestic servitude of children. The Public Prosecutor's office created and distributed a booklet on investigating and prosecuting trafficking cases to prosecutors working with children, and trained 125 prosecutors working on children's cases. In 2008, the NCCM trained 45 prosecutors and judges on human trafficking.

### Protection

Egypt made minimal progress in protecting victims of trafficking during the reporting period. The Ministry of Social Solidarity continued to operate 19 drop-in centers for street children, women, and the disabled that may have provided care to trafficking victims in 2008; these centers, however, are only open during the day and do not provide comprehensive services for trafficking victims. In January 2009, the NCCM, in partnership with an international NGO, launched a day center in Cairo to rehabilitate abused street boys involved in forced begging or petty crime; to date, NCCM provided 25 boys with counseling, medical care, and literacy and computer classes, while the NGO operated the facility. In March 2009, the Alexandria Public Prosecutor's office transferred eight boys victimized by sex trafficking to the NCCM and the Ministries of Health and Social Solidarity for medical, psychological, and rehabilitation services. The NCCM operated a 24-hour hotline to respond to complaints of child abuse, though it lacks the capability to retain information on whether any of the calls received concerned trafficking. Specialized care for adults or foreign victims, including Sudanese women in forced prostitution, was not provided. Despite receiving training in victim identification, the government did not employ formal procedures to identify victims of trafficking and refer them to providers of care; as a result, trafficking victims, including street children and women arrested for

EGYPT TIER RANKING BY YEAR



### Prosecution

Egypt made progress in punishing trafficking crimes during this reporting period. The Egyptian penal code does not prohibit all forms of trafficking; the Unified Labor Law does not define forced labor and there are no provisions against it. In June 2008, however, the government enacted amendments to the Child Law (No. 126 of 2008), which include provisions prohibiting the trafficking of children for commercial sexual exploitation and forced labor. These amendments prescribe sentences of at least five years' imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other grave crimes. The National Council on Childhood and Motherhood (NCCM) began drafting by-laws to guide enforcement of the amendments to the child protection law. The Anti-Prostitution Law of

prostitution, were often treated as criminals rather than victims. In prisons or detention centers, law enforcement officers may have further mistreated these victims through verbal, physical, and sexual abuse. Foreign victims are not offered legal alternatives to removal to countries in which they may face hardship or retribution. The government does not actively encourage victims to assist in investigations against their traffickers.

### Prevention

Egypt made minimal efforts to prevent trafficking in persons during the reporting period. The National Center for Criminological and Social Research officially began a comprehensive study on the scope of trafficking in Egypt. In November 2008, the National Council for Human Rights held a seminar and a roundtable discussion on human trafficking. During the second half of 2008, NCCM trained 107 social workers, 35 health inspectors, and 191 officials from various ministries on the Child Law's amendments and the UN TIP Protocol. The first lady's anti-trafficking advocacy during the reporting period led to a substantial increase in press coverage on the subject. Nonetheless, the government did not institute any public campaigns to raise awareness on trafficking. The government similarly made no discernible efforts to reduce the demand for commercial sex acts or to raise awareness of sex tourism. In March 2009, Giza Security arrested and criminally charged three men from the Gulf who had paid the parents of three young girls in order to sexually exploit the girls. There were no reports of the Egyptian government's efforts to provide anti-trafficking training for its troops before they deployed on international peacekeeping missions.

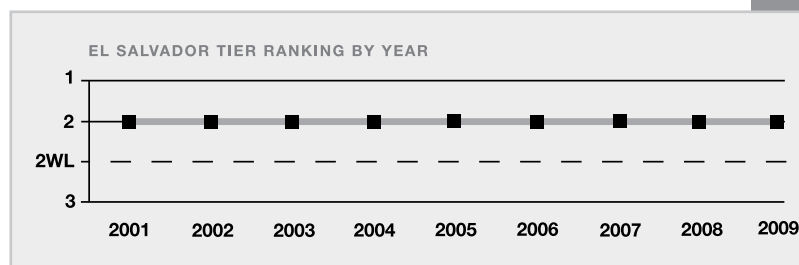
## EL SALVADOR (Tier 2)

El Salvador is a source, transit, and destination country for women and children trafficked for the purposes of commercial sexual exploitation and forced labor. Most victims are Salvadoran women and girls trafficked within the country from rural to urban areas for commercial sexual exploitation, although some adults and children are trafficked internally for forced agricultural labor. The majority of foreign victims are women and children from Nicaragua, Honduras, Guatemala, Mexico, and Colombia who travel to El Salvador in response to job offers, but are subsequently forced into prostitution or domestic servitude. Some adults and children from neighboring countries are subject to forced labor in agriculture and apparel assembly. Salvadorans have been trafficked to Guatemala, Mexico, Belize, the United States, Spain, and Italy, for commercial sexual exploitation.

The Government of El Salvador does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government sustained strong anti-trafficking prosecution, protection, and prevention activities, though it neglected to take

adequate measures to protect adult trafficking victims and to confront trafficking-related corruption.

**Recommendations for El Salvador:** Continue to strengthen law enforcement efforts against trafficking offenders; investigate and prosecute, as appropriate, reports of forced labor and domestic servitude, as well as allegations relating to public officials who may be involved with trafficking activity; increase use of proactive law enforcement techniques such as brothel raids to rescue victims; increase victim services and assistance, particularly for adults; and strengthen statutory penalties for trafficking-in-persons crimes.



### Prosecution

The Government of El Salvador sustained solid law enforcement efforts against trafficking offenders during the reporting period. Article 367B of the Salvadoran Penal Code prohibits all forms of human trafficking and prescribes penalties of four to eight years' imprisonment. Sentences may be increased by one-third when the offense is accompanied by aggravated circumstances, such as when the victim is a child or the defendant is a public official. Such penalties are sufficiently stringent but do not appear commensurate with penalties prescribed for serious offenses such as rape, which carries a punishment of six to 20 years' imprisonment. Since passage of El Salvador's anti-trafficking statute in 2004, some prosecutors have elected to charge trafficking-related crimes under the country's rape statute in order to secure heavier mandatory sentences against offenders. In 2008, the government's dedicated anti-trafficking police and prosecutorial units brought charges in 15 cases of human trafficking, obtaining eight convictions with sentences ranging from four to 10 years' imprisonment. Such results compare with 46 prosecutions and five convictions secured in 2007. The majority of the government's law enforcement efforts focused on trafficking for the purpose of commercial sexual exploitation, though a smaller number of cases related to forced labor. During the reporting period, police conducted undercover trafficking investigations and acted on trafficking-related tips to execute raids on brothels and commercial sex sites. The government also cooperated with neighboring governments on anti-trafficking investigations. Despite credible reports of public officials involved with trafficking activity, particularly in the Department of Chalatenango, no investigations or prosecutions of such officials were opened during the reporting period.



## Protection

The Salvadoran government increased victim assistance last year. With international assistance, the government re-opened a dedicated shelter for trafficking victims in January 2008. The shelter houses approximately 20 child trafficking victims. The country's federal agency for children and adolescents, ISNA, also operated a national network of 11 shelters to provide secure housing, 24-hour medical attention, psychological counseling, and vocational workshops to victims of abuse, including trafficking victims. However, most government assistance and services were directed to child trafficking victims, and were not readily accessible to adult or male trafficking victims. NGOs noted that government support services typically cease once a victim leaves shelter care, and that trafficking victims could benefit from greater reintegration assistance. The government trained personnel, including consular officers, on identifying trafficking victims abroad; consular officials identified four trafficking victims during the reporting period. Domestically, Salvadoran authorities encouraged victims to assist with law enforcement efforts; 57 victims participated in the investigation and prosecution of their traffickers during the reporting period, though others did not do so due to social stigma or fear of reprisals from their traffickers. Victims generally are not charged, jailed, or penalized for unlawful acts committed as a direct result of being trafficked. The government does not provide a formal legal alternative to deportation to a country where a trafficking victim may face hardship or retribution, though law enforcement and social service officials may request residency status for a victim on a case-by-case basis.

## Prevention

The Salvadoran government sustained anti-trafficking prevention efforts during the reporting period. The government ran information and education campaigns, and operated an anti-trafficking hotline. During the reporting period, the government trained more than 5,000 officials across the country on preventing human trafficking. Border agents received training to detect trafficking activity and irregular migration patterns, and referred identified trafficking cases for further police investigation. Salvadoran troops assigned to peacekeeping operations receive anti-trafficking training before deployment. No specific government efforts to reduce demand for commercial sex acts or forced labor were reported over the last year.

## EQUATORIAL GUINEA (Tier 2 Watch List)

Equatorial Guinea has been primarily a destination for children trafficked for the purposes of forced labor and possibly for the purpose of sexual exploitation. Children are believed to be trafficked from nearby countries, primarily Nigeria, Benin, Cameroon, and Gabon for

domestic servitude, market labor, ambulant vending, and other forms of forced labor, such as carrying water and washing laundry. Most victims are believed to be trafficked to Malabo and Bata, where a burgeoning oil industry created demand for labor and commercial exploitation. Women may also have been trafficked to Equatorial Guinea from Cameroon, Benin, other neighboring countries, and China for labor or sexual exploitation. In the last year, there was a report that women of Equatoguinean extraction were also trafficked to Iceland for commercial sexual exploitation.

The Government of Equatorial Guinea does not fully comply with the minimum standards for the elimination of trafficking; however it is making significant efforts to do so. The government continued to provide anti-trafficking training to law enforcement officials and to maintain police stations in open air markets to monitor situations of child labor exploitation. The government has also publicly denounced human trafficking. Despite these efforts, the government did not show evidence of progress in prosecuting trafficking offenders or providing protection to victims; therefore, Equatorial Guinea is placed on Tier 2 Watch List. While the government has the financial resources to address trafficking, its efforts to combat trafficking remained weak, in part because of its crippled judiciary.

**Recommendations for Equatorial Guinea:** Make greater use of the country's 2005 anti-trafficking law and law enforcement and judicial personnel to investigate, prosecute, and convict trafficking offenders; train additional law enforcement officials and Conciliation Delegates to follow formal procedures to identify trafficking victims among child laborers, illegal immigrants, and women and girls in prostitution; establish a formal system for providing trafficking victims with assistance; cease deportation of any foreign trafficking victims from Equatoguinean territory without providing them with care and safe and voluntary repatriation; and increase efforts to raise public awareness about trafficking.

## Prosecution

The Government of Equatorial Guinea demonstrated law enforcement efforts to combat trafficking during the reporting period. The government prohibits all forms of trafficking through its 2004 Law on the Smuggling of Migrants and Trafficking in Persons, which carries adequate prescribed penalties of 10 to 15 years' imprisonment. However, no human trafficking cases have yet been prosecuted under the relevant portion of this law. Police stationed at posts within open-air markets continued to monitor vendor activity for child labor exploitation, though during the reporting period, the government did not report any investigations or arrests of suspected trafficking violators. The government continued to fund anti-trafficking training seminars for police and navy officers provided by a foreign contractor. In the last year, the contractor has trained 590 additional

officers in specific anti-trafficking sessions included in a broader training program. The government distributed to law enforcement officials a wallet-sized checklist of steps to take when presented with any potential crime; the guidance is not specific to human trafficking crimes but was triggered by related concerns. The steps include identifying and investigating the crime, detaining the suspect, notifying appropriate officials, assisting the victims, and launching judicial action. In the last year, the government has instituted photograph and fingerprinting procedures at airports in Malabo and Bata, in order to aid identification and possible prosecutions in suspected trafficking cases.

### Protection

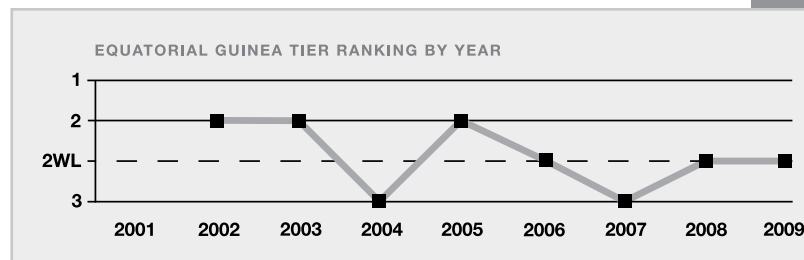
The Government of Equatorial Guinea demonstrated inadequate efforts to protect trafficking victims in the last year. The government has not yet implemented victim care shelters or other organized victim care mechanisms. Two proposed women's shelters, which the government has indicated will double as trafficking victims shelters, have not been constructed. The government did not employ formal procedures for identifying and providing care to trafficking victims. During the year, the government reported no cases in which it provided victims with care or collaborated with NGOs to provide victim assistance. Authorities reported that victims of cross-border trafficking are sometimes removed from Equatoguinean territory without being provided with any assistance. Along with posters for police stations and security checkpoints, the government distributed to law enforcement officials a wallet-sized checklist specifically addressing the needs of trafficking victims, including shelter, medical attention, clothing, food, translations services, a consular visit, and legal assistance. No systems have yet been put into place to provide victims with these services. During the year, the government reached out to a foreign donor to request technical assistance in developing a system for providing victim care.

The Ministry of Social Affairs has primary responsibility for providing care to destitute children in the country, but it did not have staff trained to care for trafficking victims during the last year. The ministry employs over 100 Conciliation Delegates, community workers who assist victims of abuse. In the course of their duties, these workers sometimes educate families about the dangers of child labor, but they did not employ procedures to identify trafficking victims among vulnerable populations. The government did not encourage victims to assist in trafficking investigations or prosecutions, nor, in the absence of cases, did it provide legal alternatives to the removal of foreign victims to countries where they may have faced hardship or retribution.

### Prevention

The Government of Equatorial Guinea demonstrated some progress in raising awareness about trafficking. During the year, the president of Equatorial Guinea made

two public announcements recognizing the need for increased counter-trafficking activity. The government took steps to reduce the demand for commercial sex acts, with law enforcement officials regularly visiting night clubs, hotels, and restaurants to monitor for illegal commercial sex activities.



## ERITREA (Tier 3)

Eritrea is a source country for men, women, and children trafficked for the purposes of forced labor and commercial sexual exploitation. In connection with a national service program in which men aged 18 to 54 and women aged 18 to 47 provide military and non-military service, there have been repeated reports that some Eritreans in military service are used as laborers on some commanding officers' personal properties, as well as in the construction and agricultural sectors, functions outside the scope of the Proclamation of National Service (No. 82/1995). There are also reports that some national service workers are required to continue their service indefinitely, beyond the 18 months specified by law, with many required to serve in their positions for over 10 years. In 2007, approximately 40 national service workers were sent to hotels in the United Arab Emirates. Similar reports in 2008 maintained that the government sent national service employees to work in hotels in southern Sudan. The conditions of such service, including requirements that the workers migrate to other countries for work, go beyond those required of national service participants as outlined in Proclamation No. 82/1995. Reports concerning these workers also noted that, with the exception of a small stipend, pay for their work was remitted directly to the Eritrean government. The government remains complicit in conscripting children into military service.

Each year, large numbers of migrant workers depart Eritrea in search of work, particularly in the Gulf States, where some likely become victims of forced labor, including in domestic servitude, or commercial sexual exploitation. In 2008, six Eritrean women and two Eritrean girls were identified as victims of sex trafficking in Norway. In addition, thousands of Eritreans flee the country illegally, mostly to Sudan, Ethiopia, and Kenya where their illegal status makes them vulnerable to situations of human trafficking.

The Government of Eritrea does not fully comply with

the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The Eritrean government does not operate with transparency and published neither data nor statistics regarding its efforts to combat human trafficking; it did not respond to requests to provide information for this report.

**Recommendations for Eritrea:** Take steps to curb abuses of Eritrean citizens in the national service program; pass and enforce a comprehensive anti-trafficking statute; provide education to all levels of government and the general public on the issue of human trafficking; and cease the unlawful conscription of children into military service.

### Prosecution

The Government of Eritrea made no known progress in prosecuting and punishing trafficking crimes over the reporting period. Articles 605 and 607 of the Eritrean Criminal Code prohibit trafficking in women and young persons for sexual exploitation; procuring women and children to engage in prostitution is punishable by up to five years' imprisonment, which is not commensurate with punishments prescribed for other grave crimes. Forced labor and slavery are prohibited, except when authorized by law, under Article 16 of the ratified but suspended Eritrean Constitution, but there are no known laws or enabling proclamations specific to trafficking for labor exploitation. Proclamation 11/199 prohibits the recruitment of children under 18 years of age into the armed forces. The government did not publish information on investigations or prosecutions, if any, of human trafficking offenses during the reporting period.

operated a program to identify children involved in commercial sexual exploitation and reintegrate them with their families. Nearly 300 children engaged in prostitution received support through this program in 2007; the government did not make available similar information on the programs' accomplishments in 2008. It is not known whether the government encouraged victims' assistance in the investigation and prosecution of trafficking crimes or whether it provided legal alternatives to the removal of foreign victims to countries where they would face hardship or retribution. The government did not ensure that victims are not inappropriately incarcerated, fined, or otherwise penalized solely for unlawful acts committed as a direct result of being trafficked.

### Prevention

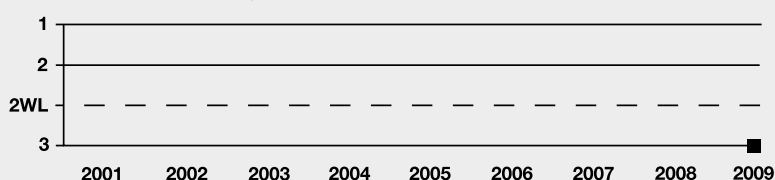
The government made no known efforts to prevent future incidences of trafficking during the reporting period. Eritrean media, all state-owned, made neither public announcements nor media presentations regarding human trafficking during the reporting period. There were no anti-trafficking education campaigns. However, the National Union of Eritrean Youth and Students actively warned the populace of the dangers of leaving the country, including the prospects of being sold into slave labor or sexual servitude. The National Confederation of Eritrean Workers carried out similar campaigns to alert workers of the dangers of entering a country illegally. Although the government does not publicly acknowledge human trafficking as a problem, an office exists within the Ministry of Labor to handle labor cases, including human trafficking; the accomplishments of this office during 2008 are unknown. Limited resources and a small number of inspectors impeded the ministry's ability to conduct investigations; the government did not provide information on the number of child labor inspections it carried out in 2008. The government is implementing a national plan of action on child labor that primarily focuses on integrating or reintegrating children with families, communities, and schools as a means of preventing child labor, or rehabilitating children engaged in child labor. The Ministry of Labor reportedly reviewed all applications for permits to grant passports and exit visas to legal migrant workers, and immigration agents closely monitored anyone entering or leaving the country. Eritrea has not ratified the 2000 UN TIP Protocol.

## ESTONIA (Tier 2)

Estonia is a source country for the trafficking of women to Norway, the United Kingdom, and Finland for the purpose of forced prostitution. Estonian men were trafficked within the country for forced labor, specifically forced criminal acts and to Ukraine for forced labor in the construction industry.

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

ERITREA TIER RANKING BY YEAR



### Protection

The government did not appear to provide any significant assistance to victims of trafficking during the reporting period. The Ministry of Labor and Human Welfare oversees the government's trafficking portfolio, but individual cases of transnational human trafficking are reportedly handled by the Eritrean embassy in the country of destination; information regarding embassy efforts to assist trafficking victims was not provided. The government has no known facilities dedicated to trafficking victims and does not provide funding or other forms of support to NGOs for services to trafficking victims. The government severely limited the number of foreign NGOs permitted to operate in the country; of the few remaining NGOs, none operated anti-trafficking programs. During the reporting period, the government

the reporting period, Estonia took steps to improve victim assistance by approving a new victim identification model in January 2009 and demonstrated good coordination with regional counterparts on victim identification and repatriation. The government again increased its anti-trafficking budget – from \$181,000 to \$200,000 – and focused 75 percent of this funding on victim assistance. Although the Ministry of Justice reviewed the present criminal code and trafficking definition, the government did not amend the present criminal code to prohibit all forms of trafficking.

**Recommendations for Estonia:** Draft a trafficking-specific criminal statute that incorporates a definition of trafficking in persons in conformity with the UN TIP Protocol; implement the approved plan to establish formal procedures for identifying victims among vulnerable populations; and maintain efforts to train police to identify potential victims and refer them for assistance.

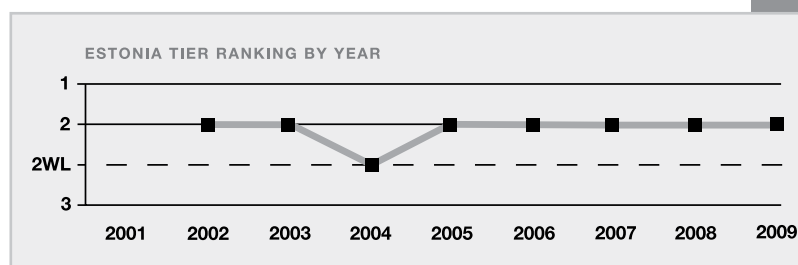
### Prosecution

The Government of Estonia demonstrated adequate law enforcement efforts during the reporting period. Estonian law does not prohibit all forms of trafficking, though the criminal code does prohibit enslavement, abduction, procurement for prostitution, labor fraud, and a number of other trafficking-related crimes. The penalties prescribed for such acts range from five to 15 years' imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other grave crimes, such as sexual assault. During the reporting period, authorities conducted two trafficking investigations, compared to two investigations in 2007. Both traffickers convicted in 2008 were sentenced to time in prison; one for 18 months and one for 12 months, compared to sentences ranging from one to three years' imprisonment for the traffickers convicted in 2007. Over the year, the government extradited three Estonian nationals charged with human trafficking to Finland and law enforcement officials regularly exchanged information with counterparts from Sweden, Denmark, Norway, Finland, the United Kingdom, and Poland. In 2008, Estonian law enforcement officials also formed an information and best practice exchange network with Bulgaria, Sweden, and Romania.

### Protection

Estonia continued to improve its victim assistance efforts during the reporting period. In 2008, the government provided approximately \$150,000 in funding for trafficking victim assistance – an increase from \$135,750 allocated in 2007 – including some funding for three trafficking-specific NGO-run shelters that provided assistance to 55 victims of trafficking in 2008. Three victims were repatriated during the reporting period, compared to six in 2007; the Ministry of Foreign Affairs (MFA) paid for the repatriation cost for one victim in 2008 and provided all three victims of trafficking in Estonia with information about services and assistance

available to victims of trafficking within Estonia. The Ministry of Social Affairs contributed \$5,000 to IOM for a victim assistance handbook for medical workers and others responsible for victim care. Foreign victims are eligible to apply for temporary residency for the duration of criminal investigations and legal proceedings; no victims applied for residency in 2008. Estonian authorities did not penalize victims for unlawful acts committed as a direct result of their being trafficked. Estonia encourages trafficking victims to participate in trafficking investigations and prosecutions. In January 2009, Estonian authorities approved a plan to establish formal procedures for identifying victims among vulnerable populations, such as women arrested for prostitution violations; however, the plan had not yet been implemented at the time of this report.



### Prevention

The Government of Estonia sustained trafficking prevention efforts in 2008. At least 21 police officers received trafficking prevention and victim assistance training provided by several government ministries and NGOs; however, no border guard officials received trafficking training in 2008. The government funded trafficking awareness seminars for approximately 441 schoolchildren from 39 schools and 129 adults and children from 10 orphanages. The MFA disseminated trafficking-related materials to participants at Estonia's annual tourism fair, attended by more than 23,000 people. The government did not conduct a public awareness campaign to reduce the demand for commercial sex acts.

## ETHIOPIA (Tier 2)

Ethiopia is a source country for men, women, and children trafficked primarily for the purposes of forced labor and, to a lesser extent, for commercial sexual exploitation. Rural Ethiopian children are trafficked for domestic servitude and, less frequently, for commercial sexual exploitation and forced labor in agriculture, traditional weaving, gold mining, street vending, and begging. Young women from all parts of Ethiopia are trafficked for domestic servitude, primarily to Lebanon, Saudi Arabia, and the UAE, but also to Bahrain, Djibouti, Sudan, Syria, and Yemen. Djibouti, Egypt, and Somaliland are reportedly the main transit routes for trafficked Ethiopians. Some women are trafficked into the sex trade after arriving at their destinations. Small



numbers of men are trafficked to Saudi Arabia and the Gulf States for low-skilled forced labor. While the number of registered labor migration employment agencies rose from 36 to 90 between 2005 and 2008, the government significantly tightened its implementation of regulations governing these agencies over the same period. This resulted in an increase in trafficked Ethiopians transiting neighboring countries rather than traveling directly to Middle Eastern destinations.

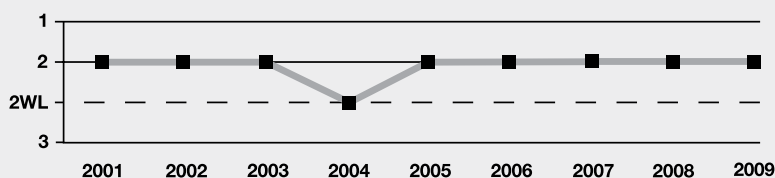
The Government of Ethiopia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. While the Ethiopian government's ongoing efforts to provide pre-departure orientation to Ethiopian migrant workers and partner with a local NGO to detect cases of child trafficking within the country are notable, its limited capacity to prosecute trafficking crimes is a continued cause for concern. Police investigators remain unable to properly distinguish trafficking cases from those of other crimes or to conduct thorough investigations, and the judicial system routinely is unable to track the status of trafficking cases moving through the courts.

The Federal High Court's 11<sup>th</sup> Criminal Bench was established in late 2007 to hear cases of transnational trafficking, as well as any trafficking cases discovered in the jurisdiction of Addis Ababa. In June 2008, the court sentenced a man under Proclamation 104/1998 to 15 years' imprisonment and fined him \$1,357 for illegally sending an Ethiopian woman to Lebanon where she was forced to work as a domestic servant and later thrown from a building by her employer. A second defendant received five years' imprisonment and a \$452 fine for facilitating the same woman's trafficking for domestic servitude. In 2008, police at Addis Ababa's central bus terminal received 899 reports of internal child trafficking, an increase over the previous year. However, unlike prior reporting periods, the unit did not provide statistics on the number of cases referred to the prosecutor's office in 2008 or the status of cases referred to the prosecutor's office in the preceding year. Some local police and border control agents are believed to have accepted bribes to overlook trafficking.

### Protection

Although the government lacks the resources to provide direct assistance to trafficking victims or to fund NGOs that provide victim care, police employ victim identification and referral procedures in the capital, regularly referring identified internal trafficking victims to NGOs for care. During the year, the Child Protection Units (CPUs) – joint police-NGO identification and referral units operating in each Addis Ababa police station – rescued and referred children to the CPU in the central bus terminal, which is dedicated exclusively to identifying and obtaining care for trafficked children. In 2008, this unit identified 899 trafficked children, 75 percent of whom were girls. It referred 93 trafficked children to NGO shelters for care and family tracing and reunified 720 children with parents or relatives in Addis Ababa and in outlying regions. Local police and officials in the regional administrations assisted in the return of the children to their home areas. The Addis Ababa city government's Social and Civil Affairs Department reunified an additional 46 children with their families in the capital and placed 40 children in foster care in 2008. During the year, police in Dessie Town, Amhara region replicated the CPU's social programs without international assistance. In July 2008, the government assisted IOM with the repatriation of Ethiopian trafficking victims from Dar es Salaam to their home regions. Ethiopian missions in Jeddah, Riyadh, and Beirut have offices that provide general services to the local Ethiopian community, including limited referrals for labor-related assistance. The Ethiopian government showed no sign of engaging the governments of these destination countries in an effort to improve protections for Ethiopian workers and obtain protective services for those who are trafficked. The government made no effort to interview returned victims about their experiences in the Middle East. Returned women rely heavily on the few NGOs that work with adult victims and psychological services provided by

ETHIOPIA TIER RANKING BY YEAR



**Recommendations for Ethiopia:** Improve the investigative capacity of police and enhance judicial understanding of trafficking to allow for more prosecutions of trafficking offenders, particularly perpetrators of internal child trafficking; institute trafficking awareness training for diplomats posted overseas; engage Middle Eastern governments on improving protections for Ethiopian workers and developing a mechanism to refer trafficking victims for assistance; partner with local NGOs to increase the level of services available to trafficking victims returning from overseas; and launch a campaign to increase awareness of internal trafficking at the local and regional levels.

### Prosecution

While the government sustained its efforts to prosecute and punish international trafficking offenders and initiated investigations of internal child trafficking during the reporting period, prosecution of internal trafficking cases remained nonexistent. In addition, law enforcement entities continued to exhibit an inability to distinguish human trafficking from smuggling, rape, abduction, and unfair labor practices. Articles 596 through 600 and 635 of Ethiopia's Penal Code prohibit all forms of trafficking for labor and sexual exploitation.

the government’s Emmanuel Mental Health Hospital. In 2008, there were no reports of trafficking victims being detained, jailed, or prosecuted for violations of laws, such as those governing immigration. While police encourage trafficking victims’ participation in investigations and prosecutions, resource constraints prevent police from providing economic incentives to victims. In January 2009, the government passed the Charities and Societies Proclamation, which, among other things, prohibits foreign-funded NGOs from informing victims of their rights under Ethiopian law or advocating on behalf of victims; this proclamation may have a negative impact on Ethiopia’s protection of trafficking victims.

**Prevention**

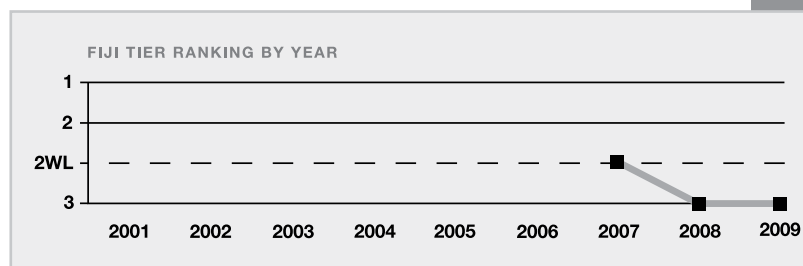
Ethiopia’s efforts to prevent international trafficking increased, while measures to heighten awareness of internal trafficking remained limited. In May 2008, after a series of deaths of Ethiopian maids in Lebanon, the government officially banned its citizens from traveling to the country; the ban remains in effect. During the reporting period, the Ministry of Labor and Social Affairs (MOLSA), employing two full-time counselors, provided 18,259 migrating workers with three-hour pre-departure orientation sessions on the risks of labor migration and the conditions in receiving countries. While these pre-departure preventative measures are commendable, they need to be matched by meaningful victim protection measures provided by the Ethiopian government in the countries to which the workers were destined. In addition, Private Employment Agency Proclamation 104/1998 governs the work of international employment agencies and protects Ethiopian migrant workers from fraudulent recruitment or excessive debt situations that could contribute to forced labor. These statutes prescribe punishments of five to 20 years’ imprisonment, which are sufficiently stringent and exceed those prescribed for other grave crimes, such as rape. In 2009, an amendment to Proclamation 104/98 outlawing extraneous commission fees and requiring employment agencies to open branch offices in countries to which they send migrant workers was submitted to parliament for review. In January 2008, the Ministry of Foreign Affairs established a Women’s and Children’s Trafficking Controlling Department to collect data from Ethiopian diplomatic missions, NGOs, and police sub-stations on the status of migrant workers. Though this office has not yet issued its first report, in December it hosted an inter-ministerial discussion on child trafficking and labor abuse for mid-level government officials from the Ministries of Labor, Justice, and Women and Children’s Affairs. During the year, state-controlled Ethiopian Radio aired IOM’s public service announcements in four languages, as well as a program for listeners in Addis Ababa on the risk of trafficking through visa fraud. The Ministry of Education, in partnership with an NGO, revised primary school textbooks to include instruction on child labor and trafficking in the curriculum. Four teachers’ training colleges in Southern Nations Nationalities Peoples’

Regional State incorporated these topics in their teaching materials in 2008. The government did not undertake efforts to reduce demand for commercial sex acts during the reporting period. Before deploying Ethiopian soldiers on international peacekeeping missions, the government trained them on human rights issues, including human trafficking. Ethiopia has not ratified the 2000 UN TIP Protocol.

**FIJI (Tier 3)**

Fiji is a source country for children trafficked for the purposes of labor and commercial sexual exploitation, and a destination country for women from the People’s Republic of China, Thailand, and India trafficked for the purposes of commercial sexual exploitation. Some women from the PRC and India who migrate voluntarily to Fiji for work have been in the past and may still be coerced into forced labor in sweatshops. Fijian boys and girls are subjected to commercial sexual exploitation by family members, other Fijian citizens, foreign tourists, and sailors on foreign fishing vessels. Staff at local hotels procure underage girls for commercial sexual exploitation by guests, while taxi drivers, nightclub staff, and relatives frequently act as facilitators. Some Fijian children are informally adopted - sent to live with and work for relatives or families living in or near schools – a tradition of child placement that sometimes leaves the child in an internal labor or sex trafficking situation.

The Government of Fiji does not fully comply with the minimum standards for the elimination of trafficking, and it is not making significant efforts to do so. Despite consistent and reliable reports from NGOs, international organizations, foreign governments, and individuals about trafficking in Fiji, especially the wide-spread exploitation of children in the commercial sex trade, the government has demonstrated no action to investigate or prosecute traffickers, assist victims, or participate in public awareness campaigns to prevent trafficking.



**Recommendations for Fiji:** Develop a national action plan for combating trafficking in persons; collaborate with civil society and international organizations to combat the sex trafficking of children and train law enforcement officers on victim identification and protection; significantly improve the record of prosecutions, convictions, and sentencing of trafficking offenders; develop and institute a formal procedure to proactively

identify victims of trafficking, especially among vulnerable groups such as homeless children and women or children found in prostitution; implement and support a visible anti-trafficking awareness campaign directed at clients of children in commercial sexual exploitation; and expand cooperation with international law enforcement entities to identify and prosecute Fijian residents, foreign visitors, and travel service providers involved in child sex trafficking and tourism.

### Prosecution

The Government of Fiji demonstrated no significant efforts to combat trafficking in persons during the year. The government is limited in its ability to focus on combating trafficking in persons by an ongoing political and economic crisis; funding for police, immigration, and other institutions is generally inadequate. Fiji prohibits transnational sex and labor trafficking through its Immigration Act of 2003, which prescribes punishments that are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. The Government of Fiji reported no arrests, prosecutions, or convictions of trafficking offenders during the reporting period. The Immigration Directorate handed a fully-investigated case with elements of trafficking to the police for prosecution early in 2008. The police, however, did not advance the case to the prosecutor, and Immigration eventually deported the two suspected traffickers involved due to lack of detention funding. A Combined Law Agencies Group (CLAG) meets monthly to address law enforcement issues, including trafficking in persons. There is no evidence of government officials' complicity in trafficking.

### Protection

The Government of Fiji did not demonstrate any significant efforts to protect victims of trafficking over the last year. The Government of Fiji's law enforcement, immigration, and social service personnel had no formal system to proactively identify victims of trafficking among high-risk persons with whom they come in contact, and the government did not identify any trafficking victims during the year. The government has not developed or implemented a process to refer identified victims to institutions that could provide short- or long-term care. Due to severe resource constraints, the government relied on NGOs or international organizations to provide protective services to victims. One NGO sheltered a number of female trafficking victims and their children throughout the year. The Government of Fiji did not actively encourage victim participation in the investigation of traffickers or sex tourists. The Fijian anti-trafficking law includes provisions to ensure that victims of trafficking are not penalized for unlawful acts committed as a direct result of their being trafficked.

### Prevention

The Government of Fiji demonstrated no meaningful efforts to raise awareness about trafficking during the

year. There were no visible measures undertaken by the government to reduce the demand for commercial sex acts and the government did not support any anti-trafficking information or education campaigns during the reporting period. Fijian laws, including those pertaining to trafficking in persons and sexual assault, apply to Fijians deployed abroad as part of peacekeeping missions. The Republic of Fiji Military Forces provided anti-trafficking training for soldiers in advance of their being deployed abroad on international peacekeeping missions. Fiji has not ratified the 2000 UN TIP Protocol.

## FINLAND (Tier 1)

Finland is a transit and destination country for women and girls trafficked from Russia, Estonia, Lithuania, Latvia, Ukraine, Belarus, Moldova, the Caucasus, China, and Thailand to and through Finland to France, Sweden, Italy, Canada, Spain, and the United States for the purpose of commercial sexual exploitation. Finland is a destination country for men and women trafficked from China, Pakistan, and Bangladesh for the purpose of forced labor; victims are exploited in the construction industry, restaurants, and as domestic servants.

The Government of Finland fully complies with the minimum standards for the elimination of trafficking. In June 2008, the government formally updated its 2005 National Action Plan to Combat Trafficking in Human Beings; the new plan outlined various goals including developing support programs for repatriated victims and enhancing victim identification and referral training for law enforcement personnel, teachers, social workers, medical personnel, and others who may have contact with victims of trafficking. In January 2009, the government designated Finland's Ombudsman for Minorities to serve as the national coordinator on trafficking in persons in order to better gauge the scope of the trafficking problem within Finland and to assess the government's anti-trafficking progress.

**Recommendations for Finland:** Continue training sessions for prosecutors and judges on trafficking cases; improve the collection of anti-trafficking law enforcement data, including the number of investigations, prosecutions, convictions, and sentences given to convicted traffickers; and continue vigorously identifying and referring victims of trafficking for assistance.

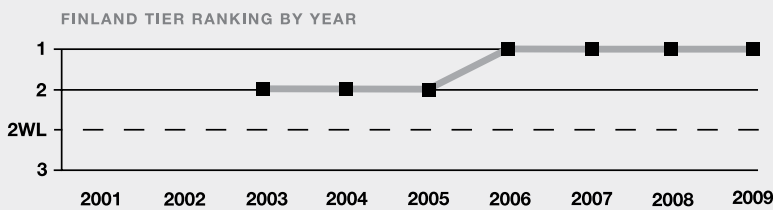
### Prosecution

Finland sustained its solid law enforcement efforts during the reporting period. Law 1889-39 of the Finnish penal code prohibits all severe forms of trafficking and prescribes six years' imprisonment for convicted offenders, a penalty that is sufficiently stringent and commensurate with penalties prescribed for other grave crimes, such as rape. Related criminal statutes, such as kidnapping, procuring for prostitution, and child rape may also be used to prosecute traffickers. During the reporting period, police conducted nine

trafficking investigations, compared to 10 in 2007. In 2008, authorities prosecuted at least seven individuals for sex trafficking offenses and two for labor trafficking compared to 10 prosecutions for sex trafficking in 2007. In 2008, nine individuals were convicted for trafficking offenses— including two for labor trafficking – up from three in 2007. Seven convicted traffickers served time in prison; trafficking sentences ranged from nine to 66 months’ imprisonment. Law enforcement officials worked with counterparts from Estonia, Sweden, and Russia on approximately 10 trafficking cases in 2008. The government extradited one non-Finnish citizen to another EU country on trafficking charges.

### Protection

The Finnish government maintained its significant victim assistance efforts during the reporting period. It continued to provide direct shelter, rehabilitative assistance, and medical care to victims in addition to its provision of funding for NGO-run shelters. In 2008, law enforcement officials referred 13 victims to NGOs and government-run assistance centers; this is an increase from nine victims assisted in 2007. The government encouraged victims to assist in the investigation and prosecution of trafficking offenders and allowed victims to apply for temporary residency. The government did not penalize victims for unlawful acts committed as a direct result of being trafficked. Police and border guard officials use a series of written guidelines on victim treatment and referral developed by the Finnish Immigration Service.



### Prevention

The government continued its trafficking awareness efforts in 2008. The government continued its demand reduction campaign targeted at Finns who travel abroad for sex tourism; the government again distributed brochures to thousands of visitors at a major annual travel fair warning that sex tourism is a crime. Authorities monitored immigration patterns and screened for trafficked applicants at ports of entry. Finnish troops deployed on international peacekeeping missions received intensive anti-trafficking training aimed at providing deployed forces with the ability to identify potential trafficking victims; there were no trafficking-related cases involving Finnish troops or government personnel deployed overseas in 2008.

## FRANCE (Tier 1)

France is a destination country for women and girls trafficked for the purposes of sexual exploitation from Romania, Bulgaria, Albania, Nigeria, Sierra Leone, Cameroon, Malaysia, and other Asian countries. Men, women, and children continued to be trafficked for the purpose of forced labor, including domestic servitude, many from Africa. Often their “employers” are diplomats who enjoy diplomatic immunity, including those from Saudi Arabia. The government estimates that of the 15,000 to 18,000 women in France’s commercial sex trade, the majority – possibly 10,000 to 12,000 – are likely victims of sex trafficking. The government identified 1,002 trafficking victims in 2007, of which 76 percent were foreigners. There is a significant number of Romanian minors in France, many of whom are vulnerable to trafficking. Many traffickers evade law enforcement detection by acquiring fake Sudanese passports to claim asylum or acquire fake Romanian passports to avoid visa requirements. The Committee Against Modern Slavery reported that there were 164 cases of forced labor in France in 2008.

Reports continued of trafficking from Brazil to the French overseas territory of French Guiana. There are also a number of young women in prostitution from Haiti and the Dominican Republic in French Guiana, some of whom may be vulnerable to trafficking. There is evidence that some Chinese laborers in French Guiana may be in conditions of forced labor. French authorities there reported that they regularly investigate sex work cases to identify potential trafficking victims, though none have been identified.

The Government of France fully complies with the minimum standards for the elimination of trafficking. The French government took steps to improve its overall coordination on trafficking and provided training to improve identification and protection of trafficking victims.

**Recommendations for France:** Increase efforts to put to use France’s anti-trafficking statute; enhance collection and compilation of law enforcement data on trafficking; ensure trafficking victims are not inappropriately penalized solely for unlawful acts as a result of being trafficked; establish a formal national referral mechanism and procedures for victim identification among vulnerable populations, such as those in prostitution, domestic and other labor sectors; follow through on plans to create a more victim-centered approach to trafficking in France, including measures to ensure victims who denounce their traffickers are provided with adequate safety and support; and intensify investigations of potential trafficking cases in French Guiana and report on assistance provided to identified victims.



## Prosecution

The Government of France demonstrated progress in its efforts to investigate, prosecute, convict, and sentence trafficking offenders. France prohibits trafficking for both sexual and labor exploitation through Article 225 of its penal code, which prescribes penalties that are sufficiently stringent and commensurate with those prescribed for rape. The Ministry of Interior dismantled 30 trafficking networks in France in 2008. The Ministry of Justice reported that 19 individuals were convicted in France under anti-trafficking laws in 2007, the latest year for which official prosecution data is available. All 19 were serving jail time of up to seven years. French officials continued to rely almost exclusively on anti-pimping provisions of the country's penal code to investigate and prosecute suspected sex trafficking offenses. They also prosecuted labor trafficking offenders under other statutes. During the reporting period, the government trained some 200 prosecutors to make better use of France's anti-trafficking law instead of relying primarily on anti-pimping laws to address sex trafficking offenses. In October 2008, the French government created a joint anti-trafficking unit with Belgian law enforcement counterparts, reportedly the first of its kind within the EU.

and identified by the government as likely trafficking victims. The Government of France reported they were not charged or imprisoned; it is unknown whether or not the government referred them to service providers for assistance. NGOs and international experts continued to criticize the government's lack of a proactive approach to identifying trafficking victims. According to NGOs, including Amnesty International, trafficking victims are treated as offenders, arrested, and charged for soliciting prostitution, and foreign victims are likely deported. According to an Amnesty International report, some victims of trafficking have been accused of 'living off immoral earnings' alongside their traffickers. The government has challenged the report's findings. NGOs complained that the government did not employ systematic efforts to ensure victims access to shelter and services provided by NGOs through a formal referral process.

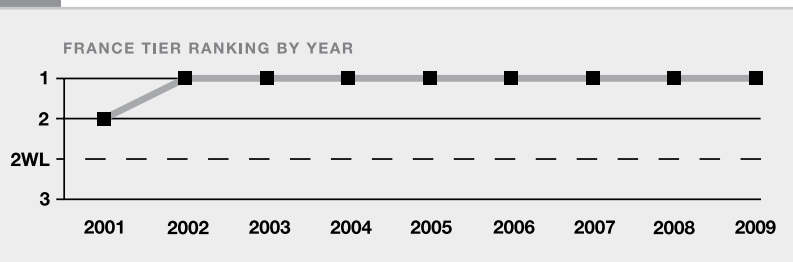
The national government and city of Paris continued to fund NGOs providing a network of services and shelter for trafficking victims. In cases in which victims were repatriated to their home country, the government worked with the relevant government to ensure safety and medical care. The French government provided witness protection services and issued one-year residency cards, which can be renewed every subsequent six months, to victims of trafficking who cooperated with authorities in the investigation and prosecution of traffickers. The national government did not provide data on the total number of victims given shelter and assistance or the number that received residence cards in 2008. NGOs claim that some trafficking victims who denounced their traffickers were never granted residency papers, or received very provisional residency permits and were offered no protection from retaliation. In 2008, Paris police reported issuance of 92 residency permits to undocumented migrants believed to have been victims of trafficking. The government provided funding to victims, including a monthly stipend of \$464, as well as medical care, legal counsel, shelter, and psychological counseling. The Government of France formally assists trafficking victims seeking return to their countries of origin, though only five percent usually decide to do so.

The government made some progress on renewing a bilateral agreement with Romania to continue cooperation on the protection, return, and reintegration of Romanian unaccompanied minors, but has not yet ratified this 2007 agreement.

National and local authorities in French Guiana indicated a sensitivity to allegations that individuals have been forced into prostitution or in labor sectors, including illegal mining, but to date have identified only two possible cases of trafficking.

## Prevention

The Government of France continued to fund trafficking prevention campaigns in association with NGOs during the reporting period, including an NGO awareness campaign aimed at reducing the demand for commercial



Officials in French Guiana reported two trafficking investigations in the territory during the reporting period, one involving the possible forced labor of Chinese victims and the other a sex trafficking case involving a Brazilian minor. There were no reported prosecutions or convictions of trafficking offenders in French Guiana during the reporting period.

## Protection

The Government of France demonstrated progress in the protection of trafficking victims during the reporting period. In November, the Minister of Justice announced an additional \$14.7 million in support for victim protection for 2009. The government provided training to law enforcement personnel to increase their identification of potential trafficking victims and created and distributed pocket-sized cards containing victim identification guidelines to border police and NGOs in 2008. In 2008, the French government continued implementation of its 2003 Domestic Security law that allowed for arrest and fining of potential sex trafficking victims for "passive solicitation." Out of 1,072 women in prostitution arrested for soliciting, 881 were foreigners

sex acts. In 2008, the government sponsored a nationwide conference to bring together law enforcement officials and NGOs to improve cooperation and communication in protecting victims and preventing trafficking. In December 2008, the government established a multi-disciplinary working group to create a national action plan on the protection of trafficking victims. The Central Office for the Repression of Trafficking in Persons continued to serve as the government's operational and political focal point on trafficking. The government provided all French military personnel with general training on trafficking during their basic training. There was also a three-week general training given to French military personnel before their deployment abroad for international peacekeeping missions.

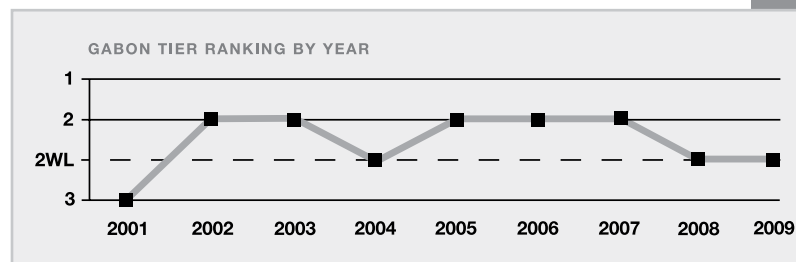
The government provided funding for an NGO to place several advertisements in French weekly and travel magazines warning possible sex tourists against engaging in sex with minors. In August 2008, authorities arrested and indicted a high school professor on charges related to child sex tourism committed in Burma and Thailand. In March 2009, two men were convicted in a French court on child sex tourism charges stemming from their acts in Cambodia and Thailand; the court handed them the maximum penalty of seven years in prison. Sex tourism from French Guiana to Oiapoque and other destinations in Brazil has been reported.

## GABON (Tier 2 Watch List)

Gabon is a destination country for children and young adults trafficked for the purposes of forced labor and commercial sexual exploitation. Children are trafficked primarily by boat to Gabon from Benin, Nigeria, Togo, Guinea, and Mali, with smaller numbers coming from Sierra Leone, Burkina Faso, and Cameroon. Girls are primarily trafficked for domestic servitude, forced market vending, forced restaurant labor, and commercial sexual exploitation, while boys are trafficked for forced street hawking and forced labor in small workshops. Children reportedly are also trafficked to Gabon from other African countries for forced labor in agriculture, animal husbandry, fishing, and mining. Increasingly, young men and women are also trafficked from other African countries, primarily for domestic servitude, though also for sexual exploitation. Most victims arrive by boat and are trafficked to Libreville and Port Gentil, though victims are found in smaller towns as well. Reports also indicate that some indigenous Pygmies are subjected to slavery-like conditions, without effective recourse in the judicial system.

The Government of Gabon does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Gabon continued its efforts to intercept and assist trafficking victims. Despite these overall efforts, the government did not show progress in convicting trafficking offenders; therefore, Gabon is placed on Tier 2 Watch List.

**Recommendations for Gabon:** Increase efforts to investigate and prosecute trafficking offenses, and convict and punish trafficking offenders; draft and enact legislation prohibiting the trafficking of adults; investigate reports of government complicity in trafficking; develop formal procedures to identify trafficking victims among females in prostitution; end the practice of placing victims in jail, even temporarily; and take steps to combat the forced labor of Pygmies.



## Prosecution

The Government of Gabon continued minimal anti-trafficking law enforcement efforts over the last year, despite ample resources. Gabon does not prohibit all forms of human trafficking. It prohibits child labor trafficking through its 2004 Law 09/04 Preventing and Combating Child Trafficking, which prescribes penalties of five to 15 years' imprisonment and a \$20,000 to \$40,000 fine. Article 4, Title 1 of Law Number 3/94 criminalizes forced labor prescribing inadequate penalties of one to six months' imprisonment and a possible fine of \$700 to \$1,400. The procurement of a minor for the purpose of prostitution is prohibited under Penal Code Article 261, which prescribes two to five years' imprisonment and a fine, a penalty that is sufficiently stringent, though not commensurate with punishments prescribed for rape. Forced prostitution is prohibited by Law Number 21/63-94, which prescribes two to 10 years' imprisonment, a penalty that is sufficiently stringent and commensurate with those prescribed for rape. The government reported that, during the year, it arrested at least 12 suspected traffickers and induced 18 to pay the financial cost of repatriating victims. The government did not report any prosecutions or convictions of traffickers in the last year. Approximately 30 detained suspected traffickers arrested between 2005 and 2008 are slated to go before the next criminal tribunal, which only convenes three times annually. Police and gendarmerie anecdotally reported additional arrests for possible trafficking offenses, but because there is no centralized crime database, these reports could not be corroborated. In November 2008, the national police, the gendarmerie, and customs agents in Libreville collaborated in a joint operation to combat, among other crimes, child exploitation and child trafficking; data on the results of these efforts has yet to be released. Gabon's law enforcement efforts to combat trafficking continued to be crippled by inefficient trial proceedings and lengthy pre-trial detention. Officials report that cases remain

stalled because victims, whose testimony is required for trafficking prosecutions, were repatriated to their countries prior to trial. Although there were reports during the year that some government officials employed trafficked foreign children as domestic servants and that police and immigration officers facilitated trafficking, the government failed to investigate these allegations. During the year, the government contributed meeting sites and prepared presentations for a trafficking training for law enforcement officials funded by a foreign donor.

### Protection

The Government of Gabon continued to protect some trafficking victims in the last year. Gabon operates three reception centers for destitute children, including trafficking victims – two in Libreville and one in Port Gentil – which provide shelter, medical care, and rehabilitation and reintegration services. The center in Libreville has a 24-hour nurse on staff, contracts a doctor, and provides psychosocial services. This is fully funded by the government, while the other two are financed jointly by the government and private donors. Child victims resided in these centers until arrangements were made for their repatriation, which the government required be funded by the victims' employers or guardians. Staff at the centers worked with foreign diplomatic missions to repatriate victims. Some victims were also placed in temporary foster care. When security forces found trafficking victims, they placed those under 16 years of age in government-operated shelters or temporary foster care, while older victims were referred to a Catholic NGO. Pursuant to an arrangement between Gabon and Nigeria, security officials referred Nigerian victims to the Nigerian Embassy in Libreville. The government reported assisting 92 child and 10 adult trafficking victims within the last year. Forty-two victims were repatriated with some assistance from UNICEF; four were placed in foster families in Gabon; and 10 were offered apprenticeships or internships and aid in finding lodging. Six child victims from Niger rescued in a March 2009 raid remain in a government shelter. Statistics on the remaining 40 victims are unavailable. Because security forces did not employ procedures to identify trafficking victims among individuals in prostitution, sex trafficking victims may have been inappropriately incarcerated or fined for unlawful acts committed as a direct result of being trafficked. The rights of labor trafficking victims are generally respected; on occasion they have been housed in jails overnight, in separate quarters from criminal detainees and not confined to cells. Gabon continued to operate its toll-free victim hotline in collaboration with UNICEF. The call center received an average of one to three calls daily and handled a total of 24 trafficking cases in the last year. The government covered the hotline's expenses, staffed it with government personnel, and housed it in a government-owned building. While in prior years, law enforcement officials did not interview victims for evidence at trial, authorities now solicited victims' testimony. The Justice Ministry reported that it

collaborated with other government ministries to ensure that victims could remain in Gabon until the prosecution could make its case. The government provides a limited legal alternative – de facto temporary residency status – to the removal of foreign victims to countries where they face hardship or retribution, and does not deport trafficked children. During the year, Gabonese authorities identified and paid for the training of 45 new social workers in a UNICEF course covering victim rescue, care, and repatriation.

### Prevention

The Government of Gabon demonstrated modest efforts to raise awareness of trafficking during the last year. The government launched trafficking awareness-raising campaigns targeting communities in cities, towns, and villages outside the capital. The campaigns, which consisted of community meetings, took place in five of the country's nine provinces. In collaboration with UNICEF, UNESCO, and a private corporation, the Gabonese government broadcast radio programs in one of the country's more remote areas to raise awareness in all sectors of the population, including law enforcement, on trafficking in persons and related issues such as sexual exploitation and child labor. The government's initial contribution to this ongoing effort was \$40,000. With UNICEF assistance, Gabonese officials worked with their Beninese counterparts to develop a bilateral accord to cooperate in the repatriation of trafficking victims, though the agreement has not yet been finalized. In 2008, Gabon's Inter-ministerial Committee to Combat Child Trafficking collaborated with NGOs and international organizations to develop an anti-trafficking strategy. The committee was unable to implement the strategy, however, because of resource constraints and lack of coordination. The Committee, established in 2004, continues to lack offices and a clearly defined budget. The government did not take steps to reduce demand for commercial sex acts during the year. Gabon has not ratified the 2000 UN TIP Protocol.

## THE GAMBIA (Tier 2)

The Gambia is a source, transit, and destination country for children and women trafficked for the purposes of forced labor and commercial sexual exploitation. Within The Gambia, women and girls and, to a lesser extent, boys are trafficked for commercial sexual exploitation, in particular to meet the demand of European child sex tourists, as well as for domestic servitude. Anti-trafficking activists report that in the last few years commercial sexual exploitation of children has moved from large hotels to small guest houses and private homes as a result of large hotels' enforcement of a voluntary code of conduct against child sex tourism. Boys are trafficked within the country for forced begging by religious teachers and for street vending. Transnationally, women, girls, and boys from neighboring countries are

trafficked to The Gambia for the same purposes listed above. Primary source countries for this trafficking are Senegal, Mali, Sierra Leone, Liberia, Ghana, Nigeria, Guinea-Bissau, Guinea, and Benin. The trafficking of boys between The Gambia and Senegal by religious teachers for forced begging is particularly prevalent. Gambian women and girls are trafficked to Senegal for domestic servitude, and possibly for commercial sexual exploitation.

The Government of The Gambia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so, despite limited resources. The government's law enforcement efforts to address trafficking increased with the prosecution of two trafficking offenders and the conviction of one of them. The government also made slightly increased victim protection efforts by providing limited services to children trafficked for forced begging. The government did not show progress, however, in identifying and assisting trafficking victims among women and girls in prostitution.

**Recommendations for The Gambia:** Increase efforts to investigate and prosecute trafficking offenses, and convict and punish trafficking offenders; develop formal procedures for identifying trafficking victims among women and girls in prostitution; incorporate trafficking training into the standard police curriculum; educate all government officials on the distinction between smuggling and trafficking; identify an increased number of trafficking victims and provide them with care; and end the practice of placing child sex trafficking victims in prisons.

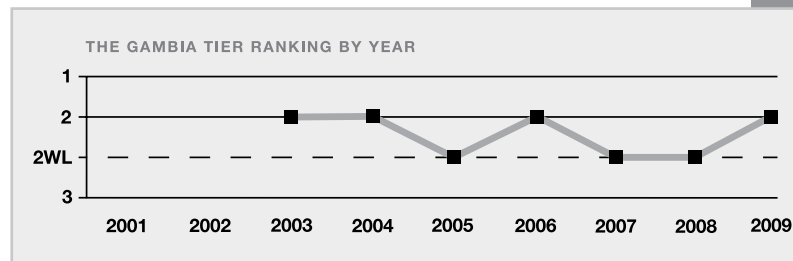
### Prosecution

The Government of The Gambia demonstrated some increased efforts to combat trafficking through law enforcement actions during the last year. The Gambia prohibits all forms of trafficking through its October 2007 Trafficking in Persons Act, which prescribes a penalty of 15 years' to life imprisonment for all forms of trafficking. This penalty is sufficiently stringent and commensurate with those of other grave crimes, such as rape. The Gambia's 2005 Children's Act also prohibits all forms of child trafficking, prescribing a maximum penalty of life imprisonment. The government reported that it investigated four trafficking cases and prosecuted two trafficking offenders. One of these defendants, a Senegalese national, was sentenced to two years' imprisonment with hard labor for trafficking Gambian children to Senegal. In November 2008, police arrested a Gambian national for trafficking a child for the purpose of commercial sexual exploitation by a New Zealand national in Banjul. The Gambian was prosecuted under a procurement statute and subsequently acquitted. During the year, authorities demonstrated a weak understanding of trafficking by conflating it with smuggling. The Secretary of State for Justice gave a one-time lecture to prosecutors and a prosecutor traveled with UNICEF at UNICEF's expense to border posts to distribute the

law. Four individuals were prosecuted under the anti-trafficking law for actions that appear to be smuggling rather than trafficking. The government did not institute systematic trafficking training for law enforcement officials, though they did take part in donor-funded trafficking trainings. Officials monitored The Gambia's borders to ensure that children crossing them are traveling with a parent or a legal guardian, but reports suggested that traffickers' use of false travel documents hindered these efforts.

### Protection

The Gambian government demonstrated minimal victim protection efforts during the last year. The police referred four victims to the Department of Social Welfare, which reunited three of them with their parents. The fourth victim was a Nigerian girl placed temporarily in the home of a Gambian female police officer after being trafficked to The Gambia for forced labor; she ran away. In a joint project with UNICEF and an international NGO, the government operated a drop-in center for destitute children, the majority of whom were boys forced to beg by religious instructors and street children vulnerable to being trafficked. The center provided non-formal education, medical and hygiene services, and counseling. The government provided salaries for two social workers at the center and some additional funding. The government-operated and funded its own 24-hour shelter for destitute children, some of whom may be trafficking victims. No specialized facilities existed for trafficking victims, however, and the majority of children referred did not appear to be trafficking victims. The Gambia has not yet developed a system for collecting victim care data.



Although the government established a toll-free victim hotline in 2005, it no longer functions. Although the 2007 Trafficking in Persons Act encourages victims to assist in investigations and prosecutions by offering them temporary visas pending criminal or civil actions, this provision has not yet been applied. During the year, authorities encouraged three trafficking victims to assist in the investigation and prosecution of their traffickers. The government did not provide legal alternatives to the removal of foreign victims to countries where they might face hardship or retribution. While labor trafficking victims were not inappropriately incarcerated or fined for unlawful acts as a direct result of being trafficked, authorities detained children found in prostitution



in the juvenile wing of the Jeshwang prison pending investigation of their cases. The government did not follow procedures to identify trafficking victims among women arrested for prostitution.

**Prevention**

The Government of The Gambia demonstrated moderate efforts to prevent trafficking through awareness-raising during the reporting period. In June 2008, the government hosted an ECOWAS workshop on trafficking in which members of the National TIP Taskforce participated; the government contributed \$4,000 towards the funding of the seminar. In December 2008, The Gambia’s anti-trafficking task force finalized the national action plan to combat trafficking. The government has taken steps to reduce the demand for commercial sex acts by raiding brothels and prosecuting a foreign sex tourist. In the aforementioned case, the New Zealand national arrested in connection with the sex trafficking of a Gambian child was convicted and sentenced to one year of imprisonment under the Tourism Offenses Act. Gambian troops deployed abroad as part of peacekeeping missions received some human trafficking awareness training prior to their deployment.

**GEORGIA (Tier 1)**

Georgia is a source and transit country for women and girls trafficked within the country and to Turkey, the UAE, Greece, Russia, Germany, and Austria for the purpose of commercial sexual exploitation. Women and girls from Ukraine, Moldova, Russia, and other former Soviet states are trafficked through Georgia to Turkey, the UAE, and Western Europe. Men and women are trafficked within Georgia for the purpose of forced labor. Men and women in the breakaway regions of Abkhazia and South Ossetia, which were outside of the government’s control, are trafficked for the purpose of forced labor.

victims identified and assisted; ensure that victims are not fined or otherwise penalized for unlawful acts they may have committed as a direct result of being trafficked; and continue strong efforts to investigate, prosecute, and convict both labor and sex trafficking offenders.

**Prosecution**

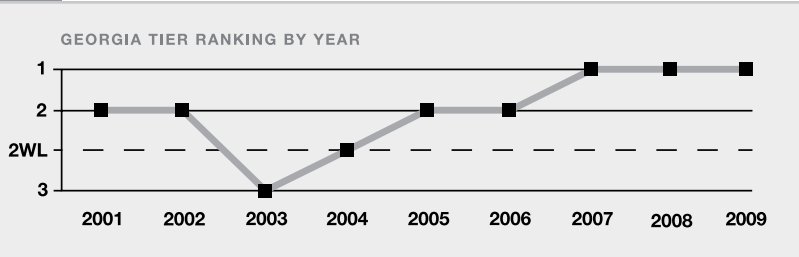
The Government of Georgia demonstrated adequate law enforcement efforts during the reporting period. Georgia prohibits all forms of trafficking in persons through its Law on the Fight Against Trafficking in Persons, adopted in April 2006, which prescribes penalties ranging from 7 to 20 years’ imprisonment. These penalties are sufficiently stringent and are commensurate with those for other grave crimes, such as rape. In 2008, the government investigated 14 trafficking cases, compared to 37 investigations in 2007. Authorities prosecuted 10 individuals for sex trafficking, compared to a total of 18 individuals prosecuted in 2007. All 10 convicted trafficking offenders were sentenced to time in prison; none received a suspended sentence. The average sentence was 14 to 15 years’ imprisonment; two convicted traffickers were sentenced to 30 years’ imprisonment in 2008. There were no reports of trafficking-related complicity of law enforcement personnel from either NGOs or the government.

**Protection**

Georgia maintained its adequate victim assistance efforts over the reporting period. The government provided \$150,000 in funding for the support of two trafficking shelters that provided full victim assistance, including medical aid, psychological counseling, and legal assistance; victim assistance was not conditional upon cooperating with law enforcement. The government continued to implement a formal mechanism for its officials to identify and refer victims for assistance. The government and IOM identified 21 victims in 2008, a significant drop from 48 trafficking victims identified in 2007. The government provided shelter and comprehensive assistance to 10 victims, compared to 12 victims in 2007. The government also provided one-time compensation payments of \$600 to five trafficking victims in 2008. Georgia provided legal alternatives to the removal of foreign victims to countries where they would face hardship or retribution. Victims were encouraged to assist law enforcement with trafficking investigations and prosecutions; 15 victims assisted law enforcement during the reporting period. Generally victims were not penalized for unlawful acts committed as a direct result of being trafficked

**Prevention**

Georgia maintained efforts to prevent trafficking through public awareness campaigns and outreach activities, including meetings with university students, journalists, and ethnic minority representatives. The government distributed approximately 300,000 trafficking-awareness pamphlets at border crossings over the reporting period. The government continued efforts to reduce the demand



The Government of Georgia fully complies with the minimum standards for the elimination of trafficking. The government significantly increased its victim assistance funding to \$250,000 and modestly increased the number of victims assisted by government-funded programs. Moreover, all convicted trafficking offenders were given adequate prison sentences.

**Recommendation for Georgia:** Sustain funding for victim assistance programs; increase the number of

for commercial sex acts through awareness campaigns that highlighted Georgia's law that punishes "clients" who benefit from the services of trafficking victims.

## GERMANY (Tier 1)

Germany is a transit and destination country for men and women trafficked for the purposes of commercial sexual exploitation and forced labor. Victims were trafficked to Germany from other parts of Europe, Africa (primarily Nigeria), Asia, and the Western Hemisphere. Approximately one-quarter of sex trafficking victims were German nationals trafficked within the country. In 2007, the latest year for available trafficking statistics, declines in the number of Czech, Romanian, and Polish victims were observed as well as increases in the number of Bulgarian, Hungarian, and Nigerian victims. Twelve percent of trafficking victims were younger than 18 years old. The majority of identified sex trafficking victims were exploited in bars and brothels. Reported incidents of forced labor occurred mainly in restaurants, catering, and the domestic work and agriculture sectors.

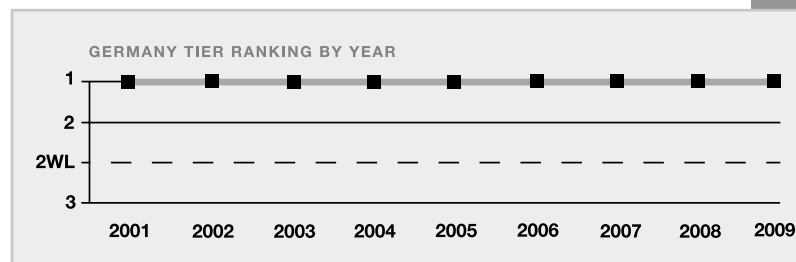
The Government of Germany fully complies with the minimum standards for the elimination of trafficking. Germany increased identification of forced labor victims and labor trafficking investigations during the reporting period. Sex trafficking investigations also increased, but available statistics indicate that just 30 percent of trafficking offenders sentenced to prison did not receive suspended sentences. Statistics indicate that, in 2007, three labor trafficking offenders received suspended prison sentences, and five others convicted for labor trafficking received fines or other administrative punishments. However, in cases where perpetrators were convicted on multiple charges, statistics only include convictions under the charge which has the highest possible maximum sentence. Therefore, available statistics do not capture the full extent of trafficking convictions and sentences in Germany.

**Recommendations for Germany:** Explore ways, within the parameters of the German judicial system, to increase the number of convicted traffickers who are required to serve time in prison; continue to improve efforts to identify and combat labor trafficking; ensure forced labor and child victims' access to appropriate assistance and protection; standardize victim assistance measures and government-civil society cooperation across the 16 federal states; and strengthen awareness campaigns targeting beneficiaries of forced labor and clients of the sex trade, particularly in the most frequented red light districts.

### Prosecution

The German government demonstrated adequate law enforcement efforts during the reporting period. Germany prohibits all forms of trafficking; trafficking for sexual exploitation is criminalized in Section 232 of its Penal Code, and forced labor is criminalized under Section 233. Prescribed punishments range from six months' to

10 years' imprisonment and are sufficiently stringent and commensurate with penalties prescribed for other grave crimes. It is common practice for judges to suspend prison sentences of two years or less for all crimes, including trafficking. Judges often give suspended sentences to first-time trafficking offenders. German authorities completed 454 sex trafficking investigations in 2007, a 29 percent increase from 2006, and initiated 92 labor trafficking investigations, an 18 percent increase from 2006.



In 2007, the most recent year for which data were available, authorities prosecuted 155 persons under Section 232 and 13 under Section 233 – for a total of 168, compared to a total of 193 prosecutions in 2006. The government reported 133 trafficking convictions, a slight decrease from 150 in 2006. In those cases where trafficking offenses carried the most severe sentences, only 30 percent of those sentenced to prison did not receive a suspended sentence, compared with 38 percent in 2006. None of the eight trafficking offenders convicted under the labor trafficking statute in 2007 was required to serve jail time—five received fines or administrative punishments, and three received suspended prison sentences.

In 2008, two German men were convicted in a Lower Saxony court of kidnapping, hostage taking, rape, and trafficking and sentenced to 12.5 and 14 years in prison, respectively, for crimes committed against two German women and a Bulgarian student. Separately, a Polish couple was convicted of and sentenced to five and a half years and three years and three months' imprisonment, respectively, for persuading, under false pretenses, young Polish women to travel to Germany where they were forced into prostitution. Police and NGOs jointly organized specialized seminars for investigating officers, victim protection officials, and prosecutors as well as workshops in source and transit countries during the reporting period.

### Protection

The German government sustained its victim assistance efforts over the last year. State governments funded dozens of NGOs that provided shelter, assistance, and facilitated protection for victims of trafficking. The Federal Family Ministry fully funds the umbrella organization representing 36 NGOs and counseling centers that assist trafficking victims. The vast majority of these NGOs focused on adult female victims. Formal victim referral mechanisms existed in 12 out of 16

German states. Authorities identified 689 sex trafficking victims in 2007, compared with 775 in 2006, and 101 victims of forced labor in 2007, an increase from 83 in 2006. Despite government encouragement of victims to cooperate in anti-trafficking investigations, many victims stated that their willingness to cooperate with authorities was negatively impacted due to threats or influence from traffickers. Victims are given a 30-day reflection period. The government provided legal alternatives to victims' removal to countries where they may face hardship or retribution. These measures included temporary residence permits for the duration of trial proceedings as well as long-term residence permits to victims in certain circumstances, such as when the victim faced severe threats in the country of origin. Prosecutors have the right to order protective measures, such as police protection, for the duration of trials. State governments also provided additional assistance to victims; for example, the Baden-Wurttemberg government provided approximately \$126,000 in 2008 to victims of forced prostitution. In early 2009, the federal police published a guidance brochure for police, judges, prosecutors, and other officials on providing professional assistance for sex trafficking victims.

### Prevention

The government continued efforts to prevent human trafficking during the year. The government sustained funding for NGO-produced public awareness campaigns in Germany and abroad including websites, postcards, telephone hotlines, pamphlets, and flyers. A Berlin NGO, funded largely by the Berlin Senate, operated awareness websites directed at clients of the sex trade. There were no known public awareness campaigns specifically targeting the potential clients in some of Germany's best known red light districts, such as the one in Hamburg. In 2008, the Ministry of Labor and Social Affairs began development of a pilot project to train professional groups to help combat forced labor. The German government produced a public report on human trafficking in Germany including detailed statistics from 2007 on victims and investigations. A Kiel court in July 2008 sentenced a German citizen arrested in Cambodia on charges of sexual abuse of children to six and a half years' imprisonment. Thailand, Vietnam, Cambodia, and the Philippines are the primary destinations for German child sex tourists. The government provided trafficking awareness training to commanders of German military units deployed to international peacekeeping missions on how to sensitize subordinates to human trafficking.

## GHANA (Tier 2 Watch List)

Ghana is a source, transit, and destination country for children and women trafficked for the purposes of forced labor and commercial sexual exploitation. Trafficking within the country is more prevalent than transnational trafficking and the majority of victims are children. Both boys and girls are trafficked within Ghana for forced labor

in agriculture and the fishing industry, for street hawking, forced begging by religious instructors, as porters, and possibly for forced kente weaving. Over 30,000 children are believed to be working as porters, or *Kayaye*, in Accra alone. Annually, IOM reports numerous deaths of boys trafficked for hazardous forced labor in the Lake Volta fishing industry. Girls are trafficked within the country for domestic servitude and sexual exploitation. To a lesser extent, boys are also trafficked internally for sexual exploitation, primarily for sex tourism.

Transnationally, children are trafficked between Ghana and other West African countries, primarily Cote d'Ivoire, Togo, Nigeria, The Gambia, Burkina Faso, and Gabon for the same purposes listed above. Children are trafficked through Ghana for forced labor in agriculture in Cote d'Ivoire, including on cocoa farms. Women and girls are trafficked for sexual exploitation from Ghana to Western Europe, from Nigeria through Ghana to Western Europe, and from Burkina Faso through Ghana to Cote d'Ivoire. During the year, Chinese women were trafficked to Ghana for sexual exploitation and a Ghanaian woman was also trafficked to Kuwait for forced labor. In 2008, the UN reported that a form of ritual servitude called *Trokosi*, in which young girls are subjected to forced labor and sexual servitude, continues in at least 23 fetish shrines.

The Government of Ghana does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so, despite limited resources. During the year, Ghanaian police intercepted a greater number of trafficking victims than the prior year. Despite these efforts, the government demonstrated weak efforts in prosecuting and punishing trafficking offenders or ensuring that victims receive adequate care; therefore, Ghana is placed on Tier 2 Watch List.

**Recommendations for Ghana:** Increase efforts to prosecute and convict trafficking offenders, including those who subject children to forced labor in the Lake Volta fishing industry and those who force Ghanaian children and foreign women into prostitution; establish additional victim shelters, particularly for sex trafficking victims; continue to apply Trafficking Victim Fund monies to victim care; and train officials to identify trafficking victims among women in prostitution and to respect victims' rights.

### Prosecution

The Government of Ghana demonstrated minimal efforts to combat trafficking through law enforcement efforts during the last year. Ghana prohibits all forms of trafficking through its 2005 Human Trafficking Act, which prescribes a minimum penalty of five years' imprisonment for all forms of trafficking. This penalty is sufficiently stringent and commensurate with penalties prescribed for rape. The government reported arresting 16 suspected traffickers during the year, five of whom were prosecuted. In March 2009, the government obtained the conviction of a woman for trafficking a Togolese girl

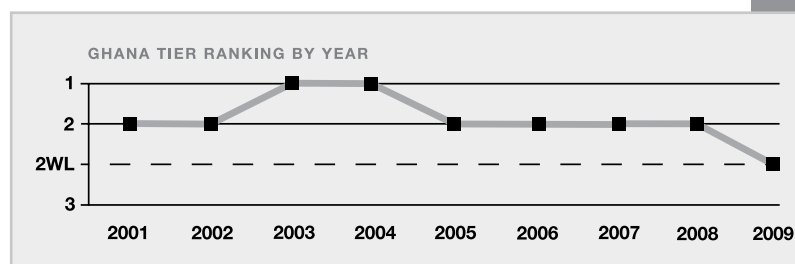
for forced labor, and she was sentenced to eight years' imprisonment. Eleven suspected traffickers remain under investigation. There were no reported criminal investigations or prosecutions of acts relating to the forced labor of children in the Lake Volta fishing industry. Although four Chinese nationals arrested in February 2009 were prosecuted for trafficking seven Chinese women to Accra for sexual exploitation, a verdict has not yet been delivered. A religious instructor arrested in July 2008 for subjecting 15 children to forced labor and one child to sexual servitude has not yet been prosecuted. Rather than being charged with the offense of trafficking, he was charged under the more lenient Children's Act and remains free on bail. During the year, the public prosecutor dropped a case against suspected traffickers arrested in November 2007 for forcing 17 women into prostitution, despite significant evidence against them, such as video recordings of them bribing immigration officials. The case was dropped when the victims, all of whom have returned to Nigeria, would not agree to testify. The government also failed to prosecute traffickers arrested in January 2008 for sexual exploitation of children, despite videotaped evidence of this exploitation at an Accra brothel, which remains open for business. In 2008 the Public Prosecutor's Office opened an anti-trafficking desk staffed with three prosecutors trained about trafficking.

### Protection

The Ghanaian government demonstrated increased efforts to identify trafficking victims, but took inadequate steps to provide them with care during the year. The government contributed personnel to its Madina shelter, which is funded primarily by IOM to provide care to child victims of trafficking in the fishing industry. At the shelter, staff from the Department of Social Welfare (DSW) provided rehabilitation assistance to child victims rescued and referred by IOM. DSW staff provided rehabilitation assistance to victims in their communities of origin as well once the children were reunited with their families. The government continued to lack shelters for sex trafficking victims. Police rescued 221 child labor trafficking victims, and seven adult Chinese women forced into prostitution. The government was unable to provide comprehensive information about how many of these victims it provided with care. Fifteen child victims were provided with care in a DSW shelter in northern Ghana by a government-salaried social worker, while an NGO and private donor provided food, clothing, and education for the children. The government returned three of the child victims to the suspected trafficker, who remains out on bail. Two of the victims were repatriated to Togo by an NGO, while the remaining victims were returned to their families in Ghana. The government released ten girl victims of forced child labor identified in August 2008 into the custody of a man claiming to be from the children's village. He housed them at a bus station until NGOs requested that the government move them to an NGO shelter. In December 2008, the

government allocated \$75,000 to the Human Trafficking Fund it established in 2007 to provide victim care. In April 2009, the government provided a portion of these funds to a local NGO to help care for sex trafficking victims the NGO has sheltered at a hotel since their rescue in February 2009. Police provided limited security at the hotel.

While authorities increasingly employ procedures to identify forced labor trafficking victims among immigrants at border posts, they do not follow procedures to identify trafficking victims among females found in prostitution. The government encouraged victims to assist in investigation and prosecution of traffickers, though many victims were children afraid to provide testimony. During the year, police interviewed seven Chinese sex trafficking victims to assist with prosecution. During the trial, however, officials forced these women to testify in court against their will, causing them emotional trauma. The government provided limited and temporary legal alternatives to the removal of foreign victims to countries where they face hardship or retribution; generally victims may remain in Ghana only during the period of investigation and prosecution. With the Interior Minister's approval, however, a trafficking victim may remain permanently in Ghana if it is deemed to be in the victim's best interest.



### Prevention

The Government of Ghana demonstrated weak efforts to prevent trafficking over the last year. The government conducted anti-trafficking information and education campaigns during the reporting period. Counter-trafficking officials appeared regularly with anti-trafficking messages on radio talk shows and on television. The police held anti-trafficking public awareness meetings in areas of the country with a high incidence of trafficking and provided anti-trafficking educational materials to rural officials and local magistrates. The government also reached out to Nigerian officials through video conferences to request guidance in forming a national anti-trafficking agency. In June 2008, in collaboration with private cocoa companies, the government released a report on the incidence of child labor and adult forced labor in its cocoa sector. The Human Trafficking Board established in July 2007 met eight times in 2008. The government provided Ghanaian troops with anti-trafficking awareness training through a donor-funded program before being deployed abroad



as part of international peacekeeping missions. Ghana took minimal measures to reduce demand for commercial sex acts by conducting a raid on a brothel exploiting trafficking victims, and prosecuting the suspected traffickers. The government failed to close down a brothel prostituting children, however. It took no discernable steps to address the demand for forced labor. Ghana has not ratified the 2000 UN TIP Protocol.

## GREECE (Tier 2)

Greece is a destination and transit country for women and children trafficked for the purpose of sexual exploitation and for men and children trafficked for the purpose for forced labor. Women and teenage girls were trafficked from Bulgaria, Romania, Albania, other parts of Eastern Europe and the Balkans, Nigeria, and Brazil into forced prostitution and forced labor. One NGO reported that there were many teenage male sex trafficking victims from Afghanistan and sub-Saharan Africa in Greece. Victims of trafficking for labor exploitation originated primarily from Albania, Romania, Moldova, Afghanistan, Pakistan, India, and Bangladesh and most were forced to work in the agriculture or construction sectors. Child labor trafficking victims were subjected to forced begging and forced to engage in petty crimes. Some victims are found among the approximately 1,000 unaccompanied minors who enter Greece yearly. Several NGOs reported anecdotal evidence that Roma women and children were trafficked within Greece. There was also anecdotal evidence of trafficking in the domestic service sector.

The Government of Greece does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government increased overall funding toward victim protection, and specialized anti-trafficking police demonstrated strong law enforcement efforts, but the government lacked sufficient progress in punishing trafficking offenders, proactively identifying victims, providing reliable shelter facilities for trafficking victims, and specifically targeting domestic audiences with prevention campaigns.

served; continue victim identification and assistance training for officials most likely to encounter labor and sex trafficking victims; encourage the sustainability of funding for anti-trafficking NGOs; ensure specialized protection for potential child victims; ensure potential victims are offered options for care and immigration relief available under Greek law; and strengthen public awareness campaigns targeted to a Greek audience, including potential clients of the sex trade and beneficiaries of forced labor.

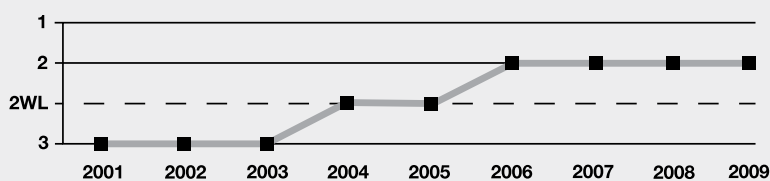
### Prosecution

Greece's specialized anti-trafficking police officers demonstrated strong law enforcement efforts, but concerns over inadequate punishment of trafficking offenders, including officials complicit in trafficking, remained. Greek law 3064, adopted in 2002, prohibits trafficking for both sexual exploitation and forced labor, and prescribes imprisonment of up to 10 years and a fine of \$14,000 to \$70,000. These penalties are sufficiently stringent and commensurate with those prescribed for other grave crimes. Many trafficking-related statistics, such as the total number of trafficking prosecutions and suspended sentences of convicted trafficking offenders, were unavailable. According to available data, law enforcement arrests of suspected trafficking offenders increased from 121 in 2007 to 162 in 2008. Police conducted 37 sex trafficking investigations, two labor trafficking investigations and one investigation of trafficking for the removal of human organs. The government reported 21 convictions of trafficking offenders, 17 acquittals, and 41 ongoing prosecutions during 2008. Sentences for the 21 convicted offenders ranged from one year to almost 17 years' imprisonment, and many sentences also included fines, though many convicted trafficking offenders continued to be released pending lengthy appeals processes. Greek courts, especially at the appeals level, often give convicted trafficking offenders suspended sentences. Several former government officials, including an ex-mayor charged with trafficking complicity in 2005, were given suspended sentences during the year. Three police officers allegedly involved in the rape of a victim while she was in police custody in 2006 remained on bail while awaiting prosecution on charges of breach of duty, abuse of authority, repeated rape, and complicity in rape. During the last year, the Ministry of Foreign Affairs completed investigations of several officials suspected of involvement in a trafficking network but found no evidence of trafficking complicity.

### Protection

The government demonstrated uneven efforts to improve victim protection during the reporting period. Inadequate measures to identify trafficking victims and provide appropriate shelter were the government's greatest limitations in combating human trafficking, according to local observers. The government trafficking shelter in Athens closed for several months and later re-opened during the reporting period. The government

GREECE TIER RANKING BY YEAR



**Recommendations for Greece:** Ensure that convicted trafficking offenders receive adequate punishments that deter exploitation of additional victims; vigorously investigate and prosecute offenses of officials complicit in trafficking; improve tracking of anti-trafficking law enforcement data to include information on sentences

increased funding specifically directed toward assistance for trafficking victims by 32 percent, but delays in government funding of anti-trafficking NGOs hindered their effectiveness and as a result two NGO trafficking shelters closed down. The government encouraged trafficking victims to participate in investigations or prosecutions of trafficking offenders through a law that provides for a 30-day reflection period, but according to NGOs, authorities did not always provide the reflection period in practice. The government provided trafficking victims who assisted the government in prosecutions with temporary, renewable residence permits and access to social services and healthcare after the government certified victim status. It provided inconsistent access to longer term shelter options for victims through intermittent funding to NGOs. Health officials providing care to people in Greece's regulated sex trade lacked sufficient training on victim identification and protection of trafficking victims. In 2008, Human Rights Watch, UNHCR, the Council of Europe's Commissioner for Human Rights, and multiple domestic NGOs criticized Greece for failing to ensure that victim identification procedures were used by border police, the coast guard, and the vice squad. Greece's specialized anti-trafficking police exhibited adequate victim identification procedures, though NGOs noted that trafficking victims were far more likely to be first encountered by personnel of other Greek law enforcement agencies that did not have the same skill in identifying victims. Anti-trafficking police made efforts to address this problem through training and dissemination of awareness materials for border and vice squad authorities. Officials identified 78 trafficking victims in 2008, compared to 100 identified in 2007. NGOs and international organizations reported assisting at least 657 victims in 2008. NGOs reported excellent cooperation with the specialized anti-trafficking police unit and lauded a memorandum of cooperation between the government and NGOs, but potential victims remained vulnerable to arrest for unlawful acts committed as a direct result of being trafficked. The Greek government in 2008 ratified a child repatriation agreement with Albania that had been drafted in 2004, but implementation has been slow. The government has few special protections in place for child victims of trafficking; when identified, they were often sheltered in orphanages or detention centers that did not have specialized facilities for trafficking victims.

### Prevention

The government conducted general anti-trafficking awareness campaigns during the reporting period but insufficiently targeted potential clients of the sex trade or beneficiaries of forced labor in Greece. The Ministry of Foreign Affairs (MFA) funded several prevention initiatives, including a hotline for potential victims and an extensive joint campaign with UNICEF focused on global child trafficking. The government also funded the production of public awareness posters and information cards printed in multiple languages alerting potential victims to government resources. In 2008, the MFA

created a new working-level task force on combating trafficking to complement the high-level Inter-ministerial Task Force on Human Trafficking. The government funded training and seminars on trafficking awareness for various government officials. Greek law has extraterritorial coverage for child sex tourism. The Greek government gave its peacekeeping troops explicit anti-trafficking training before deploying them abroad. Greece has not ratified the 2000 UN TIP Protocol.

## GUATEMALA (Tier 2 Watch List)

Guatemala is a source, transit, and destination country for Guatemalans and Central Americans trafficked for the purposes of commercial sexual exploitation and forced labor. Human trafficking is a significant and growing problem in the country, particularly the exploitation of children in prostitution. Guatemalan women and children are trafficked within the country, and to Mexico and the United States, for commercial sexual exploitation. NGOs report nascent child sex tourism in certain tourist areas such as Antigua and Guatemala City. Young Guatemalan girls are also subject to forced labor within the country as domestic servants. Guatemalan men, women, and children are trafficked within the country, as well as to Mexico and the United States, for forced labor, particularly in agriculture. In the Mexican border area, Guatemalan children are exploited for forced begging on streets and forced labor in municipal dumps; Guatemalan men, women, and children are trafficked for forced agricultural work, particularly on coffee plantations. Guatemala is a destination country for victims from El Salvador, Honduras, and Nicaragua, trafficked for the purpose of commercial sexual exploitation. Border areas with Mexico and Belize remain a top concern due to the heavy flow of undocumented migrants, many of whom fall victim to traffickers.

The Government of Guatemala does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the past year, the Guatemalan Congress unanimously approved a bill to strengthen Guatemalan laws against human trafficking and other forms of sexual exploitation and violence. In addition, the government strengthened its investigative efforts during the first year of operation of a prosecutorial unit dedicated to fighting human trafficking and illegal adoptions. Despite such overall significant efforts, Guatemala is placed on Tier 2 Watch List for failing to show increasing efforts to combat human trafficking, particularly in terms of providing adequate assistance to victims and ensuring that trafficking offenders, including corrupt public officials, are appropriately prosecuted, convicted, and sentenced for their crimes.

**Recommendations for Guatemala:** Implement and enforce the new anti-trafficking law; increase efforts to investigate and prosecute trafficking offenses, and convict and punish trafficking offenders, including public officials complicit with trafficking activity; pursue suspected cases

of forced labor and domestic servitude crimes, in addition to suspected cases of adult sex trafficking; improve victim services and assistance; increase anti-trafficking training for judges and police; and increase funding for anti-trafficking efforts, particularly for the country's dedicated prosecutorial and police units.

**Prosecution**

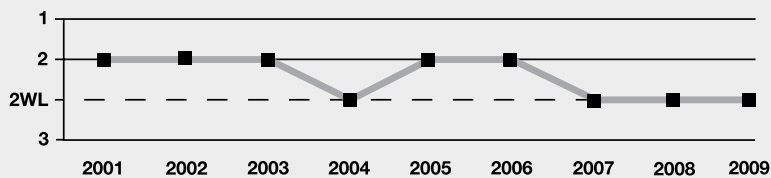
The government made limited efforts against trafficking offenders last year. While prosecutors initiated some trafficking prosecutions, they continued to face problems in court with application of Guatemala's earlier anti-trafficking law, Article 194 of the Penal Code, which prohibited all forms of trafficking in persons, prescribing penalties of six to 12 years' imprisonment. During the reporting period, judges continued to dismiss charges under Article 194 in favor of more familiar but less serious offenses, such as pandering or procuring, which prescribe inadequate penalties – only fines – to deter commission of trafficking crimes. The Guatemalan Congress, however, strengthened the country's anti-trafficking legal framework by enacting a law, which came into force in April 2009, to clarify the statutory definition of trafficking in persons, in addition to increasing penalties for trafficking, trafficking-related crimes, and other forms of sexual violence and exploitation. Article 202 of the new law prohibits the transport, transfer, retention, harboring, or reception of persons for the purposes of prostitution, sexual exploitation, forced labor or services, begging, slavery, illegal adoptions, or forced marriage, in addition to other prohibited purposes. Penalties established under the new law are from eight to 18 years' imprisonment; under aggravated circumstances, such as when the crime involves kidnapping, threats, violence, weapons, or a public official, penalties increase by one-third. Such penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes such as rape. During the reporting period, the government maintained small dedicated police and prosecutorial units to investigate and prosecute human trafficking cases. In 2008, the government initiated criminal proceedings under existing laws against 55 suspected trafficking offenders; seven of these 55 proceedings involved allegations of commercial sexual exploitation of children, which is even with results from 2007, when the government prosecuted eight trafficking-related cases. During the reporting period, the government focused most of its limited resources

on prosecuting illegal adoptions, which are defined as a form of trafficking in persons under Guatemalan law and have a high incidence in the country. No prosecutions for forced labor crimes or sex trafficking crimes involving adult victims were reported, nor prosecutions of government officials complicit with trafficking activity. No trafficking convictions or sentences were obtained under Article 194 in Guatemala City, though prosecutors in Jalapa reported one trafficking conviction in an illegal adoption case, securing a sentence of six years in prison. Overall, anti-trafficking police and prosecutors remained plagued by a severe lack of funding and resources; for example, Guatemala's five-person anti-trafficking police unit had only one vehicle to investigate trafficking cases throughout the country. Police also remained crippled by high staff turnover and a lack of specialized training. Credible reports from international organizations and NGOs indicated that corrupt public officials continued to impede anti-trafficking law enforcement and facilitate trafficking activity by accepting or extorting bribes, sexually exploiting children, falsifying identity documents, leaking information about impending police raids to suspected traffickers, and ignoring trafficking activity in brothels and commercial sex sites. While the government made efforts to dismiss some public officials from their positions, it did not attempt to criminally investigate or prosecute any of them.

**Protection**

The government made insufficient efforts to protect trafficking victims during the reporting period, relying largely on NGOs and international organizations to provide the bulk of victim services. Child victims are eligible for basic care at seven government-run shelters upon judicial order, but were typically referred to NGOs such as Casa Alianza for assistance. However, Casa Alianza announced closure of its Guatemala facilities in January 2009; the government referred an average of 300 sexually exploited youth, including child trafficking victims, to Casa Alianza each year. In December 2008, the government approved a budget increase for the Secretariat of Social Welfare to expand generalized child victim services, which should become available in 2009. Government-run services dedicated to adult trafficking victims remained virtually non-existent. Although Guatemalan authorities encouraged victims to assist with the investigation and prosecution of their traffickers, most victims did not file complaints due to fear of violence or reprisals, and lack of confidence in the country's criminal justice system and limited witness protection program. The government did not detain, fine, or otherwise penalize victims for unlawful acts committed as a direct result of being trafficked. The government continued to operate a migrants' shelter in Guatemala City with separate space for foreign trafficking victims, though some foreign trafficking victims appear to have been deported. The new anti-trafficking law established procedures for repatriation of trafficked victims without detention. Guatemalan law does not, however, provide foreign

GUATEMALA TIER RANKING BY YEAR



victims with temporary or permanent residency status, or a legal alternative to removal to countries where they may face hardship or retribution. The government continued anti-trafficking training for consular officials posted abroad, and police conducted brothel raids throughout the year to rescue children from sex trafficking situations, rescuing 45 children during the reporting period. The government endeavored to apply procedures to identify trafficking victims among vulnerable populations, such as prostituted women in brothels, but did not have an estimate of the number of victims identified through this mechanism.

**Prevention**

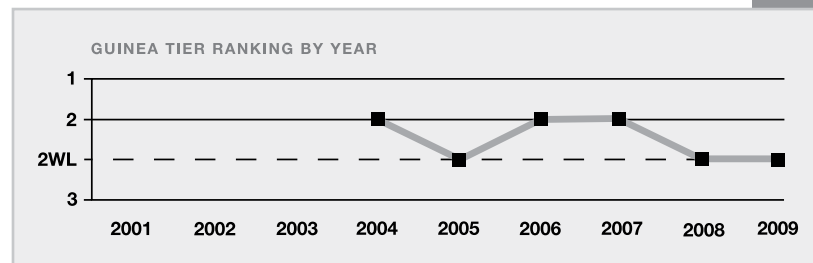
The government sustained efforts to prevent trafficking during the reporting period. The government continued anti-trafficking media campaigns and workshops, and operated a call center to provide information to citizens about the dangers of human trafficking and to refer victims for assistance. In July 2008, the government approved a 10-year national action plan to combat human trafficking, and the government’s interagency committee met throughout the year. The government made no discernable efforts to reduce demand for commercial sex acts or forced labor. The government provided human rights training – including human trafficking – to Guatemalan troops deployed for international peacekeeping operations.

**GUINEA (Tier 2 Watch List)**

Guinea is a source, transit and, to a lesser extent, a destination country for men, women, and children trafficked for the purposes of forced labor and commercial sexual exploitation. The majority of victims are children, and internal trafficking is more prevalent than transnational trafficking. Within the country, girls are trafficked primarily for domestic servitude and sexual exploitation, while boys are trafficked as forced beggars, street vendors, shoe shiners, and laborers in gold and diamond mines as well as for forced agricultural labor. Some Guinean men are also trafficked for agricultural labor within Guinea. Smaller numbers of girls from Mali, Sierra Leone, Nigeria, Ghana, Liberia, Senegal, Burkina Faso, and Guinea-Bissau are trafficked transnationally to Guinea for domestic servitude and likely also for sexual exploitation. Guinean boys and girls are trafficked to Senegal, Mali, and possibly other African countries, for labor in gold mines. Guinean women and girls are trafficked to Nigeria, Cote d’Ivoire, Benin, Senegal, Greece, and Spain for domestic servitude and sexual exploitation. Chinese women are trafficked to Guinea for commercial sexual exploitation by Chinese traffickers. Networks also traffic women from Nigeria, India, and Greece through Guinea to the Maghreb countries to Europe, notably Italy, Ukraine, Switzerland, and France for commercial sexual exploitation and domestic servitude.

The Government of Guinea does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so, despite limited resources. Despite these overall efforts, the government did not show evidence of progress in prosecuting trafficking offenders or protecting victims; therefore, Guinea is placed on Tier 2 Watch List. Ensnared by internal instability that culminated in a December 2008 coup, Guinea’s efforts to combat trafficking remained weak. While Guinea has an adequate anti-trafficking legal framework, which it strengthened by enacting the Child Code, the government did not report any trafficking convictions for the fifth year in a row, and protection and prevention efforts remained weak.

**Recommendations for Guinea:** Increase efforts to investigate, prosecute, and convict traffickers; finalize and adopt the implementing text for the new Child Code; increase prescribed penalties for the sex trafficking of adults and children; develop stronger partnerships with NGOs and international organizations to care for victims; and increase efforts to raise awareness about trafficking.



**Prosecution**

The Government of Guinea demonstrated minimal law enforcement efforts to combat trafficking during the last year. Guinea prohibits all forms of trafficking in persons through separate statutes. In August 2008, Guinea enacted the Child Code, which includes provisions prohibiting all forms of child trafficking, specifically criminalizes child domestic servitude, and allows NGOs to bring cases to court on behalf of victims. The government, in collaboration with NGOs and international organizations, is still drafting the implementing text for this law, which will prescribe penalties that allow the law to be enforced. Article 337 of the 1998 Penal Code prohibits individuals from entering into agreements that deprive third parties of their liberty, prescribing penalties of five to 10 years’ imprisonment and confiscation of any resulting profits. Forced prostitution and child prostitution are criminalized by Article 329 of Guinea’s Penal Code, which prescribes six months’ to two years’ imprisonment if the trafficked victim is an adult, and two to five years’ imprisonment if the victim is a child. These penalties for sex trafficking of adults are neither sufficiently stringent nor commensurate with penalties prescribed for other grave crimes, such as rape. The government reported that 17 trafficking cases are awaiting prosecution, though it



obtained no convictions of trafficking offenders during the year. The Government of Guinea created a new Ministry of High Crimes and Anti-Drug Enforcement that will be responsible for anti-trafficking law enforcement efforts. While the Police Mondaine, which is responsible for addressing trafficking cases, did not investigate the problem of the involuntary domestic servitude of children in the past, it has added this form of trafficking to its mandate. On February 3, the head of the military government issued a declaration giving security personnel blanket authority to shoot anyone caught committing child trafficking, raising significant human rights concerns. During the year, Guinean officials participated in joint trainings with Malian authorities at posts on the two countries' borders to review a proposed agreement on protection of trafficking victims, which was later signed by both countries.

### Protection

The Government of Guinea demonstrated weak efforts to protect trafficking victims over the last year. The government lacks shelters for trafficking victims due to limited resources. While Guinea lacks a formal procedure through which officials refer victims to NGOs and international organizations for care, authorities reported referring victims on an *ad hoc* basis. The government also reported providing limited assistance to victims in collaboration with NGOs and international organizations, but due to the lack of a database, the government could not provide the number of victims assisted. Through foster care services, the Ministry of Social Affairs provides care to destitute children, some of whom may be trafficking victims. The government did not follow procedures to identify trafficking victims among vulnerable populations, such as abandoned children, child victims of violence, and children in prostitution. Government officials from key ministries responsible for anti-trafficking initiatives held monthly meetings during the year to discuss multilateral and bilateral cooperation to reintegrate and rehabilitate victims. In collaboration with NGOs, the Guinean government continued to operate its free hotline for public reporting of trafficking cases or victims, but was unable to provide information regarding the number of calls received. The government does not encourage victims to assist in trafficking investigations or prosecutions. Guinea does not provide legal alternatives to the removal of foreign victims to countries where they face hardship or retribution.

### Prevention

The Government of Guinea demonstrated diminished efforts to raise awareness about trafficking during the reporting period. Guinea did not conduct any anti-trafficking awareness efforts during the year. The National Committee to Combat Trafficking met quarterly throughout the year. The Committee failed to submit required quarterly reports on the implementation of the National Action Plan. At a meeting in February 2009, however, the Committee evaluated the existing action

plan and began developing a version for 2009-2010. The government did not take measures to reduce demand for forced labor and child labor in violation of international standards, as well as demand for commercial sex acts.

## GUINEA-BISSAU (Tier 2 Watch List)

Guinea-Bissau is a source country for children trafficked to other West African countries and within the country for forced begging, forced agricultural labor, and commercial sexual exploitation. The majority of victims are boys who are religious students, called *talibe*, who are trafficked by religious instructors, called *marabouts*, to other West African countries, primarily Senegal, for forced begging. The eastern cities of Bafata and Gabu are key source areas for *talibe*, and the most frequented route to Senegal is overland via the porous border, especially near the town of Pirada. A 2008 study by the African Center for the Advanced Studies in Management found that 30 percent of children forced to beg in Dakar were from Guinea-Bissau. Deceived into believing that their children will receive a religious education, parents often agree to send their child away with *marabouts*. Instead, the instructors force the children to beg daily for up to 12 hours in urban centers and physically abuse them if they fail to collect a certain quota of money. Bissau-Guinean boys are also trafficked to Senegal for forced labor in cotton fields. NGOs report that Bissau-Guinean girls who perform domestic work within the country and in Senegal may be victims of trafficking, while girls reportedly are trafficked to Senegal for forced domestic labor. Within Guinea-Bissau, girls are trafficked for commercial sexual exploitation in small bars and restaurants. UNICEF estimates that 200 Bissau-Guinean children are trafficked each month. NGOs report that the large population of children from Guinea-Conakry engaged in street vending and shoe shining in Guinea-Bissau may indicate that Guinea-Bissau is a destination country for trafficking victims from Guinea.

The Government of Guinea-Bissau does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so, despite limited resources. The government continued to help to protect victims and prevent trafficking through monthly \$1,000 contributions to a local NGO that operates a shelter and raises public awareness about trafficking. Bissau-Guinean authorities also continued to intercept victims and refer victims to two NGOs for assistance. Despite these overall significant efforts, the government did not demonstrate progress in its anti-trafficking law enforcement efforts; therefore, Guinea-Bissau is placed on Tier 2 Watch List. Destabilized by internal conflict during the year, Guinea-Bissau's anti-trafficking law enforcement efforts remained poor.

**Recommendations for Guinea-Bissau:** Enact the draft law prohibiting trafficking in persons; increase efforts

to prosecute and punish trafficking offenders under forced labor and trafficking-related laws; investigate establishments where children are subjected to commercial sexual exploitation in order to rescue child victims and arrest trafficking offenders; investigate whether girls are trafficked internally and to Senegal for domestic servitude; and finalize and enact the draft anti-trafficking national action plan.

### Prosecution

The Government of Guinea-Bissau demonstrated weak anti-trafficking law enforcement efforts during the last year. Bissau-Guinean law does not prohibit all forms of trafficking. However, forced labor is criminalized under article 37 of the country's penal code, which prescribes a penalty of life imprisonment. During the year, the government collaborated with UNICEF to develop draft legislation prohibiting child trafficking. The National Assembly was dissolved in August 2008, however, before the law could be passed. Police did not actively investigate trafficking cases, in part because they lack basic resources, such as vehicles, electricity, and jails. Police continued to detain suspected traffickers they encountered and arranged for their transport to the police headquarters in Gabu. Rather than charging and prosecuting suspects, however, police released them. During the year, the government reported that it arrested nine suspected traffickers, though it reported no trafficking prosecutions or convictions. The government continued requiring parents to sign a contract that held them criminally liable if their children were re-trafficked after having been rescued and returned home. NGOs reported that such contracts have been effective in reducing the rate of re-trafficking.

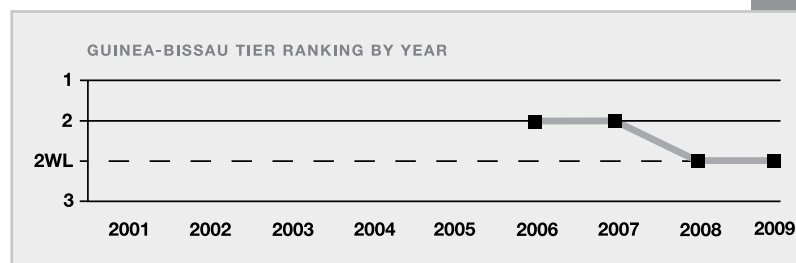
### Protection

The Government of Guinea-Bissau continued solid efforts to help NGOs provide care for trafficking victims during the year. While the government did not operate victim shelters, it contributed funding to an NGO's victim shelter in Gabo. Police continued to refer victims to that NGO – AMIC – and another NGO – *SOS Child Talibe* – that operated a small shelter in Bafata. Police assisted both NGOs in locating victims' families. During the year, the government donated to *SOS Child Talibe* an abandoned building for use as a new victim shelter. The Bissau-Guinean Embassy in Senegal continued to provide care to trafficking victims by assisting NGOs and government officials in Senegal to identify and repatriate victims. The Embassy used its operating budget to assist trafficking victims and was later reimbursed by its Ministry of Foreign Affairs. During the year, the government cooperated with NGOs and IOM to repatriate 63 children from Senegal. A total of 168 victims received assistance from NGOs during the year, of which approximately 160 were referred by government authorities. The government did not encourage victims, all of whom were children, to participate in trafficking investigations and prosecutions, but sometimes requested that parents and family

members provide lead information. While authorities employed procedures to identify labor trafficking victims among vulnerable populations, no procedures were employed for identifying sex trafficking victims among women and children in prostitution. Victims were not penalized for unlawful acts committed as a direct result of being trafficked.

### Prevention

The Government of Guinea-Bissau made modest efforts to raise awareness about trafficking during the reporting period. Government funds to AMIC contributed to the NGO's October 2008 training of religious teachers about trafficking. The government also helped finance AMIC's anti-trafficking radio broadcasts and visits to villages in source areas to raise awareness about trafficking. Guinea-Bissau's Ambassador to Senegal continued to contribute to anti-trafficking radio broadcasts to educate parents in Muslim communities about trafficking. High-level government coordination to address trafficking remained weak. In 2008, the Ministry of Solidarity (MOS) formed an anti-trafficking inter-ministerial committee that met weekly. A separate anti-trafficking committee formed by the Ministry of Labor reportedly also met during the year; however, it did not coordinate with the MOS's committee. In collaboration with the ILO, the government drafted an anti-trafficking action plan. The government did not take measures to reduce demand for commercial sexual exploitation or forced labor during the year. Guinea-Bissau has not ratified the 2000 UN TIP Protocol.



## GUYANA (Tier 2 Watch List)

Guyana is a source country for men, women, and children trafficked for the purposes of commercial sexual exploitation and forced labor. Guyanese trafficking victims have been identified within the country, as well as in Barbados, Brazil, Trinidad and Tobago, and Suriname. The majority of victims are trafficked internally for sexual and labor exploitation in the more heavily populated coastal areas and in the remote areas of the country's interior. Women and girls are lured with offers of well-paying jobs, and are subsequently exploited and controlled through threats, withholding of pay or insufficient pay, and physical violence. In coastal areas, traffickers promise rural women and girls jobs as domestic servants, then coerce them into working in shops or homes for little or no pay, or sell them to

brothels. Many trafficking victims along the coast are Amerindian teenagers, targeted by traffickers because of poor education and job prospects in their home regions. Indo-Guyanese and Afro-Guyanese girls, however, have also been trafficked for commercial sex and labor. Guyanese men are trafficked transnationally for forced labor in construction and other sectors in Trinidad and Tobago and Barbados.

The Government of Guyana does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these overall efforts, the government did not show evidence of progress in prosecuting and punishing acts of trafficking; therefore, Guyana is placed on Tier 2 Watch List. Although the government enhanced its assistance to victims, augmented training for law enforcement officials, and initiated a nationwide network of community focal points for victim identification and criminal investigations, the government has not yet convicted and punished any trafficking offenders under its 2005 anti-trafficking law.

**Recommendations for Guyana:** Vigorously investigate and prosecute trafficking offenses, and seek convictions and punishment of trafficking offenders; proactively identify trafficking victims among vulnerable populations such as women and children in prostitution; protect trafficking victims throughout the process of criminal investigations and prosecutions; assign more judges and court personnel to handle trafficking cases in the country's interior regions; and expand anti-trafficking training for police and magistrates.

failure of the witness to appear for testimony. In October 2008, a judge dismissed the charges against a woman arrested in September 2006 for subjecting a 15-year old girl to commercial sexual exploitation, claiming the police "had not done proper investigations" in the intervening two years. Judicial proceedings are regularly delayed by shortages of trained court personnel and magistrates, postponements, and the slowness of the Guyanese police in preparing cases for trial. The Guyanese police in 2008 instituted a mandatory full-day training session on human trafficking for senior and mid-level investigative officers.

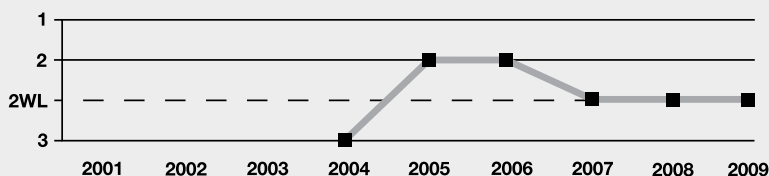
### Protection

The Government of Guyana made significant efforts to assist victims during the reporting period. The government did not operate shelters for trafficking victims, but doubled its funding to an NGO that provided shelter, counseling, and medical assistance to victims of domestic violence; the shelter was also accessible to victims of trafficking, though no trafficking victims sought assistance from the shelter in 2008. NGOs working directly with trafficking victims report that although the government offers a number of useful services to victims, the system by which it provides these services does not function as effectively as it should. The government provided travel funds to facilitate the return to Guyana of Guyanese trafficking victims from other countries; it also provided vocational training, financial assistance, and medical attention to these victims to assist with their reintegration. The government did not support victim services outside the capital, and those services remained inadequate. Guyana's laws generally respected the rights of trafficking victims, and although the law did not provide legal alternatives to the removal of foreign victims to countries where they face hardship or retribution, no cases of such removals were reported in 2008. There were no reports of victims being penalized for crimes committed as a direct result of being trafficked during the year. Guyanese authorities encouraged victims to assist in the investigation and prosecution of their traffickers, and paid for all costs associated with travel from a victim's home to the location of a hearing or trial, including transportation, meals, and lodging. Nonetheless, some victims chose not to testify due to the travel distance and time involved, long delays in the judicial system, or their fear of reprisal from traffickers. In June 2008, the multi-agency task force on trafficking in persons established "focal points" in communities around the country to help identify and refer possible trafficking victims to assistance organizations, as well as to help with investigations and raise public awareness.

### Prevention

The government undertook some prevention efforts during the reporting period. The government continued some educational and awareness-raising activities on trafficking. The government trained 100 people designated as community "focal points" on identifying and reporting potential trafficking cases in eight of the

GUYANA TIER RANKING BY YEAR



### Prosecution

The government made negligible law-enforcement progress against human trafficking over the last year. The Combating Trafficking of Persons Act of 2005 prohibits all forms of trafficking and prescribes sufficiently stringent penalties, ranging from three years' to life imprisonment, commensurate with those for rape and other grave crimes. In the past year, trafficking investigations increased from six in 2007 to eight. One prosecution was initiated last year, and the one case opened in 2007 continued throughout 2008. Police investigated reports of girls and women exploited in prostitution in cities. Legal cases against alleged trafficking offenders usually did not progress through the trial phase, as charges against most suspects are dropped prior to or during prosecution. In 2008, magistrates continued to dismiss charges in trafficking cases, usually citing a lack of evidence or

country's 10 administrative regions. It also continued to implement IOM's trafficking information campaign, which includes posters, brochures, public service announcements, and a hotline. Within the context of its promotion of HIV/AIDS awareness, the government made efforts to reduce consumer demand for commercial sex acts.

## HONDURAS (Tier 2)

Honduras is principally a source and transit country for women and children trafficked for the purpose of commercial sexual exploitation. Honduran victims are typically lured by false job offers from rural areas to urban and tourist centers, such as Tegucigalpa, San Pedro Sula, and the Bay Islands. Honduran women and children are trafficked to Guatemala, El Salvador, Mexico, Belize, and the United States for commercial sexual exploitation. Most foreign victims of commercial sexual exploitation in Honduras are from neighboring countries; some are economic migrants victimized en route to the United States. Additional trafficking concerns include reports of child sex tourism in the Bay Islands, and some criminal gangs' forcing children to conduct street crime.

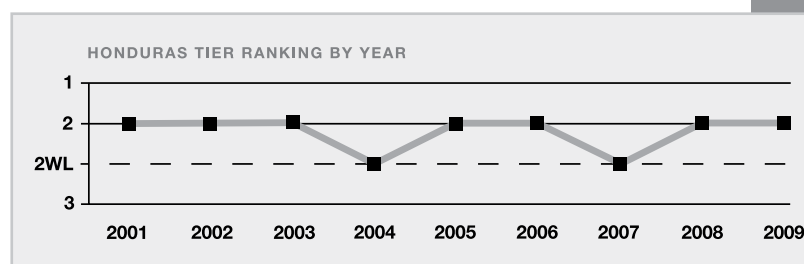
The Government of Honduras does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government increased law enforcement actions against trafficking offenders and worked closely with NGOs on training and prevention efforts. However, government services for trafficking victims, particularly adults, remained inadequate.

**Recommendations for Honduras:** Amend anti-trafficking laws to prohibit labor trafficking; increase efforts to investigate and prosecute trafficking offenses, and convict and sentence trafficking offenders, including corrupt officials who may facilitate trafficking activity; increase shelter aid and victim services; develop formal procedures for identifying victims among potential trafficking populations; and continue efforts to increase public awareness.

### Prosecution

The Honduran government increased efforts to investigate and punish human trafficking crimes last year. Honduras prohibits trafficking for the purpose of commercial sexual exploitation through aggravated circumstances contained in Article 149 of its penal code, enacted in 2006, but does not prohibit trafficking for the purpose of labor exploitation. Article 149 carries penalties of eight to 13 years' imprisonment, which increases by one-half under aggravated circumstances. Such punishments are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. During the reporting period, the government opened 82 anti-trafficking investigations and 18 prosecutions, and obtained 11 convictions. This represents an increase in anti-trafficking efforts when compared to results achieved during the previous year: 74 investigations, 13

prosecutions, and eight convictions. In one noteworthy case last year, Honduran prosecutors indicted two parents for selling their nine-year-old daughter to an attorney for sexual exploitation; the attorney was imprisoned on charges of commercial sexual exploitation, sexual relations with a minor, and production of child pornography. The government increased anti-trafficking training for public officials last year, and Honduran law enforcement authorities assisted neighboring countries and the United States on anti-trafficking cases, as well as with investigations of child sex tourism. However, defendants over the age of 60 are subject to house arrest in Honduras while awaiting trial; many of these accused offenders, including American citizens, flee or bribe their way out of the country and avoid prosecution. No specific complaints relating to trafficking-related corruption were received last year, though witnesses reportedly were reluctant to cooperate with law enforcement on corruption investigations.



### Protection

The Honduran government made limited progress in its efforts to assist trafficking victims last year. The government operated no dedicated shelters or services for trafficking victims, though it referred child trafficking victims to NGOs, which could only serve a small percentage of those in need. Honduran NGOs continued to shoulder a heavy burden to provide victim care, and received no direct funding from the government. While the government increased training for police on identifying victims and referring them for care, NGOs report that referrals in practice are unorganized and uneven. Moreover, few resources, public or private, are available for adult trafficking victims. Victims were encouraged to assist in the investigation and prosecution of their traffickers, and the government collaborated with NGOs to identify and assist victims who chose to serve as witnesses. However, many trafficking victims decline to cooperate due to fear of retribution from their traffickers or mistrust of police. There were no reports of victims being penalized for unlawful acts committed as a result of their being trafficked. Honduras did not provide legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution. During the past year, the government received training on identifying trafficking victims among vulnerable populations such as women in prostitution. In collaboration with an NGO, law enforcement officials in Tegucigalpa conducted raids to rescue children from commercial sex sites, though



prostituted adult women were not screened for signs of human trafficking.

### Prevention

The government sustained efforts to prevent human trafficking during the reporting period, particularly through conducting awareness campaigns, forums, and workshops across the country. The government's inter-institutional committee met regularly to organize additional anti-trafficking efforts, and collaborated with NGOs and international organizations on activities. During the reporting period, the government made efforts to reduce demand for commercial sex acts by training 500 tourism sector workers to prevent the commercial sexual exploitation of girls, boys, and adolescents in the tourism sector.

## HONG KONG (Tier 2)

The Hong Kong Special Administrative Region (HKSAR) of the People's Republic of China is a destination and transit territory for men and women from mainland China, Thailand, the Philippines, Indonesia, and elsewhere in Southeast Asia trafficked for the purposes of forced labor and commercial sexual exploitation. Hong Kong is primarily a transit point for illegal migrants, some of whom are subject to conditions of debt bondage, forced commercial sexual exploitation, and forced labor. Hong Kong is also a destination for women from the Chinese mainland and Southeast Asia who travel to Hong Kong voluntarily for legal employment in restaurants, bars, and hotels, but upon arrival are coerced into prostitution under conditions of debt bondage. Some of the women in Hong Kong's commercial sex trade are believed to be trafficking victims. Some were lured by criminal syndicates or acquaintances with promises of financial rewards, and deceived about the nature of their future jobs, but faced conditions of debt bondage and had their passports and travel documents confiscated upon their arrival in Hong Kong.

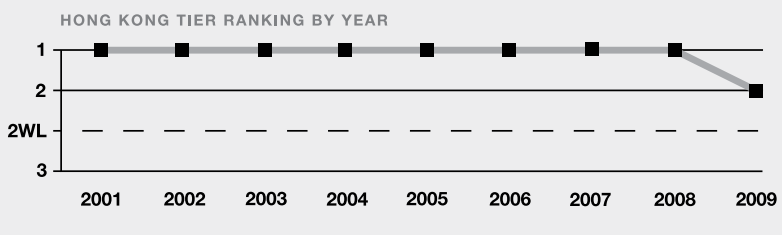
recruitment agency as much as \$2,700 within their first seven months of employment, amounting to roughly 90 percent of a worker's monthly salary if they are making minimum wage; though these fees are lawful, reports indicate they may make some workers more vulnerable to labor trafficking. While these fees are imposed by Indonesia-based recruitment agencies, some Hong Kong-licensed recruitment agencies reportedly are involved. Some Hong Kong agencies reportedly confiscate passports, employment contracts, and ATM cards of domestic workers upon arrival and withhold them until the debt has been completely repaid; factors which also may facilitate labor trafficking. Additionally, the confiscation of passports by some Hong Kong employment agencies restricts the ability of migrant workers to leave their employer in cases of abuse, and places them under further control of their employment agency, leaving them vulnerable to trafficking. Some Indonesian domestic workers are confined to the residence and not given the opportunity to leave for non-work-related reasons, preventing them from complaining about possible exploitation to authorities.

The Government of Hong Kong does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government makes efforts to prevent trafficking among domestic workers and inform them of their rights. However, during the reporting period, Hong Kong authorities did not investigate, prosecute, or convict any trafficking offenders as defined in U.S. law, nor did it identify any trafficking victims.

**Recommendations for Hong Kong:** Increase efforts to investigate, prosecute, and convict traffickers, including any cases involving the involuntary servitude of Indonesian domestic workers; enforce existing Hong Kong laws on holding travel documents and other identification as collateral on debts; create and implement formal procedures to proactively identify trafficking victims among vulnerable groups, such as women and girls in the commercial sex industry and persons arrested for immigration violations; and conduct a public awareness campaign aimed at reducing demand for commercial sex acts.

### Prosecution

The Government of Hong Kong did not make progress in its anti-trafficking law enforcement efforts during the reporting period. Hong Kong does not have specific anti-trafficking laws, but its Immigration Ordinance, Crimes Ordinance, and other relevant laws adequately prohibit trafficking offenses. Labor trafficking is criminalized through the Employment Ordinance. Penalties for trafficking for commercial sexual exploitation are commensurate with those for rape, and penalties for all forms of trafficking are sufficiently stringent. While Hong Kong authorities pursued charges against a criminal syndicate that sent women abroad for prostitution, authorities did not investigate, prosecute, or convict any trafficking offenders as defined in U.S. law during the



Some foreign domestic workers in the territory, particularly those from Indonesia and the Philippines, face high levels of indebtedness assumed as part of the terms of employment, which can in some cases lead to situations of debt bondage if unlawfully exploited by recruiters or employers. Many Indonesian domestic workers earning the minimum wage or less enter into contracts requiring them to pay their Indonesian

reporting period; the case against the syndicate lacked the necessary element of force, fraud, or coercion. Hong Kong police reportedly assisted some foreign domestic workers in retrieving their passports from recruitment agencies. There were no reports of trafficking complicity by Hong Kong officials during the reporting period.

### Protection

The Hong Kong government did not demonstrate sufficient tangible progress in protecting and assisting trafficking victims during the reporting period. The government did not identify any victims of trafficking in 2008. One foreign consulate reported identifying seven trafficking victims during the reporting period who were recruited to work as waitresses in Hong Kong, but were subsequently forced into prostitution. When victims are identified by the government, they are provided with government-sponsored assistance including shelter, financial and legal assistance, counseling, and psychological support. Authorities encourage victim participation in the investigation of traffickers, although in practice many are reluctant to do so because of the likelihood of a long trial with no ability to work or earn money. The Hong Kong government does not ensure that victims are not penalized for unlawful acts committed as a direct result of their being trafficked. Authorities grant immunity to female victims who agree to act as a witness for the prosecution. Hong Kong law requires the deportation of foreign trafficking victims, and does not automatically provide foreign victims of trafficking with legal alternatives to their removal to a country where they may face hardship or retribution. Victims can lodge an appeal, and the Department of Justice will make a final decision on a case-by-case basis, though this has never been done in the case of a trafficking victim. Hong Kong authorities can refer victims of trafficking to existing social service programs at government-subsidized NGO shelters or Social Welfare Department shelters.

### Prevention

Hong Kong continued to demonstrate efforts to prevent trafficking in persons during the reporting period. The government continued to fund a local NGO to meet and provide information kits to incoming foreign domestic workers and potential sex trafficking victims who arrive from Indonesia and the Philippines. To prevent trafficking among foreign domestic workers, the Labor Department continued to publish “guidebooks” in several languages that explain workers’ rights, the role of employment agencies, and services provided by the government. Although these guidebooks are distributed to foreign domestic workers upon arrival at Hong Kong International Airport, a labor NGO reported that the guidebooks were sometimes taken away by Hong Kong employment agencies shortly after workers received them. Information kiosks and exhibitions were set up at locations frequented by foreign domestic workers, and advertisements about rights guaranteed by the Employment Ordinance were placed in local newspapers.

The Hong Kong government did not take any measures to reduce the demand for commercial sex acts during the reporting period.

## HUNGARY (Tier 2)

Hungary is a source, transit, and destination country for women trafficked from Romania and Ukraine to and through Hungary to the Netherlands, the United Kingdom, Denmark, Germany, Austria, Italy, Switzerland, France, and the United Arab Emirates for the purpose of commercial sexual exploitation. Experts noted a significant increase in trafficking within the country, mostly women from eastern Hungary trafficked to Budapest and areas along the Austrian border. Roma women and girls who grow up in Hungarian orphanages are highly vulnerable to internal sex trafficking.

The Government of Hungary does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Although Hungary sustained efforts in certain areas to combat trafficking in persons, it did not demonstrate the appreciable progress over the previous year contemplated by the minimum standards in the Trafficking Victims Protection Act. While the government’s anti-trafficking hotline referred an increased number of victims for assistance and the police implemented a new trafficking database to help improve victim identification, the government’s overall efforts to combat trafficking declined in 2008.

The government did not provide funding to NGOs for victim assistance and protection and caused one NGO to close its trafficking shelter—one of only two in the country—when it cancelled the lease for the government-owned building in which the shelter was housed. While the government offered alternative shelter space to the NGO, the location of the proposed facility was too remote to be practical and provide adequate assistance to victims. Hungary conducted no trafficking prevention efforts until the end of the reporting period when it began a three-month campaign focused on demand reduction in March 2009. In April 2008, the government adopted a national strategy, creating a national coordinator to coordinate all anti-trafficking efforts and to create an anti-trafficking national action plan; however, the national coordinator did not have its first meeting until February 2009 and the government appeared to do very little to implement the strategy during the reporting period.

**Recommendations for Hungary:** Increase funding to NGOs providing victim assistance and protection; continue sensitivity training for patrol officers to ensure proactive victim identification and appropriate, humane treatment of identified victims; increase the number of victims referred by police for assistance; increase the number of trafficking investigations and continue to ensure the majority of convicted traffickers serve some time in prison; conduct campaigns to reduce domestic demand for commercial sex acts; and increase general

trafficking awareness efforts by warning vulnerable populations about the dangers of both sex and labor trafficking.

### Prosecution

The Hungarian government's law enforcement efforts were mixed during the reporting period. Hungary prohibits all forms of trafficking through Paragraph 175/b of its criminal code, though prosecutors rely on other trafficking-related statutes to prosecute most trafficking cases. Penalties prescribed in Paragraph 175/b range from one to 15 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. Police and border guards conducted 21 trafficking investigations, a significant drop from 48 investigations in 2007. Authorities prosecuted 18 traffickers in 2008, compared with 20 in 2007. Convictions were obtained against 18 traffickers in 2008—16 for sex trafficking and two for labor trafficking—compared with 17 total convictions in 2007. In 2008, seven of 18 convicted traffickers received suspended sentences and served no time in prison compared to 2007 when only one convicted trafficker received a suspended sentence. During the reporting period, four traffickers were sentenced to up to three years' imprisonment, one trafficker was sentenced to 18 months' imprisonment, one trafficker was sentenced to two years' imprisonment, and five traffickers were sentenced to five to nine years' imprisonment. In 2008, the government provided victim sensitivity and treatment training for 15 judges, as well as victim identification training for crisis hotline operators. In January 2009, Hungarian and French authorities successfully disrupted an international sex trafficking ring and identified as many as 100 victims.

victims. During the reporting period, 88 trafficking victims were identified and assisted by NGOs, compared to 45 victims assisted in 2007. The government-run trafficking hotline referred 50 victims to NGOs for assistance, up from 37 victims referred for assistance by government officials in 2007. Law enforcement and consular officials identified approximately 26 victims domestically and abroad in 2008. Victims were not penalized for acts committed as a direct result of being trafficked and there were no reported cases of authorities' mistreatment of trafficking victims. The government encouraged victims to assist with trafficking investigations and prosecutions; however, no victims assisted law enforcement during the reporting period. The government offered foreign victims a 30-day reflection period to decide whether to assist law enforcement; however, no victims applied for or received the 30-day temporary residency permits in 2008. Victims may apply for a six-month temporary residency permit if they choose to cooperate with law enforcement; there was no data available on the number of permits granted to trafficking victims during the reporting period.

### Prevention

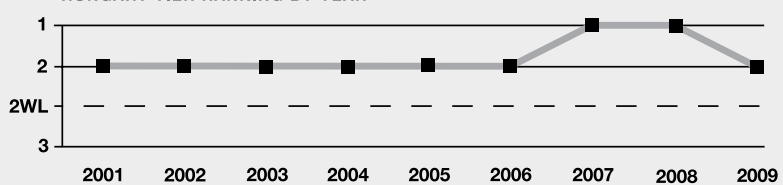
Hungary demonstrated no increased efforts to prevent incidents of human trafficking throughout the year. The government did not conduct any anti-trafficking information or education campaigns during most of the reporting period. The government took limited measures to reduce the demand for commercial sex acts during this reporting period. In March 2009, at the end of the reporting period, the government began a three-month campaign focused on demand reduction. Hungary actively monitored immigration and emigration patterns for evidence of trafficking. During the year, the government provided anti-trafficking training to Hungarian troops prior to their deployment for international peacekeeping missions.

## ICELAND (Tier 2)

Iceland is primarily a destination country and, to a lesser extent, a transit country for men and women from the Baltic states, Poland, Russia, Bulgaria, Equatorial Guinea, Brazil, and China trafficked to and through Iceland to Western European states for the purposes of commercial sexual exploitation and forced labor in the restaurant and construction industries.

The Government of Iceland does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In 2008, the Government of Iceland drafted a national action plan to fight trafficking. However, the government did not demonstrate significant law enforcement efforts during the reporting period. Victim identification and victim assistance were challenges; some victims of trafficking may have been deported without any effort to determine whether they were victims. The government also did not

HUNGARY TIER RANKING BY YEAR



### Protection

Hungary significantly decreased its victim assistance efforts during the reporting period. In 2008, the government provided no funding for NGOs providing victim assistance including shelter, medical care, legal assistance, and psychological counseling; in 2007, the government provided \$150,000 for victim assistance. In June 2008, the government cancelled the lease for a government-owned building which housed one of only two trafficking shelters in the country. While the government offered an alternative facility space for the shelter, the location was too remote to adequately assist

conduct any anti-trafficking awareness campaigns.

**Recommendations for Iceland:** Amend the criminal code to ensure penalties prescribed for sex trafficking are commensurate with penalties prescribed for other grave crimes, such as rape; increase efforts to investigate and prosecute trafficking offenses and convict and punish trafficking offenders; provide training for law enforcement investigators and prosecutors on trafficking cases; develop legal alternatives to the removal of foreign victims to countries where they face retribution or hardship; develop a victim identification and referral mechanism; consider opening a trafficking-specific shelter to ensure that victims are adequately assisted; ensure that victims are not penalized for acts committed as a direct result of being trafficked, including immigration violations; and conduct an awareness and prevention campaign focused on both sex and labor trafficking and the demand for both forms of trafficking.

### Prosecution

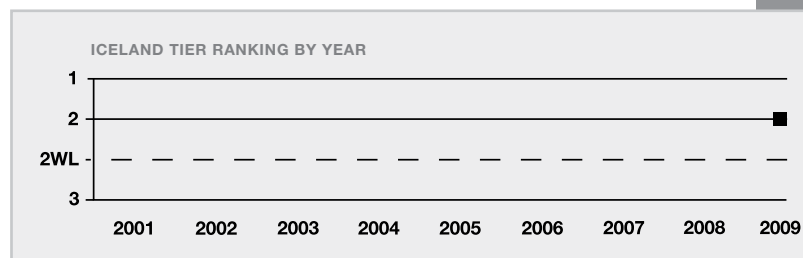
The Government of Iceland demonstrated modest law enforcement efforts over the reporting period. Iceland prohibits trafficking for both sexual exploitation and forced labor through Section 227 of its criminal code, although prosecutors have never used Section 227 and have instead relied on alien smuggling and document forgery statutes to prosecute trafficking cases. Punishments prescribed for trafficking under section 227 extend up to eight years' imprisonment, which are sufficiently stringent, though not commensurate with penalties prescribed for other grave crimes, such as rape. Police conducted one sex trafficking investigation and one labor trafficking investigation during the reporting period, compared to no investigations in 2007. Authorities prosecuted and convicted no traffickers in 2008, the same as in 2007.

### Protection

Iceland demonstrated limited efforts to assist and protect trafficking victims over the last year. Local governments and NGOs identified 20 probable victims of trafficking and less than 10 victims received assistance from government-funded programs. Iceland did not provide trafficking-specific shelters; instead victims were accommodated at a domestic violence shelter. In 2008, the care available under this structure was limited because the government did not provide trafficking-specific assistance that adequately addressed the unique needs of victims of trafficking. Icelandic authorities did not employ procedures to proactively identify victims of trafficking; the lack of such procedures increased the risk that victims were detained, prosecuted, jailed, and deported for immigration violations. Iceland did not employ a victim referral process, though NGOs reported that some law enforcement officers referred victims for assistance on an *ad hoc* basis. Victims were encouraged to assist in the investigation and prosecution of trafficking offenders; two victims assisted law enforcement in 2008.

### Prevention

Iceland conducted no substantive trafficking prevention efforts, including measures to increase public awareness of trafficking, during the reporting period. The government did, however, draft a national action plan to address trafficking. Border police at the country's only international airport provided potential trafficking victims with information about assistance if they find themselves in a future trafficking scenario. The government adequately monitored immigration patterns for evidence of trafficking. Iceland has not ratified the 2000 UN TIP Protocol.



## INDIA (Tier 2 Watch List)

India is a source, destination, and transit country for men, women, and children trafficked for the purposes of forced labor and commercial sexual exploitation. Internal forced labor may constitute India's largest trafficking problem; men, women, and children in debt bondage are forced to work in industries such as brick kilns, rice mills, agriculture, and embroidery factories. Although no comprehensive study of forced and bonded labor has been carried out, some NGOs estimate this problem affects tens of millions of Indians. Those from India's most disadvantaged social economic strata are particularly vulnerable to forced or bonded labor and sex trafficking. Women and girls are trafficked within the country for the purposes of commercial sexual exploitation and forced marriage. Children are also subjected to forced labor as factory workers, domestic servants, beggars, and agricultural workers. In recent years, there has been an increase of sex trafficking to medium-sized cities and satellite towns of large cities.

India is also a destination for women and girls from Nepal and Bangladesh trafficked for the purpose of commercial sexual exploitation. There are also victims of labor trafficking among the thousands of Indians who migrate willingly every year to the Middle East, Europe, and the United States for work as domestic servants and low-skilled laborers. In some cases, such workers are the victims of fraudulent recruitment practices committed in India that lead them directly into situations of forced labor, including debt bondage; in other cases, high debts incurred to pay recruitment fees leave them vulnerable to exploitation by unscrupulous employers in the destination countries, where some are subjected



to conditions of involuntary servitude, including non-payment of wages, restrictions on movement, unlawful withholding of passports, and physical or sexual abuse. Men and women from Bangladesh and Nepal are trafficked through India for forced labor and commercial sexual exploitation in the Middle East. Over 500 Nepalese girls were jailed in the state of Bihar on charges of using false documents to transit India in the pursuit of employment in Gulf countries. Indian nationals travel to Nepal and within the country for child sex tourism.

The Government of India does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these significant efforts, India has not demonstrated sufficient progress in its law enforcement efforts to address human trafficking, particularly bonded labor; therefore India is placed on Tier 2 Watch List. India's central government faces several challenges in demonstrating a more robust anti-trafficking effort: states under the Indian Constitution have the primary responsibility for law enforcement, and state-level authorities are limited in their abilities to effectively confront interstate and transnational trafficking crimes; complicity in trafficking by many Indian law enforcement officials and overburdened courts impede effective prosecutions; widespread poverty continues to provide a huge source of vulnerable people; and the Indian government faces other equally pressing priorities such as basic healthcare, education, and counterterrorism. During the reporting period, the central government continued to improve coordination among a multitude of bureaucratic agencies that play a role in anti-trafficking and labor issues. Government authorities continued to rescue victims of trafficking for commercial sexual exploitation and forced child labor. Several state governments (Andhra Pradesh, Bihar, Maharashtra, Goa, and West Bengal) demonstrated significant efforts in prosecution, protection, and prevention, although largely in the area of trafficking for commercial sexual exploitation.

**Recommendations for India:** Continue to expand central and state government law enforcement capacity to conduct intrastate and interstate law enforcement activities against trafficking and bonded labor; consider expanding the Central Ministry of Home Affairs "nodal cell" on trafficking to coordinate law enforcement efforts to investigate and arrest traffickers who cross state and national lines; significantly increase law enforcement efforts to decrease official complicity in trafficking, including prosecuting, convicting, and punishing complicit officials with imprisonment; continue to increase law enforcement efforts against sex traffickers, including prosecuting, convicting, and punishing traffickers with imprisonment; improve central and state government implementation of protection programs and compensation schemes to ensure that certified trafficking victims actually receive benefits, including compensation for victims of forced child labor and bonded labor, to which they are entitled under national and state law; and

increase the quantity and breadth of public awareness and related programs to prevent both trafficking for labor and commercial sex.

### Prosecution

Indian government authorities made significant progress in law enforcement efforts against sex trafficking and forced child labor during the year, but made little progress in addressing bonded labor. The government prohibits some forms of trafficking for commercial sexual exploitation through the Immoral Trafficking Prevention Act (ITPA). Prescribed penalties under the ITPA, ranging from seven years' to life imprisonment, are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. India also prohibits bonded and forced labor through the Bonded Labor (Abolition) Act of 1976, the Child Labor (Prohibition and Regulation) Act of 1986, and the Juvenile Justice Act of 1986. These laws were ineffectively enforced, and their prescribed penalties—a maximum of three years in prison—are not sufficiently stringent. Indian authorities also use Sections 366(A) and 372 of the Indian Penal Code, prohibiting kidnapping and selling minors into prostitution, respectively, to arrest traffickers. Penalties prescribed under these provisions are a maximum of ten years' imprisonment and a fine. Although Section 8 of the ITPA allows the arrest of trafficked women for soliciting, the Indian cabinet debated for another year proposed amendments that would give trafficking victims greater protections.

State governments continued to demonstrate efforts to address forced child labor, but failed to punish most traffickers. During the year, the New Delhi government rescued more than 100 children from forced labor situations, such as the February 2009 rescue of 35 children found enslaved in four small factories making leather products under hazardous and forced conditions without pay. In Jharkhand (with a population of 29 million people), the state labor ministry and police, in collaboration with an NGO, conducted raids on 120 establishments during a planned operation and rescued 208 children from forced or bonded labor situations.

The central government and state governments continued to demonstrate efforts to combat sex trafficking of women and children, though convictions and punishments of sex traffickers were infrequent. The central government's National Crime Records Bureau provided limited comprehensive data, compiled from state and union territory governments, on actions taken against sex trafficking offenses in 2007. The 2007 data indicated that 4,087 cases were registered (investigations started), which likely includes sex trafficking cases referred to courts for prosecution as well as cases investigated and closed without such referrals. This data did not include reported prosecutions and convictions. Data for 2008 will not be available until 2010.

In Andhra Pradesh, Bihar, Maharashtra, Goa, and West Bengal (with a combined population of 360

million people), government officials registered 964 sex trafficking cases, conducted 379 rescue operations, helped rescue 1,653 victims, arrested 1,970 traffickers (including 856 customers), convicted 30 sex traffickers, helped rehabilitate 876 sex trafficking victims, and trained 13,490 police officers and prosecutors. In Mumbai, authorities prosecuted 10 sex trafficking cases but obtained no convictions in 2008. In Andhra Pradesh, courts convicted and sentenced eleven traffickers to imprisonment for 10 to 14 years. Tamil Nadu's state government reported arrests of 1,097 sex trafficking offenders in 2008, though the number of trafficking prosecutions and convictions during the reporting period was not reported. The city of Pune attained its first sex trafficking conviction in 2008.

During the reporting period, the central government made little progress to investigate, prosecute, convict, and punish labor trafficking offenders. However, it allocated \$18 million to the Ministry of Home Affairs to create 297 anti-human trafficking units across the nation to train and sensitize law enforcement officials. According to NGOs, state-level officials who received such training in the past are increasingly recognizing women in prostitution as potential victims of trafficking and therefore not arresting them for solicitation. In Tamil Nadu (with a population of 65 million people), an NGO reported a significant improvement in how police file charges in bonded labor cases. The police now also employ the Indian Penal Code's tougher provisions, which allow bonded labor cases to be processed more quickly through the judicial system.

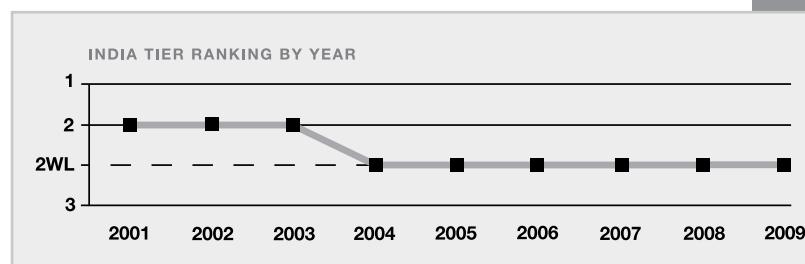
The significant problem of public officials' complicity in sex trafficking and forced labor remained largely unaddressed by central and state governments during the reporting period. Corrupt law enforcement officers reportedly continued to facilitate the movement of sex trafficking victims, protect brothels that exploit victims, and protect traffickers and brothel keepers from arrest and other threats of enforcement. India reported no prosecutions, convictions, or sentences of government officials for trafficking-related offenses during the reporting period.

### Protection

India's efforts to protect victims of trafficking varied from state to state. Protection efforts often suffered from a lack of sufficient financial and technical support from government sources, and protection for victims of labor trafficking remained very weak. Under its Swadhar program – which covers a broad range of activities of which anti-sex trafficking is one – the government supports over 200 shelters with an annual budget of more than \$1 million to provide care for more than 13,000 women and girls rescued from a range of difficult circumstances, including sex trafficking. The Ministry of Women and Child Development continued to give grants under its Ujjawala program for the prevention, rescue, rehabilitation, and reintegration of sex trafficking victims.

The ministry approved funding for at least 53 state projects under this program, benefiting more than 1,700 victims. Since August 2008, the ministry provided the states of Karnataka, Maharashtra, Manipur, and Nagaland almost \$243,000 for 18 projects at 12 rehabilitation centers. Andhra Pradesh established a fund specifically for victim rehabilitation, giving victims rescued from sexual exploitation \$200 in temporary relief. Tamil Nadu began providing free legal aid and drug and alcohol addiction counseling services in state shelters to trafficking victims. The Delhi government established a helpline staffed by NGOs in February 2009 to help rescue children found begging.

Although victims of bonded labor are entitled to 20,000 rupees (\$400) from the government if they are certified as victims of bonded labor and may be housed in government shelters, disbursement of rehabilitation funds is sporadic and the quality of care in many shelters is not high. NGOs reported that some corrupt local officials take unlawful "commissions" from the rehabilitation packages. Overall, government authorities do not proactively identify and rescue bonded laborers, so few victims receive assistance, though Tamil Nadu showed the greatest effort to identify and assist victims of bonded labor. In other states, NGOs provided the bulk of protection services to bonded labor victims.



The central government's Ministry of Overseas Indian Affairs, during the reporting period, showed resolve to address the trafficking of Indian migrant workers. For example, in September 2008, the Government ordered an inquiry after reports surfaced of girls from northeastern India being trafficked to Malaysia for sex work. The Government arrested the travel agent, promptly rescued the girls and paid for their repatriation to India. The Ministry also drafted an amendment to the Emigration Act that would increase administrative penalties for Indian labor recruitment agencies involved in fraudulent recruitment or human trafficking. Some Indian diplomatic missions in destination countries, especially those in the Middle East, provide significant services, including temporary shelters to nationals who have been trafficked. Some foreign victims trafficked to India are not subject to removal. Those who are subject to removal are not offered legal alternatives to their removal to countries where they may face hardship or retribution. NGOs reported in the past some Bangladesh victims of sex trafficking were pushed back across the border

without protection services. During the reporting period, India worked closely with Bangladesh on resolving cross-border trafficking issues, including formally designating a government official to handle such issues during Home Secretary-level discussions in August 2008.

Government shelters for sex trafficking victims are found in all major cities, but the quality of care varies widely. In Maharashtra, West Bengal, Tamil Nadu, and Andhra Pradesh, state authorities operated homes for minor victims of sex trafficking. Although states have made some improvements to their shelter care, victims in these facilities do not receive comprehensive protection services, such as psychological assistance from trained counselors. Many victims decline to testify against their traffickers due to fear of retribution by traffickers and India's sluggish and overburdened judicial system. The government does not actively encourage victims to participate in cases against their traffickers.

### Prevention

India continued to conduct information and education campaigns against trafficking in persons and child labor. In late 2008 the central government completed its 18-month long consultation process with government and NGO stakeholders on a comprehensive "Integrated Plan of Action to Prevent and Combat Human Trafficking with Special Focus on Children and Women." Overall, the government's anti-trafficking policies and programs remained framed by the limited perspective of human trafficking defined as the trafficking of women and children for sexual exploitation, in line with the 2002 South Asian Association for Regional Cooperation Convention on Combating Trafficking of Women and Children for Prostitution. Kerala (with a population of 33 million people and India's largest source of laborers who migrate overseas) regularized recruitment agencies and introduced a toll free number for potential migrants. In January 2009, the central government approved a nationwide model that merges its national educational and poverty alleviation programs together to combat child labor.

While the government made modest efforts to prevent trafficking for commercial sexual exploitation, it did not report new or significant efforts to prevent the large problem of bonded labor. The Ministry of Women and Child Development remained the central government's coordinator of anti-trafficking policies and programs, though its ability to enhance interagency coordination and accelerate anti-trafficking efforts across the bureaucracy remained weak. In August 2008, a UN report alleged several Indian peacekeepers posted in the Democratic Republic of the Congo had been involved in paying minor Congolese girls for sex in 2007 and 2008. In March 2009, the Indian military exonerated the soldiers after conducting an investigation. According to a Government of India official, training for Indian soldiers deployed in peacekeeping missions includes awareness about trafficking. In May 2008, the Ministry of Women

and Child Development created a think tank to expand public-private partnerships to play a greater role in preventing and combating human trafficking.

Following agreements reached prior to this reporting period with Middle Eastern labor destination countries, the Indian prime minister in November 2008 signed a major agreement with Oman to combat illegal recruitment and human trafficking during his visit there. The agreement stipulates that terms and conditions of employment in Oman shall be defined by an individual employment contract between the employee and the employer and authenticated by Oman's Ministry of Manpower.

The Ministry of Labor and Employment issued a "Protocol on Prevention, Rescue, Repatriation, and Rehabilitation of Trafficked and Migrant Child Labor" in May 2008 to guide state and district-level authorities and NGOs, and expanded the central government's list of occupations that are banned from employing children. The government undertook several measures to reduce demand for commercial sex acts during the reporting period, such as the arrests of 856 customers of prostitution in Andhra Pradesh, Maharashtra, Bihar, Goa, and West Bengal. India has not ratified the 2000 UN TIP Protocol.

## INDONESIA (Tier 2)

Indonesia is a major source of women, children, and men trafficked for the purposes of forced labor and commercial sexual exploitation. To a far lesser extent, it is a destination and transit country for foreign trafficking victims. The greatest threat of trafficking facing Indonesian men and women is that posed by conditions of forced labor and debt bondage in more developed Asian countries – particularly Malaysia, Singapore, and Japan – and the Middle East, particularly Saudi Arabia, according to IOM data. Indonesian women and girls are also trafficked to Malaysia and Singapore for forced prostitution and throughout Indonesia for both forced prostitution and forced labor. Each of Indonesia's 33 provinces is a source and destination of human trafficking; the most significant source areas are, in descending order: Java, West Kalimantan, Lampung, North Sumatra, South Sumatra, Banten, South Sulawesi, West Nusa Tenggara and East Nusa Tenggara, and North Sulawesi. Trafficking of young girls, mainly from West Kalimantan, to Taiwan as false brides, persists; upon arrival, many are coerced into prostitution. A new trend identified during the last year was the trafficking of dozens of Indonesian women to Iraq's Kurdistan region for domestic servitude. Another trend was the use of abduction by traffickers, particularly in trafficking young girls to Malaysia for forced prostitution. Women from the People's Republic of China, Thailand, and Eastern Europe are trafficked to Indonesia for commercial sexual exploitation, although the numbers are small compared with the number of Indonesians trafficked for this purpose.

A significant number of Indonesian men and women who migrate overseas each year to work in the construction, agriculture, manufacturing, service (hotels, restaurants, and bars), and domestic service sectors are subjected to conditions of forced labor or debt bondage. The destinations for such trafficking are, in descending order: Malaysia, Saudi Arabia, Singapore, Japan, Syria, Kuwait, Iraq, Taiwan, Thailand, Macau, Hong Kong, the United Arab Emirates, Qatar, Mauritius, Yemen, Palestine, Egypt, France, Belgium, Germany, Cyprus, Spain, the Netherlands, and the United States.

Some labor recruitment companies, known as PJTKIs, operated similarly to trafficking rings, luring both male and female workers into debt bondage, involuntary servitude, and other trafficking situations. Some workers, often women intending to migrate, became victims of trafficking during their attempt to find work abroad through licensed and unlicensed PJTKIs. These labor recruiters charge workers commission fees up to \$3,000, which often require workers to incur debt to work abroad, leaving some of them vulnerable in some instances to situations of debt bondage. PJTKIs also reportedly withheld the documents of some workers, and confined them in holding centers, sometimes for periods of many months. Some PJTKIs also used threats of violence to maintain control over prospective migrant workers. Recruitment agencies routinely falsified birth dates, including for children, in order to apply for passports and migrant worker documents.

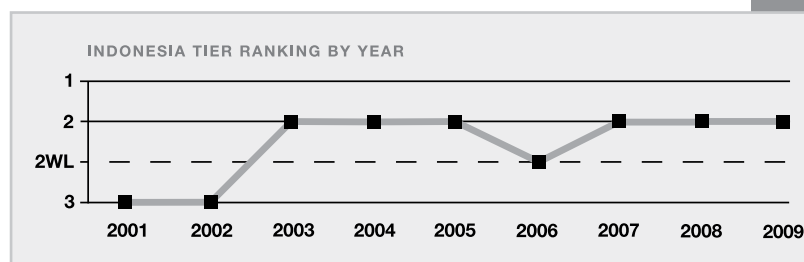
Internal trafficking remains a significant problem in Indonesia with women and children exploited in domestic servitude, commercial sexual exploitation, and small factories. Traffickers, sometimes with the cooperation of school officials, began to recruit young men and women in vocational programs for forced labor in hotels in Malaysia through fraudulent “internship” opportunities. Indonesians are recruited with offers of jobs in restaurants, factories, or as domestic workers and then forced into the sex trade. A new trend noted this year was the recruitment of hundreds of girls and women for work as waitresses in extractive industry sites in Papua who were subsequently forced into prostitution. During the year, minor girls were rescued in illegal logging camps in West Kalimantan, where they were coerced into sexual servitude.

Malaysians and Singaporeans constitute the largest number of child sex tourists in Indonesia, and the Riau Islands and surrounding areas operate a “prostitution economy,” according to local officials. Child sex tourism is rampant in most urban areas and tourist destinations.

The Government of Indonesia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government improved its law enforcement response to trafficking offenses and demonstrated that a significant number of its trafficking prosecutions and convictions involved labor trafficking offenses, the first time such

disaggregation in data has been reported. Moreover, it sustained strong efforts to assist victims of trafficking through the funding of basic services and referral of victims to those services and others provided by NGOs and international organizations. The government showed insufficient progress, however, in efforts to confront labor trafficking committed through exploitative recruitment practices of politically powerful PJTKIs. Also, there were few reported efforts to prosecute, convict, or punish Indonesian law enforcement and military officials complicit in human trafficking, despite reporting on such trafficking-related corruption.

**Recommendations for Indonesia:** Begin using the 2007 law to address the country’s largest trafficking problem – labor trafficking, including debt bondage; significantly improve record of prosecutions, convictions, and sentences for labor trafficking—including against labor recruitment agencies involved in trafficking; re-examine existing MOUs with destination countries to incorporate victim protection; increase efforts to prosecute and convict public officials who profit from or are involved in trafficking; increase efforts to combat internal trafficking; enforce existing laws to better protect domestic workers; and increase funding for law enforcement efforts and for rescue, recovery and reintegration of victims.



## Prosecution

The Indonesian government showed overall progress in anti-trafficking law enforcement efforts over the reporting period. Through a comprehensive anti-trafficking law enacted in 2007, Indonesia prohibits all forms of trafficking in persons, prescribing penalties of three to 15 years’ imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. Police and prosecutors began using the new anti-trafficking law during the reporting period; however, other laws were still used in cases pending widespread implementation of the new law. The Indonesian government prosecuted 129 suspected trafficking offenders in 2008, an increase from 109 prosecuted in 2007. Similarly, convictions in 2008 increased to 55 from 46 convictions in 2007. Fifty-eight of the prosecutions and 9 of the convictions in 2008 were for labor trafficking offenses. The average sentence given to convicted trafficking offenders was 43 months, similar to the average sentence of 45 months in 2007. Indonesian officials and local NGOs often criticized the police as too passive in combating trafficking absent



specific complaints. Nevertheless, the 21-man Jakarta-based national police anti-trafficking task force worked with local police, the Ministry of Manpower, the Migrant Workers Protection Agency, Immigration, Ministry of Foreign Affairs, and NGOs to shut down several large trafficking organizations. After receiving training from an international donor, the Jakarta police set up an anti-trafficking unit and conducted a series of significant investigations and arrests. The ongoing two-part "Operation Flower," which continued through 2008 in 11 provinces, targeted women and children trafficked for commercial sexual exploitation. Exploitation by PJTKIs remained a serious problem although several major joint police and Ministry of Manpower (MOM) raids resulted in a number of such operations shutting down. Police assigned liaison officers to Indonesian embassies in Saudi Arabia, Malaysia, Australia, the Philippines, and Thailand to support law enforcement cooperation with host governments, including trafficking investigations. Indonesia's national police cooperated with U.S. law enforcement authorities in the investigation of suspected trafficking of Indonesians to the United States for the purpose of forced labor and debt bondage.

Progress was noted in the government's dismissing, disciplining or prosecuting officials complicit in trafficking. Some immigration officials, labor officers, and local government officials were arrested for activities which abetted trafficking. Complicity in trafficking by members of the security forces remained a serious concern during the reporting period, and this often took the form of officials either engaged directly in trafficking or facilitating it through the provision of protection to brothels and prostitution fronts in discos, karaoke bars, and hotels, or by receiving bribes to ignore the problem. In addition, some local officials facilitated trafficking by certifying false information to produce national identity cards and family data cards for children to allow them to be recruited for work as adults abroad and within the country. Some MOM officials reportedly licensed and protected international labor recruiting agencies involved in human trafficking. In return for bribes, some immigration officials turned a blind eye to potential trafficking victims, failing to prevent out-bound trafficking through due diligence in the processing of passports and the application of immigration controls. Some immigration officials also directly facilitated trafficking by accepting bribes from PJTKIs to pass migrant workers to their agents at Jakarta International Airport. Members of the police and military were directly involved in the operation of brothels and fronts for prostitution, including establishments that exploited child sex trafficking victims. Despite the persistence of these reports attesting to a serious problem of official complicity in trafficking, the Indonesian government did not initiate new prosecutions of security or other government personnel for involvement in or facilitation of trafficking during the reporting period, though in June 2008 a former national chief of police and an

Indonesian diplomat were sentenced to two and four years' imprisonment, respectively, for their facilitation of trafficking-related criminal activity.

### Protection

Indonesia demonstrated strong efforts to protect victims of trafficking in Indonesia and abroad; however, available victim services remain overwhelmed by the large number of victims. The government operated 41 "integrated service centers" providing services to victims of violence, including trafficking victims; four of these centers were full medical recovery centers specifically for trafficking victims. The government also relied significantly on international organizations and NGOs for the provision of services to victims. Although most security personnel did not employ formal procedures for the identification and referral of victims among vulnerable groups, such as females in prostitution, children migrating within the country, and workers returning from abroad, some victims were referred on an *ad hoc* basis to service providers. Throughout 2008, the government set up 305 district-level women's help desks to assist women and child victims of violence, including trafficking – an increase from 25 such desks existing in 2006. Authorities at the Tanjung Priok seaport in Jakarta screened travelers in order to identify victims of trafficking and refer them to appropriate shelters and medical care facilities. The Indonesian government provided some funding to domestic NGOs and civil society groups that supported services for trafficking victims. Although the government practiced a policy of not detaining or imprisoning trafficking victims, some victims reportedly were treated as criminals and penalized for prostitution activities. Some government personnel, such as the Jakarta-based police anti-trafficking unit, encouraged victims to assist in the investigation and prosecution of trafficking cases; others were less solicitous of victims' cooperation. In some cases, police reportedly refused to receive trafficking complaints from victims.

In mid-2008, the National Agency for the Placement and Protection of Overseas Workers (BNP) opened a new terminal at Jakarta's international airport – Terminal 4 – dedicated to receiving returning Indonesian workers. BNP and MOM officials at this terminal, which replaced the older Terminal 3, screened returning migrants to identify those in distress, though inadequate efforts were made to identify victims of trafficking. Indigent victims returning through Terminal 4 were sometimes forced to spend several days in the terminal until they could find adequate funds for their transportation back to their community. While the Legal Aid Society, an NGO, succeeded in curtailing the practice of labor brokers picking up trafficking victims at Terminal 4 and forcing them back into debt bondage, traffickers adjusted by picking up victims at the regular passenger terminal to which victims had been diverted by corrupt immigration officials. Both BNP and MOM were largely ineffective in protecting migrant workers from trafficking. Indonesia's

Foreign Ministry continued to operate shelters for trafficking victims and migrant workers at some of its embassies and consulates abroad. During the past year, these diplomatic establishments sheltered thousands of Indonesian citizens, including trafficking victims. The Foreign Ministry sustained proactive efforts in protecting the rights of trafficked migrant workers abroad.

### Prevention

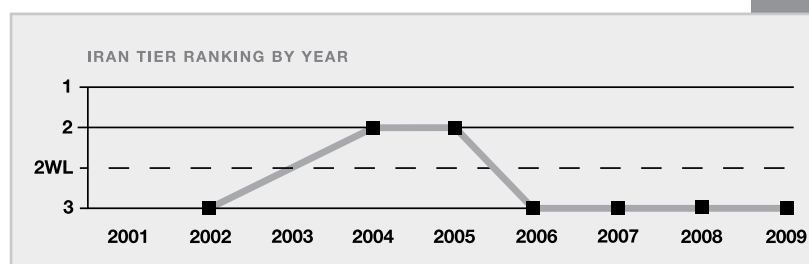
The Indonesian government made significant efforts to prevent trafficking in persons during the reporting period. The government continued some collaboration with NGOs and international organization efforts to raise awareness of trafficking. The Ministry of Women's Empowerment (MOWE), as the government's focal point and coordinator for the National Anti-Trafficking Task Force, drafted a new 2009-2013 national plan of action on human trafficking. Several provinces and districts established local plans of action and anti-trafficking committees. The MOWE conducted anti-trafficking outreach education in 33 provinces in 2008. The national government showed little political will to renegotiate a 2006 MOU with Malaysia which ceded the rights of Indonesian domestic workers to hold their passports while working in Malaysia. The government made no reported efforts to reduce the demand for forced labor or the demand for commercial sex acts during the last year. Indonesian police cooperated with Australian and Swiss authorities to arrest and deport two pedophiles sexually abusing children, and an Indonesian court sentenced one Australian child sex tourist to eight years' imprisonment in February 2009. The government provided anti-trafficking training to Indonesian troops prior to their deployment abroad on international peacekeeping missions. Indonesia has not ratified the 2000 UN TIP Protocol.

## IRAN (Tier 3)

Iran is a source, transit, and destination for men, women, and children trafficked for the purposes of sexual exploitation and involuntary servitude. Iranian women are trafficked internally for the purpose of forced prostitution and forced marriage. Iranian and Afghan children living in Iran are trafficked internally for the purpose of forced marriage, commercial sexual exploitation, and involuntary servitude as beggars or laborers to pay debts, provide income, or support drug addiction of their families. Iranian women and girls are also trafficked to Pakistan, Turkey, Qatar, Kuwait, the United Arab Emirates, Iraq, France, Germany, and the United Kingdom for commercial sexual exploitation. There are reports of women and girls being sold for marriage to men in Pakistan for the purpose of sexual servitude. Men and women from Pakistan migrate voluntarily or are smuggled to Iran, or through Iran, to other Gulf states, Greece, and Turkey seeking employment. Some find themselves in situations of

involuntary servitude or debt bondage, including restriction of movement, non-payment of wages, and physical or sexual abuse. There are reports that women from Azerbaijan and Tajikistan travel to Iran to find employment and fall victim to forced prostitution. Press reports indicate that criminal organizations play a significant role in human trafficking to and from Iran, particularly across the borders with Afghanistan and Pakistan in connection with smuggling of migrants, drugs, and arms among large flows of people. There are nearly one million Afghans living in Iran, some as refugees and others as economic migrants, who are vulnerable to conditions of human trafficking.

The Government of Iran does not fully comply with the minimum standards for the elimination of trafficking, and is not making significant efforts to do so. Lack of access to Iran by U.S. Government officials impedes the collection of information on the country's human trafficking problem and the government's efforts to curb it. The government did not share information on its anti-trafficking efforts with the international community during the reporting period. For example, Iran was not among the 155 countries covered by the UN's Global Report on Trafficking in Persons, published in February 2009. Publicly available information from NGOs, the press, international organizations, and other governments nonetheless support two fundamental conclusions. First, trafficking within, to, and from Iran is extensive; and second, the authorities' response is not sufficient to penalize offenders, protect victims, and eliminate trafficking. Indeed, some aspects of Iranian law and policy hinder efforts to combat trafficking. These include punishment of victims and legal obstacles to punishing offenders.



**Recommendations for Iran:** Share with the international community efforts made to investigate trafficking offenses and prosecute and punish trafficking offenders; institute a victim identification procedure to systematically identify and protect victims of trafficking, particularly among groups such as women arrested for prostitution; and cease the punishment of victims of trafficking.

### Prosecution

No reliable information was available on human trafficking investigations, prosecutions, convictions or punishments during the past year. Iranian press reports over the year quoted a law enforcement official as stating

that 7,172 people were arrested for “trafficking” from January to July 2008, although it was not clear whether this group included human smugglers, those sponsoring prostitution, victims of trafficking, or a mix of these. A 2004 law prohibits trafficking in persons by means of the threat or use of force, coercion, abuse of power or of a position of vulnerability of the victim for purposes of prostitution, removal of organs, slavery or forced marriage. Reports indicate, however, that the law has not been enforced. The Constitution or Labor Code or both prohibit forced labor and debt bondage; the prescribed penalty of a fine and up to one year’s imprisonment is not sufficient to deter these crimes and is not commensurate with prescribed penalties for grave crimes, such as rape. In addition, the Labor Code does not apply to work in households. The law permits temporary marriage for a fixed term (“sigheh”), after which the marriage is terminated. Some persons abuse this institution in order to coerce women into sexual exploitation; there are reports of Iranian women sold into fixed term marriages to men from Pakistan and Gulf states or into forced prostitution. It was extremely difficult for women forced into sexual exploitation to obtain justice: first, because the testimony of two women is equal to that of one man, and second, because women who are victims of sexual abuse are vulnerable to being executed for adultery, defined as sexual relations outside of marriage.

### Protection

There were no reported efforts by the Government of Iran to improve its protection of trafficking victims this year. The government reportedly punishes victims for unlawful acts committed as a direct result of being trafficked, for example, adultery and prostitution. There were reports that the government arrested, prosecuted, and punished several trafficking victims on charges of prostitution or adultery. It is unknown how many victims may have been subjected to punishment during the reporting period for such acts committed as a result of being trafficked. Foreign victims of trafficking do not have a legal alternative to removal to countries in which they may face hardship or retribution. According to a March 2009 report citing UNICEF and provincial authorities in Herat, Afghanistan, more than 1,000 Afghan children deported from Iran in 2008 faced poverty and were at risk of abuses, including human trafficking; there were no known efforts to identify trafficking victims among this group. Previous reports indicate that the government does not encourage victims to assist law enforcement authorities as they investigate and prosecute their trafficking cases.

### Prevention

There were no reports of efforts by the Government of Iran to prevent trafficking during the past year, such as campaigns to raise public awareness of trafficking, to reduce demand for commercial sex acts, or to reduce demand for child sex tourism by Iranians traveling abroad. In March 2008, the Iranian government

reportedly hosted and co-sponsored with an NGO, a workshop with regional participation on irregular migration, which included discussion of strategies to prevent human trafficking, protect victims, and prosecute traffickers. Iran has not ratified the 2000 UN TIP Protocol.

## IRAQ (Tier 2 Watch List)

Iraq is both a source and destination country for men, women, and children trafficked for the purposes of commercial sexual exploitation and involuntary servitude. Iraqi women and girls, some as young as 11 years old, are trafficked within the country and abroad to Syria, Lebanon, Jordan, Kuwait, UAE, Turkey, Iran, and possibly Yemen, for forced prostitution and sexual exploitation within households in these countries. Some victims are sexually exploited in Iraq before being sold to traffickers who take them abroad. In some cases, women are lured into sexual exploitation through false promises of work. The more prevalent means of becoming a victim is through sale or forced marriage. Family members have trafficked girls and women to escape desperate economic circumstances, to pay debts, or resolve disputes between families. Some women and girls are trafficked within Iraq for the purpose of sexual exploitation through the traditional institution of temporary marriages (*muta’a*). Under this arrangement, the family receives a dowry from the husband and the marriage is terminated after a specified period. When trafficked by persons other than family members, women can be placed at risk of honor killings if their families learn that they have been raped or forced into prostitution. Anecdotal reports tell of desperate Iraqi families abandoning their children at the Syrian border with the expectation that traffickers on the Syrian side will pick them up and arrange forged documents so the young women and girls can stay in Syria in exchange for working in a nightclub or brothel.

Iraqi boys, mostly from poor families of Turkmen and Kurdish origin, are trafficked within Iraq for the purpose of forced labor, such as street begging and sexual exploitation. Iraqi men and boys who migrate abroad for economic reasons may become victims of trafficking. Women from Ethiopia, Indonesia, Nepal, and the Philippines are trafficked into the area under the jurisdiction of the Kurdistan Regional Government (KRG) for involuntary domestic servitude after being promised different jobs. Over the past year, there was a credible report of women trafficked by the director of a women’s shelter in KRG area; the shelter was subsequently closed. There were also reports that some foreign women recruited for work in beauty salons in the KRG area had debts imposed on them and were coerced into prostitution. During 2008, dozens of Indonesian women trafficked to Iraq were trapped without assistance from law enforcement authorities. IOM helped to rescue and repatriate several of these women.

Iraq is a destination for men trafficked from Bangladesh, India, Pakistan, Indonesia, Nepal, the Philippines,

Sri Lanka, and Thailand for involuntary servitude as construction workers, security guards, cleaners, and handymen. There are reports that some workers were recruited by a labor broker to work for contractors or sub-contractors of U.S. Government agencies, but the services of this broker were discontinued subsequent to a U.S. Government investigation. The governments of India, Pakistan, Sri Lanka, Thailand, and the Philippines ban their nationals from working in Iraq. These bans are not effective, however, as some laborers circumvent the law or are deceived by labor brokers in their home countries into believing they were getting jobs in one of the Gulf states or Jordan. They then find themselves in Iraq; their passports are confiscated and wages withheld to repay the broker for recruitment, transport, and costs of living. Others are aware they are coming to Iraq, but once in-country find that the terms of employment are not what they expected and they face coercion and serious harm, financial or otherwise, if they attempt to leave.

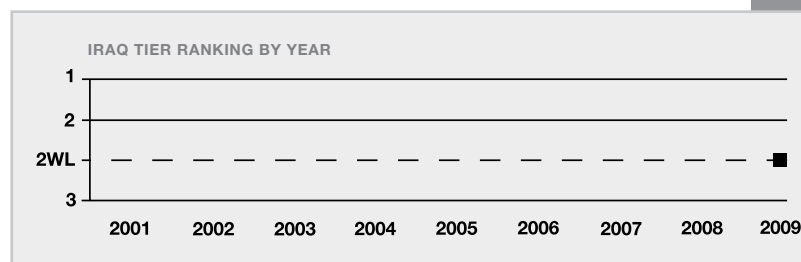
Men brought to Iraq by labor recruiters, some of whom reportedly provided labor for U.S. Government contractors, at times found upon arrival that the jobs they expected were contingent on contracts that had not yet been awarded. While in camps awaiting work, they were sometimes charged exorbitant prices for lodging and supplies, which increased their debts and prolonged the time required to pay them, typically ranging from six months to one year. Some of these conditions may constitute human trafficking.

Traffickers are predominantly male, but sometimes female family members traffic their own children or relatives. Traffickers include both large crime groups and small, family-based groups, as well as businesses such as employment agencies. Several factors contribute to human trafficking in, into, and out of Iraq. Since the ousting of the former regime in 2003, reconstruction activity and provision of goods and services contracted by the government and the Multi-National Forces have drawn foreign workers (some 30,000 to 50,000). Instability and violence have created as many as four million Iraqi refugees in neighboring countries or internally displaced, many of them in economically desperate circumstances. Finally, foreign workers are drawn to the KRG by relative stability, economic opportunity, and higher salaries compared to those at home.

The Government of Iraq does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In particular, despite the serious security challenges facing the government, it is committed to enacting comprehensive anti-human trafficking legislation, which it began to draft during the past year. Despite these overall significant efforts, the government did not show progress over the last year in punishing trafficking offenses using existing laws or identifying and protecting victims of trafficking. During the reporting period, the government's attention was devoted to

other priorities, specifically, political reconciliation, restoration of security throughout the country, and economic reconstruction. The Iraqi government did not take adequate action to monitor or combat trafficking in persons. Notwithstanding the inattention to trafficking in the past year, some Iraqi officials have begun to recognize the problem, and the Legal Advisor's Office of the Council of Ministers Secretariat has begun to draft comprehensive anti-trafficking legislation.

**Recommendations for Iraq:** Enact and implement a law that criminalizes all forms of trafficking; investigate, prosecute, and punish trafficking offenders; provide protection services to victims, ensure that they are not punished for acts committed as a direct result of being trafficked, and encourage their assistance in prosecuting offenders; train officials in methods to identify victims; undertake a campaign to raise public awareness of trafficking; take measures to screen migrant workers to identify human trafficking; take steps to end the practice of forced marriages and curb the use of temporary marriages that force girls into sexual and domestic servitude; consider measures to reduce abuse of migrant workers who learn upon arrival in Iraq that the job they were promised does not exist; and regulate recruitment practices, including recruitment fees, of foreign labor brokers to prevent practices that facilitate forced labor.



## Prosecution

The government did not prosecute trafficking cases in the past year. There were no mechanisms to collect data on offenses or enforcement. Although no single law defines trafficking in persons or establishes it as a criminal offense, various provisions of Iraqi law apply to trafficking. The 2005 Iraqi Constitution prohibits forced labor, slavery, slave trade, trafficking in women or children, and sex trade. Several provisions of the Penal Code, dating from 1969, criminalize unlawful seizure, kidnapping, and detention by force or deception. The prescribed penalty is up to seven years in prison and up to 15 years if the victim is a minor and force is used. The penalty for sexual assault or forced prostitution of a child is 10 years' imprisonment, which is sufficiently stringent to deter, though not commensurate with the penalties prescribed for rape (15 years in prison). Because coercion is not a legal defense, however, women who have been trafficked into prostitution have been prosecuted and convicted. When women or girls are trafficked by family members into sexual exploitation, the crime



often goes unreported because of the shame involved, or uninvestigated because of the courts' reluctance to intervene in what are considered internal family matters. There is anecdotal evidence of occasional complicity in trafficking by officials. An investigation of alleged trafficking involving the director of a women's shelter in the KRG area had not been completed at the time of this report.

### Protection

The Iraqi government did not provide protection to victims of trafficking during the reporting period. The government did not operate shelters for trafficking victims, nor offer legal, medical, or psychological services. An NGO operated a shelter in Baghdad for women and girls who were victims of violence, although it is not known whether any of the people assisted were trafficking victims. Six shelters for abused women and girls in the KRG areas received some support from the regional government. A few NGOs provided legal assistance, counseling, and rehabilitation assistance to trafficking victims. Iraq did not have formal procedures to identify victims of trafficking among vulnerable groups, such as women arrested for prostitution or the foreign workers imported to Iraq by labor brokers, some of whom reportedly provided workers for U.S. Government contractors and sub-contractors. About half of the 1,000 men from Bangladesh, India, Nepal, Pakistan, the Philippines, and Sri Lanka found in December 2008 living for months in squalid conditions in camps near Baghdad International Airport were repatriated with IOM assistance; most of the rest found jobs in Iraq. The government was not involved in investigating the abuses or repatriating the men. Victims of trafficking reportedly were prosecuted for prostitution. There were documented cases of female victims being kept in "protective custody" in detention centers to deter violence against them by their families and traffickers. Abused children were typically placed in women's or juvenile prisons. Since trafficking is not established as a crime in Iraq, the government did not encourage victims to assist in investigations or prosecutions. Foreign victims had no legal protection against removal to countries in which they may face hardship or retribution. There was no victims' restitution program. The draft law would establish a framework for assisting victims of trafficking. It specifies the ways the government is obligated to assist victims, including by providing medical care and legal counseling. The law also stipulates that victims must be provided with shelter appropriate to their sex and age group, physical and mental rehabilitation, and educational and job training opportunities. As for foreign trafficking victims, the law requires that the authorities provide them with language and legal assistance and facilitate their repatriation.

### Prevention

The Government of Iraq did not take measures to prevent trafficking in persons this reporting period, although some government officials have acknowledged

that human trafficking is a problem. In March 2009, a few Iraqi officials attended training offered by an NGO in drafting effective anti-trafficking legislation. Local governments have held the view that trafficking is not a problem within their jurisdictions. A KRG parliamentarian told the press in August that there was no trafficking of women in the KRG area. The KRG Minister for Social Welfare did, however, call a high-level internal KRG meeting to look at the problem. The government does not sponsor any anti-trafficking campaigns. Although the Ministry of Human Rights and the Ministry of State for Women's Affairs have in the past expressed interest in running such a campaign, both lack funds and staffing. The Minister of State for Women's Affairs in February 2009 resigned over this lack of basic support; the ministry is now being led by an acting minister. The government did not provide any specialized training for government officials to identify trafficking victims. Law enforcement officials did not screen people leaving or entering Iraq for evidence of trafficking. The borders of Iraq remained generally unsecured, with limited presence by understaffed law enforcement officials outside of designated border crossings. The large numbers of internally displaced persons and refugees moving within Iraq and across its borders compounded the difficulty of identifying trafficking victims.

## IRELAND (Tier 2)

Ireland is a destination and, to a lesser extent, transit country for women, men, and children trafficked for the purposes of commercial sexual exploitation and forced labor. Women from Eastern Europe, Nigeria, other parts of Africa and, to a lesser extent, South America and Asia reportedly have been trafficked to Ireland for forced prostitution. Labor trafficking victims reportedly consist of men and women from Bangladesh, Pakistan, Egypt, and the Philippines, although there may be some victims from South America, Eastern Europe, and other parts of Asia and Africa. One Irish NGO reported that forced labor victims are found in domestic labor and restaurant and agricultural work. Unaccompanied minors from various source countries, particularly China, are vulnerable to trafficking. Over the last eight years, 388 unaccompanied immigrant children have disappeared from state care. While Irish authorities believe the majority of these children have been reunited with family members, the government reported that a small number of the missing children have been found in involuntary servitude in brothels, restaurants, and in domestic service.

The Government of Ireland does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government enacted legislation criminalizing human trafficking during the reporting period, increased trafficking awareness efforts, and investigated nearly 100 cases of potential trafficking. Although Ireland made significant strides, there was no evidence that trafficking offenders were prosecuted or convicted during the

reporting period, and concerns remained about victim identification and protection.

**Recommendations for Ireland:** Vigorously prosecute trafficking offenses and convict and sentence trafficking offenders; continue to implement procedures to guide officials in proactive identification of possible sex and labor trafficking victims among vulnerable groups, such as unaccompanied foreign minors; continue to take steps that will ensure trafficking victims are not penalized for unlawful acts committed as a direct result of being trafficked; and continue prevention measures targeted at reducing the vulnerability of the unaccompanied foreign minor population to trafficking.

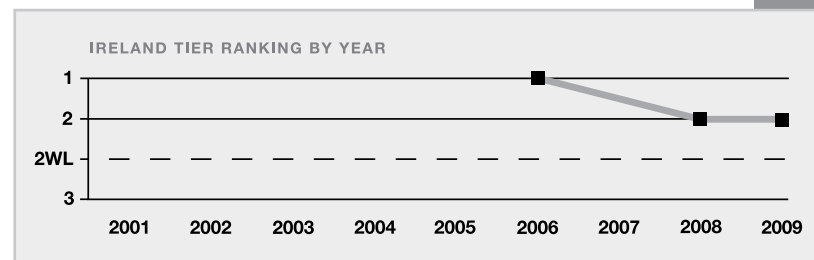
### Prosecution

The Government of Ireland made significant progress in improving its anti-trafficking legislative tools and in training personnel to combat human trafficking, but there were no documented prosecutions of trafficking offenders during the reporting period. The Government of Ireland prohibits all forms of trafficking through the Criminal Law (Human Trafficking) Act, enacted in 2008. Penalties range from no prescribed minimum to life imprisonment, which are sufficiently stringent and commensurate with punishments prescribed for rape. In 2008, the government initiated 96 investigations into alleged human trafficking offenses. The government reported no prosecutions or convictions under its human trafficking statute in 2008. One defendant was convicted and sentenced to 15 years' imprisonment in 2007 for sexual violence offenses against two victims, one of whom might have been in domestic servitude. The government reported that it cooperated with other countries on international anti-trafficking investigations and arrested three people wanted in other European countries on trafficking charges. In conjunction with IOM, the government trained more than 770 police officers and 130 other government officials, including airport authorities, on anti-trafficking law enforcement techniques.

### Protection

Ireland provided limited protection and assistance to trafficking victims during 2008. The government disbursed funds for one NGO that works with sex trafficking victims, and to which the government referred suspected trafficking victims. Suspected victims of trafficking may also receive housing and services under the state program for asylum seekers. In December, the anti-trafficking working group formalized procedures for the referral of victims to NGOs, which will be codified in the National Action Plan. Irish officials also referred trafficking victims to NGOs providing food, shelter, health care, and legal assistance or to immigrant detention centers. The government assessed child victims' needs individually and placed the majority of child victims in the care of the government's Health Service Executive. As a result of the problem of missing unaccompanied minors, the government upgraded security at some of the residential housing units in which they were placed and trained health department

officials working with these children in proactive trafficking victim identification efforts. The government encouraged victims to participate in investigations and prosecutions of trafficking offenders through witness protection measures and a 60-day reflection period – both newly designed government incentives. The government provided temporary legal alternatives to the removal of foreign victims during the reflection period, and longer term residency arrangements are possible. One of the lead anti-trafficking NGOs in Ireland publicly expressed concerns that the Irish government does not recognize all signs of trafficking as it screens suspected trafficking victims, though this concern was not unanimous among NGOs. Out of 40 suspected human trafficking victims referred to police during the reporting period, two were granted the 60-day reflection period by authorities. Of the remainder, all reside legally in Ireland. The police did not report the existence of any other victims during the reporting period. There was evidence during the year that potential trafficking victims were penalized for unlawful acts committed as a direct result of their being trafficked. One suspected victim spent several months in jail for failing to provide proof of identification, though she claimed she had been forced into prostitution in Ireland.



### Prevention

Ireland made significant progress in prevention efforts during the reporting period. In October, the government launched a broad awareness campaign using the "Blue Blindfold – Don't Close Your Eyes to Human Trafficking" theme developed by the UK Human Trafficking Centre. Ireland held the lead role in the G6 anti-trafficking campaign, which included newspaper advertisements on four separate dates, distribution of 1,250 information packs to various government and civic organizations, advertising on mass transit, Internet advertisements, business cards distributed to hairdressers, advertisements in rugby programs, and a dedicated website. The Irish government produced a short film and advertisement designed to educate potential clients of the sex trade about human trafficking and to draw attention to the criminal liability these clients potentially face for exploiting trafficking victims. Ireland coordinated its government response to human trafficking through a specially created unit in the Justice Department. The director of the government's anti-trafficking unit has addressed numerous conferences within Ireland and has created pages on Internet social networking sites. The new law criminalizing human trafficking provides

for extraterritorial jurisdiction over Irish residents who engage in child sex tourism abroad. Ireland's Department of Defense provided anti-trafficking training to Irish troops being deployed abroad as peacekeepers. Ireland has not ratified the 2000 UN TIP Protocol.

## ISRAEL (Tier 2)

Israel is a destination country for men and women trafficked for the purposes of forced labor and sexual exploitation. Low-skilled workers from China, Romania, Turkey, Thailand, the Philippines, Nepal, Sri Lanka, and India migrate voluntarily and legally to Israel for contract labor in the construction, agriculture, and health care industries. Some, however, subsequently face conditions of forced labor, including the unlawful withholding of passports, restrictions on movement, non-payment of wages, threats, and physical intimidation. Many labor recruitment agencies in source countries and in Israel require workers to pay recruitment fees ranging from \$1,000 to \$10,000 – a practice that makes workers highly vulnerable to trafficking or debt bondage once in Israel. Women from Russia, Ukraine, Moldova, Uzbekistan, Belarus, and China are trafficked to Israel for forced prostitution, often by organized crime groups across the border with Egypt. Israeli women are trafficked within the country for commercial sexual exploitation, and small numbers are reportedly trafficked to Ireland and the United Kingdom.

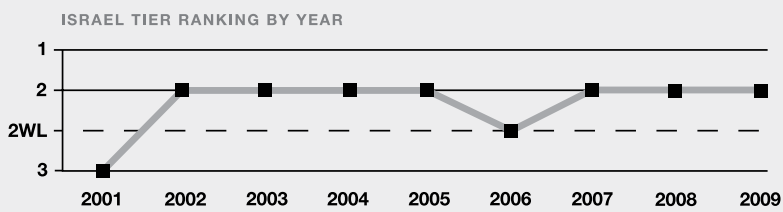
offenses, including the unlawful practice of withholding passports as a means to keep a person in a form of labor or service; increase investigations, prosecutions, and punishments of internal trafficking for commercial sexual exploitation; and extend comprehensive protection services to victims of forced labor.

### Prosecution

The Government of Israel increased its efforts to investigate cases of forced labor during the reporting period, while its prosecution of sex trafficking offenses and conviction of sex trafficking offenders declined. Israel prohibits all forms of human trafficking through its Anti-Trafficking Law of 2006, which prescribes penalties of: up to 16 years' imprisonment for sex trafficking of an adult; up to 20 years' imprisonment for sex trafficking of a child; up to 16 years' imprisonment for slavery; and up to seven years' imprisonment for forced labor. These penalties are sufficiently stringent and commensurate with those prescribed for other grave crimes. In 2008, the government investigated nine cases of alleged sex trafficking, filed six indictments, and obtained the convictions of six individuals – 32 fewer than last year – with sentences ranging from four months' to seven years' imprisonment and fines. In addition, 12 prosecutions for sex trafficking remained in process, and eight cases awaited appeals. In March 2009, the government indicted eight men on charges of trafficking Eastern European women to Israel over a six-year period for the purpose of forced prostitution. During the year, the government opened 24 investigations into cases of forced labor and 48 into the unlawful withholding of migrant workers' passports; it filed its first indictment for forced labor under the trafficking law in November 2008. Police, however, did not initiate any investigations into the trafficking of Israeli citizens within the country and generally did not recognize trafficked Israeli women as such. In 2008, the government requested the assistance of three foreign governments in conducting international trafficking investigations.

### Protection

The government continued to improve its protection of trafficking victims over the reporting period, though protective services available to victims of forced labor and internal trafficking remained limited. The government supervised and funded a local NGO's operation of a shelter for foreign victims of sex trafficking, allocating \$1.25 million for operations, security, and medical care in 2008. During the year, the shelter assisted 44 women, 12 of whom were referred by the police. Victims in this shelter received medical treatment, psychiatric and social services, stipends, temporary residency, and work permits. Local observers, however, continued to report the shelter's reluctance to accept trafficked women with children, and that victims outside the shelter could not access medical or psychological care unless they first paid for insurance. The government employed formal procedures to identify victims of sex trafficking and refer them to the shelter or other NGO facilities; these victims were not punished for



The Government of Israel does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Israel continued law enforcement actions against sex trafficking and provided victims of sex trafficking with shelter and protection assistance. Although the government filed its first indictment for forced labor under its anti-trafficking law in 2008, it did not obtain the conviction of any employer or recruitment agent for labor trafficking offenses. In addition, the government did not provide the majority of forced labor victims with adequate protection services, such as appropriate shelter or medical and psychological services. Extending protection services to all victims of trafficking identified in Israel, and improving identification of victims of labor trafficking and internal trafficking would enhance Israel's anti-trafficking response.

**Recommendations for Israel:** Significantly increase prosecutions, convictions, and sentences for forced labor

acts committed as a direct result of their being trafficked. The government made protective services available for the first time to Israeli victims of sex trafficking at the end of the reporting period. In December 2008, the Ministries of Health and Social Affairs launched a \$2.5 million project to assist Israeli females engaged in prostitution, including trafficking victims, resulting in the opening of emergency apartments in Tel Aviv and Haifa, establishment of a hotline, and operation of a mobile clinic; while 70 women benefited from these services, none were identified as trafficking victims.

Israel lacked a specific shelter for victims of labor trafficking, but government authorities referred six female victims of forced labor to the aforementioned shelter during the reporting period. In 2008, the Ministry of Social Affairs solicited bids for the creation of three facilities for labor trafficking victims – a shelter for women, a shelter for men, and three short-term apartments – and selected an NGO to operate them. In May 2008, the Committee of Directors General approved and disseminated procedures to identify labor trafficking victims to relevant government entities and NGOs. NGOs reported, however, that the guidelines were not implemented and the Detention Tribunal that reviews immigration violation cases continued to misclassify labor trafficking cases on a regular basis, resulting in the detention and deportation of many victims. In July 2008, the Ministry of Interior published procedures for granting temporary visas to victims of slavery and forced labor; the government issued temporary visa extensions for 27 sex trafficking victims and 17 forced labor victims in 2008. In February 2008, an inter-ministerial committee launched a new system for licensing nursing recruitment agencies and employing foreign caregivers in Israel that allows workers who legally entered the country to obtain alternate employment if they lose or choose to leave their first job; no licenses of abusive employers have been revoked since the new system came into place, though there have been reports of abusive employers over the last year. In November 2008, the Knesset passed Legal Aid Law (Amendment 9) granting free legal aid to victims of trafficking and slavery. In February 2009, the Minister of Justice signed Penal Regulations 5769-2009, making it possible to distribute property and funds confiscated from trafficking offenders to victims, NGOs, and government agencies to assist victim rehabilitation programs.

### Prevention

The Israeli government made efforts to prevent trafficking in persons during the reporting period. The National Coordinator for Anti-Trafficking Efforts provided lectures on trafficking to army units, city and municipality workers, students, and social workers. In addition, the Authority for the Advancement of Women, the Ministry of Education, the State Attorney's Office, and the Ministry of Justice's Legal Aid Branch sponsored anti-trafficking seminars, conferences, and lectures throughout the country. The government distributed a labor rights brochure to foreign workers arriving at the Ben Gurion Airport and a second brochure to foreign construction

workers throughout the year. To reduce the demand for commercial sex acts within Israel, the Knesset drafted, but has not yet passed, a private bill in 2008 – The Prohibition of the Use of Paid Sexual Services Law – calling for the criminalization of clients of the sex industry; the bill prescribes punishment of six months' imprisonment or an education program for first-time offenders. The National Coordinator convened a series of meetings with NGOs, academics, and government officials to examine the bill; its passage has been delayed one year to allow for further study and intensive public education campaigns on the subject.

## ITALY (Tier 1)

Italy is a destination and transit country for women, children, and men trafficked internationally for the purposes of commercial sexual exploitation and forced labor. Women and children are trafficked for forced prostitution mainly from Nigeria, Romania, Bulgaria, Moldova, Albania, and Ukraine but also from Russia, South America, North and East Africa, the Middle East, China, and Uzbekistan. Chinese men and women are trafficked to Italy for the purpose of forced labor. Roma children continue to be trafficked for the purposes of sexual exploitation and forced begging. Men are trafficked for the purpose of forced labor, mostly in the agricultural sector in southern Italy. According to one NGO, 90 percent of foreign seasonal workers are unregistered and two-thirds are in Italy illegally, rendering them vulnerable to trafficking. The top five source countries for agricultural workers, from which forced labor victims are likely found, are Poland, Romania, Pakistan, Albania, and Cote d'Ivoire. Traffickers continued to move victims more frequently within Italy, often keeping victims in major cities for only a few months at a time, in an attempt to evade police detection. NGOs and independent experts report that trafficking has shifted into more private, hidden sectors, causing the identification of trafficking victims to become more difficult and complex.

The Government of Italy fully complies with the minimum standards for the elimination of trafficking. During the reporting period, the government continued to vigorously investigate and convict trafficking offenders and continued to implement its progressive victim-centered approach for the rescue, reintegration, and repatriation of trafficking victims in Italy.

**Recommendations for Italy:** Increase outreach and identification efforts to women and children in prostitution to ensure that trafficking victims are identified, provided care, and not penalized for crimes committed as a direct result of being trafficked; proactively identify potential trafficking victims among Italy's illegal immigrants; continue to vigorously investigate and prosecute allegations of trafficking-related complicity; and expand public awareness campaigns aimed at reducing domestic demand for commercial sex acts.



## Prosecution

The Government of Italy continued to vigorously investigate, prosecute and convict trafficking offenders during the reporting period. Italy prohibits all forms of trafficking in persons through its 2003 Measures Against Trafficking in Persons law, which prescribes penalties of eight to 20 years' imprisonment. These penalties are sufficiently stringent and commensurate with penalties prescribed for other grave offenses. The government uses other laws, which carry lesser penalties, in some cases to prosecute trafficking for the purpose of forced labor. Incomplete data for 2008 show the government investigated 2,221 individuals, arrested 316, prosecuted 480 trafficking suspects and convicted 225 trafficking offenders, compared to 163 convicted for the same time frame in 2007. The average sentence was six years' imprisonment, an increase from four years in 2007.

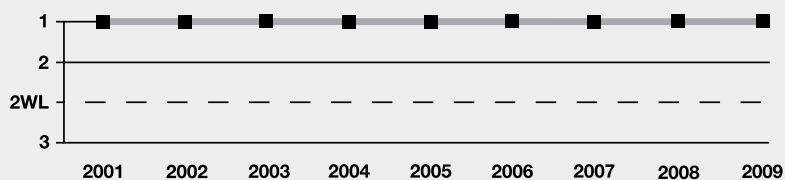
Complete data for 2007 show the government convicted a total of 282 trafficking offenders. For sentences of more than two years, defendants were not eligible to receive suspended sentences. In 2008, the government convicted 23 trafficking offenders from a 2006 case involving the trafficking of 113 Polish tomato pickers in Puglia who were exploited in forced labor conditions; all 23 trafficking offenders were sentenced to four to ten years' imprisonment. According to an NGO based in Genoa working with Nigerian victims of trafficking, some government officials have been imprisoned for facilitating trafficking. In September 2007, an officer of the Italian consulate in Kyiv was arrested for facilitating the trafficking of young girls for forced prostitution in clubs and discos; the Italian government did not report on any subsequent investigation in Italy.

who benefited from these projects or the number who entered social protection programs. According to the Ministry of Interior, the government issued 664 residency permits to victims who assisted in the investigation of their traffickers during the reporting period. The government ensured, through IOM, the responsible return of 81 trafficking victims in 2008. These victims were given \$678 by the government for their repatriation, up to \$2,168 for resettlement in their home country and reintegration assistance for six months. Article 18 stipulates for the identification and referral of trafficking victims to NGOs to care and assistance; however, the government did have stand-alone procedures for front-line responders to ensure this aspect of the law was being implemented among vulnerable populations in Italy, particularly within its legalized prostitution regime. The government provided training for police officers on victim identification and assistance and promoted training exchanges on best practices for experts and social workers every three months in 2008. Despite the government's efforts to identify victims of trafficking, NGOs claim that some were still deported prior to being identified and assisted, such as Nigerian sex trafficking victims. Based on a 2006 independent commission report that the government's victim identification measures for immigrants arriving in boats from North Africa were not fully effective, the government reportedly improved its process for identifying trafficking victims and it now allows international organizations and NGOs to inspect detention facilities and to interview migrants. Victims who file complaints against traffickers generally did not face penalties for unlawful acts committed as a direct result of their being trafficked. According to the Ministry of Interior, approximately 400 children came ashore in Sicily in 2008 and were hosted by NGOs before disappearing; some may have been trafficked for labor exploitation in the agricultural sector.

## Prevention

The Government of Italy made adequate efforts to prevent trafficking in 2008. While it did not initiate any new awareness campaigns during the reporting period, NGOs continued to distribute government-funded materials that included TV spots, Internet banners, and bumper stickers in various languages during the reporting period. The government did not report any progress made on a planned 2007 public awareness campaign, called Project Pentametro, with several other countries to reduce demand for commercial sex acts and raise awareness about human trafficking. In March and April 2008, the Ministry of Interior released a radio and television awareness campaign specifically aimed at educating potential clients of the sex trade about human trafficking and publicizing the national anti-trafficking hotline. As a measure to reduce the demand for commercial sex acts, officials in several Italian municipalities began fining clients of prostitution after the issuance of a national government decree in May 2008 authorizing mayors to prohibit street prostitution. In September 2008, the government launched a study on labor exploitation.

ITALY TIER RANKING BY YEAR



## Protection

The Italian government sustained its victim-centered efforts to protect trafficking victims during the reporting period. Article 18 of its anti-trafficking law allows authorities to grant residence permits and provide protection and job training services to victims of trafficking. Article 13 of the law provides for three to six months' assistance to victims. Adult trafficking victims were granted a six-month residency permit, which was renewed if the victim found employment or had enrolled in a training program. Children received an automatic residence permit until they reached age 18. In 2008, the government allocated \$9.41 million for 66 victim assistance projects; however, the government did not provide data on the number of trafficking victims

The Italian Ministry of Defense regularly organizes training sessions on human rights and trafficking for both civilians and military personnel who serve in international peacekeeping missions abroad. The NGO ECPAT estimated that 80,000 Italian men travel to Kenya, Thailand, Brazil, Latin America, and the Czech Republic for sex tourism every year. In November 2008, the government launched a program to fight child sex tourism that included outreach to tour operators and travel agencies. In May 2008, the government sentenced an Italian man to 14 years' imprisonment for child sex tourism offenses committed in Thailand and Cambodia. The government did not report that it followed up on a February 2007 case involving the arrest of a University professor in Naples for committing child sex tourism offenses while in Thailand.

## JAMAICA (Tier 2)

Jamaica is a source, transit, and destination country for women and children trafficked for the purposes of sexual exploitation and forced labor. The majority of victims are poor Jamaican women and girls, and increasingly boys, who are trafficked from rural to urban and tourist areas for commercial sexual exploitation. Victims are typically recruited by persons close to them or newspaper advertisements promoting work as spa attendants, masseuses, or dancers; after being recruited, victims are coerced into prostitution. Jamaican children also may be subjected to conditions of forced labor as domestic servants. Child sex tourism in resort areas has been identified as a problem. Reportedly women from the Dominican Republic, Russia, and Eastern Europe who have been trafficked into Jamaica's sex trade have also been forced to transport illegal drugs. Some Jamaican women and girls have been trafficked to Canada, the United States, the Bahamas, and other Caribbean destinations for commercial sexual exploitation.

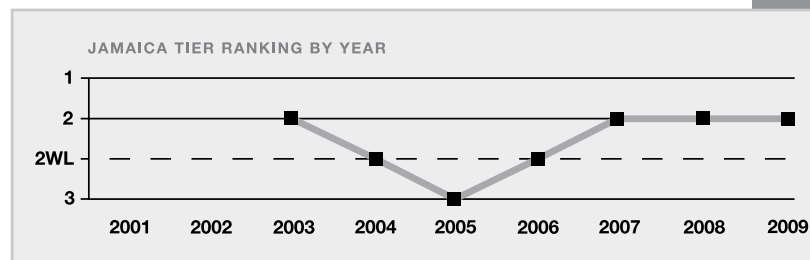
The Government of Jamaica does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government of Jamaica made strong progress in the prosecution of trafficking offenders and continued solid efforts to prevent human trafficking, although its services to trafficking victims remained largely inadequate.

**Recommendations for Jamaica:** Expand efforts to investigate, convict, and punish traffickers for their crimes; extend training on human trafficking issues among law enforcement agencies; increase funding for shelter services and other assistance to victims; and continue awareness campaigns aimed at vulnerable populations, especially young people.

### Prosecution

The Government of Jamaica took significant steps to apprehend, investigate, prosecute, and convict trafficking offenders during the last year. The government prohibits all forms of trafficking through its comprehensive

Trafficking Act of Jamaica, which went into effect in 2007. The Act, which prescribes sufficiently stringent penalties of up to 10 years' imprisonment, applies to those who committed, facilitated, or knowingly benefited from the offense. If a corporate body is involved, every director, manager, secretary, or other similar officer may be liable. During the year, the government reported its first convictions for conspiracy to traffic in persons. In November 2008, two men convicted of trafficking offenses committed before enactment of the new law were each sentenced to 12 months in prison in accordance with the trafficking statutes of the Child Protection Act. The alleged traffickers in the four trials currently underway, however, were all charged under the 2007 anti-trafficking law. The National Anti-Trafficking Task Force allows for coordination among various NGOs and government agencies – internal, international, and multilateral – on trafficking-related matters as per the national action plan. The police anti-trafficking unit works closely with liaison officers at the Department of Public Prosecution, where specially-trained officials provide guidance on which cases should be prosecuted under trafficking laws. Police and judicial officials received anti-trafficking training from IOM and other organizations. No reports of official complicity with human trafficking were received in 2008.



### Protection

During the reporting period, the government made limited progress in its efforts to ensure victims' access to medical, psychological, legal, and victim protection services through a formal referral process. Existing law provides for the government to assist victims with: understanding the laws of Jamaica and their rights; obtaining any relevant documents and information to assist with legal proceedings; replacing travel documents; any necessary language interpretation and translation; meeting expenses related to criminal proceedings against their traffickers; and provision of shelters and assistance to cover expenses. A lack of financial resources seriously constrains the government's ability to provide these services. With the funding that is available, however, the government has begun construction of a shelter for women and children trafficking victims scheduled to open in 2009. As specialized shelters for trafficking victims remain largely unavailable, law enforcement and social service agencies refer victims to safe houses for abuse victims that are run by NGOs. Law enforcement, immigration, and social services personnel use established formal mechanisms to proactively identify

victims of trafficking among high-risk populations they are likely to encounter, and to refer these victims to NGOs for short- or long-term care. Pursuant to its anti-trafficking statute, Jamaican authorities encourage victims to assist in the investigation and prosecution of their traffickers. Victims may also independently file civil suits or take other legal action against their traffickers. One victim assisted in the investigation and prosecution of traffickers during the reporting period. Victims are not penalized for immigration violations or other unlawful acts committed as a direct result of being trafficked. The Jamaican government allows foreign trafficking victims participating in a law enforcement investigation or prosecution to stay in Jamaica until their cases have been completed and their safe return to their home countries is certain.

### Prevention

The government made steady efforts to further raise the public's awareness of trafficking during the reporting period. The government conducted anti-trafficking education campaigns in schools and rural communities. Local NGOs used videos and live theatrical performances to highlight the dangers of trafficking, and also included anti-trafficking components in outreach to vulnerable populations, especially in popular tourist destinations. The campaigns targeted potential trafficking victims. Having previously eliminated their use in nightclubs, the government further tightened issuance of "exotic dancer" permits for Jamaican hotel establishments by increasing the permit fee significantly beyond the financial reach of the hotels. This may be effective in preventing sex trafficking. Increased government collaboration with Jamaica's hotel and tourism industry would assist efforts to prevent child and adult sex tourism in resort areas; despite reported sexual exploitation of Jamaican children by foreign tourists, no investigations or prosecutions of such suspected criminal activity committed by foreign tourists were reported by the government.

## JAPAN (Tier 2)

Japan is one of several destinations and transit countries to which men, women, and children are trafficked for the purposes of forced labor and commercial sexual exploitation. Women and children from East Asia, Southeast Asia, Eastern Europe, Russia, South America, and Latin America are trafficked to Japan for commercial sexual exploitation, and male and female migrant workers from China, Indonesia, the Philippines, Vietnam, and other Asian countries are sometimes subject to conditions of forced labor. Most officially identified trafficking victims are foreign women who migrate willingly to Japan seeking work, but are later subjected to debts of up to \$50,000 that make them vulnerable to trafficking for sexual exploitation or labor exploitation. A significant number of Japanese women and girls have also been reported as sex trafficking victims. During the last year, a number of Paraguayan children were trafficked to Japan for the purpose of forced labor. Traffickers occasionally

use debts to coerce migrants into prostitution in Japan's large sex trade. Many foreign and Japanese women initially enter the sex industry voluntarily, only to find themselves victims of involuntary servitude. In addition to severe economic coercion, trafficked women are sometimes subjected to coercive or violent physical and psychological methods to prevent them from seeking assistance or escaping. Most independent observers and organized crime experts believe that organized crime syndicates (the Yakuza) continue to play a significant role in trafficking, both directly and indirectly. Traffickers are increasingly targeting Japanese women and girls for coerced exploitation in pornography and the sex industry. Female victims, both foreign and Japanese, are often reluctant to seek help from authorities due to shame or fear of reprisals by their traffickers. Japan is also a transit country for persons trafficked from East Asia to North America. Japanese men continue to be a significant source of demand for child sex tourism in Southeast Asia.

The Government of Japan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government increased the number of sex trafficking prosecutions initiated in 2008, yet most convicted offenders of trafficking were given suspended sentences. Japan has not yet effectively addressed the problem of trafficking for labor exploitation. The government's efforts to identify victims of trafficking remained inadequate.

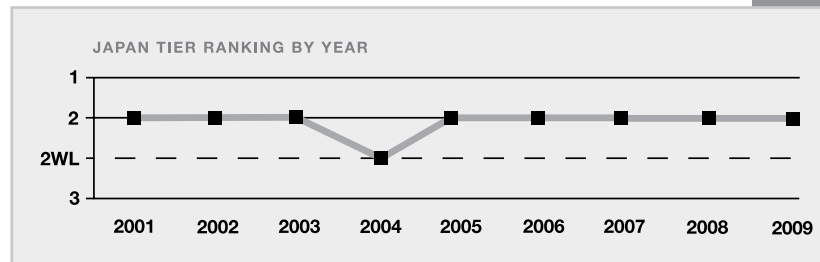
**Recommendations for Japan:** Expand proactive law enforcement efforts to investigate trafficking in commercial sex businesses, especially in rural areas and including call-girl services ("delivery health"), "enjo-kosai" (compensated dating) sites, and social networking sites; establish and implement formal victim identification procedures and train personnel who have contact with individuals arrested for prostitution, foreign trainees, or other migrants on the use of these procedures to identify a greater number of trafficking victims; ensure that victims are not punished for crimes committed as a direct result of being trafficked; increase prosecutions for labor trafficking; send periodic formal instructions to the National Police Agency and to Japanese Embassies and Consulates instructing officials to cooperate with foreign authorities in investigating Japanese nationals involved in possible child sexual exploitation; continue to increase the availability and use of translation services and psychological counselors with native language ability at shelters for victims; and inform all identified victims of the availability of free legal assistance and options for immigration relief.

### Prosecution

The Government of Japan demonstrated some law enforcement efforts to combat trafficking in the last year, but did not impose adequate sentences for most convicted trafficking offenders. The government did not adequately address the problem of trafficking for labor exploitation during the reporting period. The government reported 29 prosecutions and 13 convictions in 2008, all of which

were for sex trafficking offenses. This is compared to 11 prosecutions and 12 convictions in 2007. Offenders received sentences ranging from six months to four years' imprisonment with labor. Eleven of the 13 convicted offenders received suspended sentences, however, and were not punished with imprisonment. The government did not sufficiently pursue investigations, prosecutions, and convictions of organized crime groups engaged both directly and indirectly in trafficking. Arrests tend to be limited to street level operators. Japan's 2005 amendment to its criminal code and a variety of other criminal code articles and laws, including the Labor Standards Law, the Prostitution Prevention Law, the Child Welfare Law, and the Law for Punishing Acts Related to Child Prostitution and Child Pornography criminalize trafficking and a wide range of related activities. However, it is unclear if the existing legal framework is sufficiently comprehensive to criminalize all severe forms of trafficking in persons. The 2005 criminal code amendment prescribes penalties of up to seven years' imprisonment, which is sufficiently stringent. Application of these statutes, however, has been hindered by the difficulty of establishing the level of documentary evidence required for proving a trafficking crime. Labor exploitation, including forced labor, continues to be widely reported by labor unions, NGOs, shelters, and the media. Based on calls to government-sponsored assistance hotlines, NGOs estimate that approximately five percent, or over 3,400 foreign workers recruited as "trainees" in 2008, were potential victims of labor trafficking. The Immigration Bureau and Labor Standard Inspection Bodies continued to report hundreds of abuses by companies involved in the Industrial Trainee and Technical Internship Program (the "foreign trainee program"). Some reported abuses included fraudulent terms of employment, restrictions on movement, withholding of salary payments, and debt bondage. According to labor rights groups, trainees sometimes had their travel documents taken from them and their movement controlled to prevent escape. In a few companies, trainees were reportedly forced to work unpaid overtime, and wages were automatically deposited into company controlled accounts, despite the illegality of such forced deposits. There were no convictions for labor trafficking during the reporting period. The government is beginning to exhibit efforts to monitor and regulate its foreign trainee program, though it has not yet taken steps to investigate, prosecute, and convict any potential offenders of labor trafficking in the program. NGOs working with illegal workers in Japan reported the government's reluctance to consider any illegal workers as trafficking victims, defining them instead as victims of contract fraud. During the reporting period, there was a media report of an ex-government official accepting a \$54,000 bribe to use government connections to facilitate the granting of entertainment visas to 280 Filipina women who were to perform in charity concerts but ended up working as hostesses in bars. Officials in the Department of Justice and the Ministry of Foreign Affairs granted the visas. The government has not investigated or prosecuted any individuals allegedly involved in this

possible trafficking-related corruption case, citing a lack of evidence. Corruption is a serious concern in the large and socially accepted entertainment industry in Japan, largely due to the industry's economic power.



## Protection

Victim protection remained inadequate during the reporting period. The number of trafficking victims identified by the Japanese government declined for the third consecutive year. Law enforcement authorities identified 36 victims in 2008, down from 43 victims in 2007, 58 in 2006, and 116 in 2005. This number is thought to be disproportionately low relative to the suspected magnitude of Japan's trafficking problem. Despite reports by both official and private entities of labor exploitation, the government only identified one victim of labor trafficking in 2008, which was associated with a sex trafficking case. NGOs working with trafficking victims continue to express concerns based on interaction with trafficking victims that the government is not sufficiently proactive in searching for victims among vulnerable populations such as foreign workers and foreign women in the sex trade. Expanded government collaboration with NGOs is likely one of the most effective tools the government has available in its efforts to combat trafficking. The government repatriated 18 of 36 identified trafficking victims without referring them to IOM for risk assessment and formal repatriation processing in 2008. According to the government, these early repatriations were at the request of the victim. Japan does not have formal victim identification procedures, nor does it dedicate government law enforcement or social services personnel solely to the human trafficking issue. During the reporting period, the Immigration Bureau created a database of trafficking cases. NGOs familiar with regular training courses given to police, judges, and prosecutors, expressed the desire that such courses be further improved, as some potential victims appear to have been punished for crimes committed as a direct result of being trafficked, including for immigration violations. The government does not appear to consistently recognize victims who initially enter into the commercial sex industry willingly, but later find themselves to be victims of trafficking. In October 2008, police conducted a raid on a commercial sex establishment and identified 12 Thai trafficking victims. Three women who may also have been trafficking victims were not taken into custody because they were not considered illegal immigrants. These



three have since overstayed their visas and are missing, indicating the need for greater law enforcement training on victim identification, quick access to trained, native language trafficking counselors to overcome the distrust of police commonly found in potential victims, and better incentives offered by the Government of Japan to potential victims in terms of retraining and the possibility of legal avenues of employment.

Thirty of the 33 identified trafficking victims in 2008 were housed in government shelters – Women’s Consulting Centers (WCCs). The victims had access to subsidized medical care and some victims received psychological care while in the WCCs. While in shelters or assisting in trials, victims have never been permitted to obtain employment or otherwise generate income. This lack of opportunity to generate income, coupled with the trauma of being a victim of trafficking, are likely factors leading most victims to agree to repatriation to their home country. NGOs report that, although the government encouraged victims to assist in the investigation and prosecution of trafficking crimes, the government did not provide victims with an environment conducive to cooperation. While the government can legally provide incentives for cooperation, such as the opportunity to work, there were no victims who were provided this type of assistance in 2008. To date there have been no reported cases where the government provided legal assistance to a trafficking victim. The government has the capacity to provide long-term residency visas for trafficking victims, but no foreign trafficking victim has been granted such a visa as yet. Japan continued to provide IOM with \$300,000 a year for repatriation and reintegration assistance.

### Prevention

The Government of Japan continued to improve its efforts to increase awareness of trafficking during the reporting period. The government continued distribution of approximately 30,000 posters and 50,000 leaflets to local governments, embassies, airports, harbors, and NGOs. The Immigration Bureau continued to distribute trafficking awareness leaflets in five languages. The National Police University began to teach classes and seminars on trafficking during the reporting period. In order to reduce Japanese demand for child sex tourism, the government displayed posters on child sex tourism in airports and at harbor facilities. A significant number of Japanese men continue to travel to other Asian countries, particularly the Philippines, Cambodia, and Thailand, to engage in sex with children. Despite Japanese courts’ extraterritorial jurisdiction over Japanese nationals who have sexually exploited children in a foreign country, the government did not prosecute any Japanese nationals for child sex tourism during the reporting period. This also is an area that is cause for concern. The government conducted periodic police raids of prostitution establishments, including some raids on Internet-based forms of commercial sex, but did not make any other efforts to reduce the demand for commercial sex acts. During the reporting period, the government

began funding a \$5 million project to protect victims of trafficking in Southeast Asia, and continued to fund a number of other anti-trafficking projects around the world. Japan has not ratified the 2000 UN TIP Protocol.

## JORDAN (Tier 2)

Jordan is a destination and transit country for women and men from South and Southeast Asia for the purpose of forced labor. There were some reports of women from Morocco and Tunisia being subjected to forced prostitution after arriving in Jordan to work in restaurants and night clubs. Women from Bangladesh, Sri Lanka, Indonesia, and the Philippines migrate willingly to work as domestic servants, but some are subjected to conditions of forced labor, including unlawful withholding of passports, restrictions on movement, non-payment of wages, threats, and physical or sexual abuse. During the reporting period, the Government of the Philippines continued to enforce a ban on new Filipina workers migrating to Jordan for domestic work because of a high rate of abuse of Filipina domestic workers by employers in Jordan. At the end of the reporting period, an estimated 600 Filipina, Indonesian, and Sri Lankan foreign domestic workers were sheltered at their respective embassies in Amman; most of whom fled some form of forced labor.

In addition, some Chinese, Bangladeshi, Indian, Sri Lankan, and Vietnamese men and women have encountered conditions indicative of forced labor in a few factories in Jordan’s Qualifying Industrial Zones (QIZs), including unlawful withholding of passports, delayed payment of wages, including overtime, and, in a few cases, verbal and physical abuse. In past years, Jordan has been a transit country for South and Southeast Asian men deceptively recruited with fraudulent job offers in Jordan, but instead trafficked to work involuntarily in Iraq. There were no substantiated reports of this, however, during the reporting period.

The Government of Jordan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the year, the government amended its labor law to cover agriculture and domestic workers, passed comprehensive anti-trafficking legislation, initiated a joint labor inspector and police anti-trafficking investigation unit, started a Human Trafficking Office within the Public Security Directorate’s (PSD) Criminal Investigation Unit, and improved efforts to identify victims of trafficking and related exploitation among foreign domestic workers, foreign laborers in the QIZs, and foreign women in prostitution. Nevertheless, anti-trafficking law enforcement efforts were nascent and the identification of labor trafficking offenses and related victims was inadequate, with some victims treated as offenders and penalized for acts committed as a direct result of their being trafficked.

**Recommendations for Jordan:** Use the new comprehensive anti-trafficking law by increasing efforts

to investigate, prosecute, and sentence trafficking offenders, particularly those involving forced labor; complete regulations defining the terms of employment for domestic workers and those governing the operation of recruitment agencies; enhance services available for trafficking victims to include a shelter; implement a comprehensive awareness campaign to educate the public on trafficking and forced labor, focusing on domestic workers and the new anti-trafficking law; and strengthen efforts to proactively identify victims of trafficking and forced labor and ensure victims are not punished for unlawful acts committed as a direct result of their being trafficked.

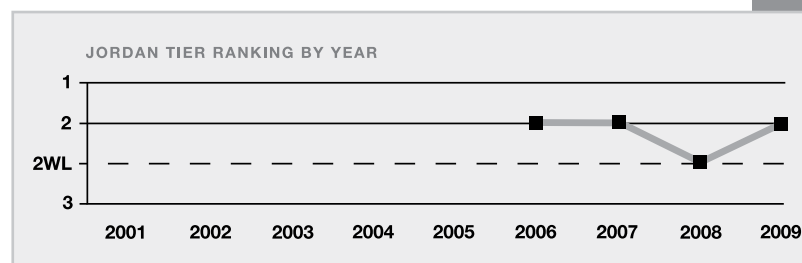
### Prosecution

The Government of Jordan made improved efforts to criminally punish trafficking offenders during the reporting period. On March 31, 2009, a comprehensive anti-human trafficking law came into force that prohibits all forms of trafficking. The new law prescribes penalties of up to ten years' imprisonment for forced prostitution and trafficking involving aggravating circumstances such as the trafficking of a child or trafficking involving a public official; penalties prescribed for labor trafficking offenses not involving aggravating circumstances are limited to a minimum of six months' imprisonment and a maximum fine of \$7,000 – penalties that are not sufficiently stringent. Jordan's labor law assigns administrative penalties, such as fines of up to \$1,400, to labor violations committed against Jordanian or foreign workers, including forced labor offenses; these penalties also are not sufficiently stringent. Although the Jordanian government did not provide comprehensive data on its anti-trafficking law enforcement efforts over the last year, it reported investigating at least 19 cases, of which 10 were sent to judicial authorities for prosecution and nine were resolved administratively. During 2008, the Ministry of Labor (MOL) closed seven labor recruitment agencies for offenses that relate to forced labor. The MOL investigated 535 general labor complaints received from Jordanian and foreign workers through the MOL-operated hotline, which included some indicators of forced labor, such as employers withholding workers' passports. In late 2008, the PSD's Criminal Investigation Department (CID) investigated the forced prostitution of two Tunisian women and arrested their trafficker. In early 2009, the CID investigated and forwarded for prosecution two cases, involving seven women, of forced labor in night clubs. The government in October 2008 began prosecuting 75 municipal employees in Karak for abuses of their power that included forging work permits for migrant workers, a potential contributor to forced labor. The government provided anti-trafficking training through the police training academy and a training program for labor inspectors.

### Protection

The Jordanian government made improved but inadequate efforts to protect victims of trafficking during

the last year. The government continued to lack direct shelter services for victims of trafficking, though Article 7 of the newly passed anti-trafficking law contains a provision for the opening of shelters. A government-run shelter for abused Jordanian women housed approximately 10 foreign domestic workers who had been sexually assaulted by their employers and subsequently referred to the shelter by PSD's Family Protection Department; these domestic workers may have been trafficking victims. Although Jordanian law enforcement authorities did not employ systematic procedures to proactively identify or refer victims of trafficking, some victims were identified by the PSD and referred to NGOs for care. The government did not ensure that victims were not penalized for unlawful acts committed as a direct result of being trafficked; victims continued to be vulnerable to arrest and incarceration if found without adequate residency documents and some foreign domestic workers fleeing abusive employers were incarcerated after their employers filed false claims of theft against them. The government did not actively encourage victims of domestic servitude to participate in the investigation or prosecution of trafficking offenders. The fining of foreign workers without valid residency documents – including identified trafficking victims – on a per day basis for being out-of-status served as a disincentive to stay in Jordan and pursue legal action against traffickers. Nevertheless, the Ministry of Interior often waived the accumulated overstay penalties levied against "runaway" foreign domestic workers in order to repatriate them.



### Prevention

Jordan made limited efforts to prevent trafficking in persons during the reporting period. The Ministry of Labor (MOL) collaborated with local NGOs to raise awareness of labor trafficking through ads on billboards, and public service announcements in the print media and via radio. The MOL continued training labor inspectors on various facets of human trafficking and continued distribution of a guidebook it published on protections for foreign domestic workers, including hotlines to call to report abuse. The PSD provided trafficking-specific training to the thousands of officers it sent abroad for participation in international peacekeeping efforts. The government did not undertake any discernable measures to reduce the demand for commercial sex acts. Jordan has not ratified the 2000 UN TIP Protocol.

## KAZAKHSTAN (Tier 2)

Kazakhstan is a source, transit, and destination country for men, women, and children from Uzbekistan, Tajikistan, and Kyrgyzstan trafficked to Russia and the UAE for the purposes of commercial sexual exploitation and forced labor in the construction and agricultural industries. Women from Kazakhstan are trafficked to China and Turkey for the purpose of commercial sexual exploitation. Kazakhstan is a destination country for a significant number of Uzbek men, women, and girls trafficked for the purposes of commercial sexual exploitation and forced labor, including domestic servitude and forced labor in the tobacco, cotton, and meat processing industries. Men, women, and children are trafficked internally for the purposes of forced labor and forced prostitution.

The Government of Kazakhstan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Over the last year, the government demonstrated increased efforts to investigate, prosecute, and convict traffickers and improved efforts to prosecute labor traffickers. It also significantly increased funding for public awareness efforts. The government, however, identified a smaller number of victims over the reporting period.

in 2008, up from 16 prosecutions in 2007. Twenty-four trafficking offenders were convicted – including 18 for sex trafficking offenses and six for labor trafficking offenses – up from 19 trafficking convictions in 2007. Only one trafficker received a suspended sentence and served no time in prison. Twelve sex trafficking offenders were given sentences ranging from between 1.5 to six years' imprisonment and six sex trafficking offenders were given sentences ranging from seven to 11 years' imprisonment; four labor traffickers were given sentences ranging from 1.5 to five years' imprisonment and two labor traffickers were given sentences ranging from 6.5 to 10 years' imprisonment. The government did not investigate, prosecute, convict, or punish government officials complicit in trafficking in 2008.

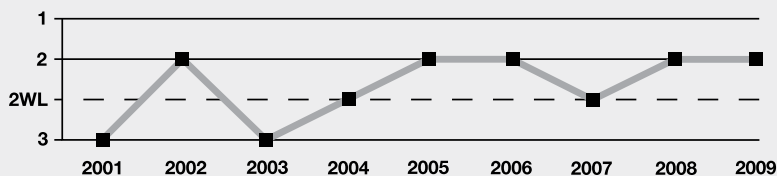
### Protection

The government's efforts to assist and protect victims decreased during the year. NGOs continued to report that local police and government officials lacked awareness about labor trafficking, causing some labor trafficking victims to go unidentified during the year. The police formally identified 50 victims, a significant decrease from 112 victims identified by police in 2007. NGOs and IOM assisted 64 victims in 2008, including 22 victims assisted by government-funded programs. Kazakhstan allocated \$45,838 for victim assistance in 2008, compared to \$35,000 in 2007. Twenty-two victims were assisted by government-funded programs during the reporting period. A local government provided modest assistance for one anti-trafficking shelter in 2008. The Ministry of Foreign Affairs paid for the repatriation of some Kazakh victims trafficked abroad. The government encouraged victims to participate in the investigation and prosecution of trafficking offenses. Foreign victims who agreed to cooperate with law enforcement were permitted to remain in Kazakhstan for the duration of the criminal investigation; no reported victims received temporary residence permits in 2008. Many victims refused to testify for fear of retribution from traffickers and because the government had not devoted sufficient resources for the protection of victims who serve as witnesses for the prosecution. The law provides that victims are not penalized for unlawful acts committed as a direct result of being trafficked.

### Prevention

The government significantly increased its funding for trafficking prevention efforts during the reporting period. In 2008, the government allocated \$333,000 for nationwide anti-trafficking awareness campaign advertised on television, radio, in newspapers, and in magazines; a total of 300 trafficking television and radio programs aired and 400 trafficking articles were published. The government also funded NGOs to produce trafficking awareness brochures for Kazakh nationals traveling abroad. Most trafficking awareness efforts in 2008 were targeted at potential victims of trafficking and did not address the demand for trafficking.

KAZAKHSTAN TIER RANKING BY YEAR



**Recommendations for Kazakhstan:** Increase efforts to identify both sex and labor trafficking victims; increase the number of victims who receive government-funded assistance by increasing funding to anti-trafficking NGOs; and conduct trafficking awareness campaigns aimed at reducing the demand for both labor trafficking and commercial sexual exploitation.

### Prosecution

The Kazakhstan government demonstrated some progress in its anti-trafficking law enforcement efforts over the reporting period. Kazakhstan prohibits trafficking in persons for both labor and sexual exploitation through Articles 128, 133, 125(3)(b), 126(3)(b), and 270 of its penal code, which prescribe penalties of from five to 15 years' imprisonment – penalties sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. Police conducted 44 trafficking investigations, a significant increase from 22 investigations in 2007. Authorities prosecuted 30 cases

## KENYA (Tier 2)

Kenya is a source, transit, and destination country for men, women, and children trafficked for the purposes of forced labor and sexual exploitation. Kenyan children are trafficked within the country for domestic servitude, forced labor in agriculture (including on flower plantations), cattle herding, in bars, and for commercial sexual exploitation, including involvement in the coastal sex tourism industry. In 2008, internally displaced persons residing in camps as a result of post-election violence reportedly were trafficked within the country. Kenyan men, women, and children are trafficked to the Middle East, other East African nations, and Europe for domestic servitude, exploitation in massage parlors and brothels, and forced manual labor, including in the construction industry. Employment agencies facilitate and profit from the trafficking of Kenyan nationals to Middle Eastern nations, notably Saudi Arabia, the UAE, and Lebanon. Children are trafficked to Kenya from Burundi, Ethiopia, Rwanda, Somalia, Tanzania, and Uganda for forced labor and commercial sexual exploitation. Most trafficked girls are forced to work as barmaids, where they are vulnerable to sexual exploitation, or are forced directly into prostitution. Ethiopian and Somali refugees residing in camps and Nairobi's Eastleigh section are particularly vulnerable to trafficking. Chinese, Indian, and Pakistani women reportedly transit Nairobi en route to exploitation in Europe's commercial sex trade.

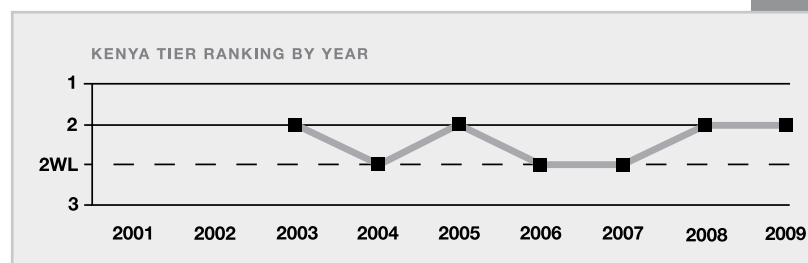
The Government of Kenya does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Post-election violence and the subsequent government reorganization delayed a number of anti-trafficking initiatives, such as the enactment of anti-trafficking legislation and the passage of a draft national action plan. While local-level law enforcement officials across the country continued to arrest and charge alleged traffickers throughout the year, prosecutions failed to progress and data on such cases was not compiled at the provincial or national level. In addition, the government did not allocate adequate resources dedicated to anti-trafficking measures during the reporting period.

**Recommendations for Kenya:** Pass, enact, and implement the draft comprehensive anti-trafficking law; provide additional awareness training to all levels of government, particularly law enforcement officials, on identifying and responding to trafficking crimes; increase efforts to prosecute trafficking offenses and convict and punish trafficking offenders; establish an official process for law enforcement officials to refer trafficking victims for assistance; and institute trafficking awareness training for diplomats posted overseas.

### Prosecution

The government failed to punish acts of trafficking during the reporting period, though it demonstrated continued efforts to investigate trafficking offenses and

charge alleged offenders. Kenya does not prohibit all forms of trafficking, though it criminalizes the trafficking of children and adults for sexual exploitation through Sections 13 to 15 and 18 of the Sexual Offenses Act of 2006, which prescribes minimum sentences of from 10 to 15 years' imprisonment, penalties that are sufficiently stringent and commensurate with those for other grave crimes; however, the law is not widely used by prosecutors. The Employment Act of 2007 outlaws forced labor and contains additional statutes relevant to labor trafficking. In February 2009, the Parliament passed a motion to introduce the Counter Trafficking in Persons Bill, the first step toward enactment of comprehensive human trafficking legislation.



The Department of Public Prosecutions reported three ongoing investigations for trafficking-related offenses and no prosecutions during the reporting period; the department was unable to produce data on the number of charges related to trafficking filed during the year. Despite this inability to gather and disseminate information at the national level, district courts reportedly heard several trafficking cases during the reporting period. In June 2008, the Loitokitok District Court arraigned a Kenyan woman on charges of trafficking a 17-year old Ugandan girl to her home for domestic servitude and subjecting her to cruelty; further details on this case were unavailable. In October 2008, two women were charged in a Nairobi court with forcing two young girls into prostitution. In March 2009, 119 parents and guardians of 209 children were charged in an Eldoret court with abusing their children by removing them from school and forcing them to work as domestic servants. In addition, the government cooperated with the United Kingdom, Ireland, and INTERPOL in the investigation and prosecution of at least two transnational trafficking cases involving Kenyan children during the reporting period. Laws against forced labor were not well enforced, though in June 2008, the Ministry of Labor raided and shut down an unregistered recruitment agency that was illegally sending Kenyan migrant workers to Dubai. With the assistance of NGO lecturers, the Kenya Police Training College provided anti-trafficking and child protection training to police recruits during their training as cadets. Corruption among law enforcement authorities and other public officials continued to hamper efforts to bring traffickers to justice; anti-trafficking activists made credible claims that, in certain regions, corrupt police or border officials were



complicit in human trafficking. The government made no efforts to investigate or prosecute officials suspected of involvement in or facilitation of trafficking during the reporting period.

### Protection

The Kenyan government sustained minimal but inadequate victim protection efforts throughout the year. The government lacked a formal referral process to transfer victims to NGOs for assistance and it maintained no record of the number of victims referred on an ad hoc basis to NGO service providers by government officials during the year. In 2008, the Ministry of Gender, Children, and Social Development hired an additional 160 Children's Officers – officials charged with advocating for children's rights and obtaining services for children in need – bringing the total number to 333. During the reporting period, several Children's Officers posted throughout the country participated in trafficking investigations and provided counseling and follow-up to child trafficking victims. In addition, Children's Officers served on the management committee of the Rescue Center, a shelter for sex trafficking victims in Mombasa, and provided case assessments and service referrals for sex trafficking victims. City Council Social Services Departments in Nairobi, Mombasa, and Kisumu operated shelters to rehabilitate street children vulnerable to forced labor and commercial sexual exploitation; the shelters did not maintain records identifying trafficking victims among children undergoing rehabilitation. The government encouraged Kenyan victims' assistance in the investigation and prosecution of trafficking crimes, and ensured that they were not inappropriately incarcerated or otherwise penalized for unlawful acts committed as a direct result of being trafficked. Police, however, reportedly arrested foreign trafficking victims for being in Kenya without valid identity documents; in most cases, they pled guilty to immigration violations and were quickly deported. The government did not provide legal alternatives to the removal of victims to countries where they would face hardship or retribution.

### Prevention

The Government of Kenya made modest progress in its efforts to prevent human trafficking by publicly highlighting the dangers of human trafficking during the reporting period. Increased awareness within the government at all levels, however, remained inadequate for fostering better cooperation with civil society and strengthening public education efforts. After the government's reorganization in April 2008, the newly created Ministry of Gender, Children, and Social Development became the lead agency in the government's anti-trafficking efforts. In May 2008, the ministry and an NGO launched a 24-hour toll-free hotline enabling citizens to report cases of child trafficking, labor, and abuse; the hotline is located in a government-owned building and staffed, in part, by three Children's Officers who facilitated rescues and made referrals to appropriate

district officials. Government ministers and Kenya's First Lady highlighted the human trafficking issue in public engagements, including the government's celebration of the Day of the African Child in June. Individual labor officers, children's officers, social workers, chiefs, health officials, police, religious leaders, and NGOs identified and withdrew children from forced labor situations during the reporting period. In 2008, Coast Province's regions of Mombasa, South Coast, and Taita-Taveta formed anti-trafficking networks comprised of government officials and civil society representatives. There were no reports of the Kenyan government's efforts to provide anti-trafficking training for its troops before deployment on international peacekeeping missions.

## KOREA, REPUBLIC OF (Tier 1)

The Republic of Korea (ROK) is a source country for the trafficking of women and girls within the country and to the United States (often through Canada and Mexico), Japan, Hong Kong, Guam, Australia, New Zealand, and Canada, for the purpose of commercial sexual exploitation. The ROK is a destination country for women from Russia, Uzbekistan, Kazakhstan, Mongolia, the People's Republic of China (PRC), the Philippines, Thailand, Cambodia, and other Southeast Asian countries, some of whom are recruited to work on entertainment visas and may be vulnerable to trafficking for sexual exploitation or domestic servitude. Some brokers target poor women and runaways, pay off their debts, and then use this as leverage to force them to work in the commercial sex trade. Labor trafficking is a problem in South Korea, and some employers allegedly withhold the passports and wages of foreign workers, a practice that can be used as a means to subject workers to forced labor. One foreign embassy alleged that some of its citizens sign contracts for employment in their home country, but have their contracts destroyed upon arrival in Korea, where they are forced to work excessively long hours. An increasing challenge for the ROK is the number of women from less developed countries who are recruited for marriage to Korean men through international marriage brokers; limitations on citizenship and anecdotal reports of fraudulent brokers mean some of these women may be vulnerable to trafficking. Some, upon arrival in South Korea, may be subjected to conditions of sexual exploitation, debt bondage, and involuntary servitude. South Korean men reportedly continue to be a source of demand for child sex tourism in Southeast Asia and the Pacific Islands.

The Government of the Republic of Korea fully complies with the minimum standards for the elimination of trafficking. The Korean National Police Agency continues to cooperate with foreign law enforcement agencies to crack down on human smuggling networks that have been known to traffic women for sexual exploitation. The government acknowledges that trafficking is a problem and is committed to stopping it. The ROK

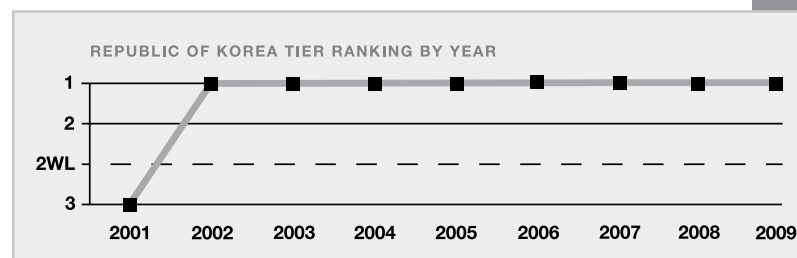
government continued to improve its legal structure to protect populations vulnerable to trafficking; in 2008 the Marriage Brokerage Act entered into force to regulate international marriage brokers, the Passport Law increased the government's ability to prosecute certain crimes committed overseas by Korean nationals, and the Ministry of Labor continued to expand the scope of countries eligible for the Employment Permit System (EPS). The Korean government increased anti-trafficking public education efforts. These commendable efforts with respect to sex trafficking have not yet been matched by convictions for labor trafficking occurring within South Korea's large foreign labor force. Efforts to reduce demand for child sex tourism, in light of the scale of the problem, would be enhanced by increased law enforcement efforts to investigate Korean nationals who sexually exploit children abroad.

**Recommendations for the Republic of Korea:** Expand efforts to reduce demand for child sex tourism by increasing law enforcement efforts, including cooperation with child sex tourism destination countries, to investigate and prosecute South Korean child sex tourists; continue to expand efforts to ensure that foreign women married to Korean men through commercial marriage brokers and residing in Korea are not vulnerable to trafficking; improve the available statistical data on trafficking victims; develop and implement proactive victim identification procedures to identify trafficking victims among vulnerable populations including foreign women arrested for prostitution and foreign workers; develop and implement a formal trafficking-specific referral process for law enforcement officials to direct trafficking victims to short- and long-term care; and take steps to improve protections for foreign workers by continuing to investigate and prosecute any reported cases of forced labor among migrant workers.

### Prosecution

The ROK government increased its anti-trafficking law enforcement efforts over the last year. The ROK prohibits trafficking for the purpose of commercial sexual exploitation, including debt bondage, through its 2004 "Act on the Punishment of Intermediating in the Sex Trade and Associated Acts," which prescribes up to 10 years' imprisonment – penalties that are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. Trafficking for forced labor is criminalized under the Labor Standards Act, which prescribes penalties of up to five years' imprisonment. The Korean government did not, however, obtain the convictions of any offenders of labor trafficking during the reporting period. In 2008, the ROK government reportedly conducted 220 trafficking investigations and secured the convictions of 31 sex traffickers who received sentences ranging from six months to 12 years in prison. It is unclear, however, how many of these were actually trafficking cases, since the laws used to prosecute traffickers are also used to

prosecute a variety of other crimes, and the government does not keep track of the number of trafficking cases it handles. The government reportedly secured the convictions of 52 traffickers the previous year. During the reporting period, ROK law enforcement authorities closely cooperated with U.S., Canadian, Australian, and Japanese counterparts; however, one foreign embassy expressed concern about entertainment (E-6) visas, arguing that the ROK government should either significantly tighten the visa qualifications or stop issuing them altogether. Korean employers of E-6 visa holders sometimes confiscate foreign workers' passports, which can facilitate trafficking. While the government is currently investigating at least one case of alleged trafficking through fraudulent international marriage, no other cases were reported to the ROK government during the reporting period; there were no prosecutions or convictions of such offenses in 2008. In 2008, the Ministry of Labor investigated 4,204 cases involving the alleged nonpayment of wages to foreign workers. To date the government has prosecuted 1,385 of these cases, some of which may have involved trafficking in persons. The ROK government aggressively investigates and prosecutes trafficking-related crimes against foreigners as human rights abuses.



### Protection

The Government of the Republic of Korea increased efforts to protect victims of sex trafficking over the last year. During the reporting period, the Korean government opened four additional support facilities for victims of abuse, including trafficking victims, bringing the total to 100. These facilities now include 43 adult and youth facilities, 29 counseling centers, 10 group homes for longer-term support, six rehabilitation centers, and three shelters for foreign victims. In 2008, the government also increased access to group homes by relaxing the standards for entrance and increasing the maximum length of stay from one year to three years. Police regularly refer victims of abuse to care and counseling facilities, though the government does not have a formal system to proactively identify trafficking victims among vulnerable populations, so the government did not employ a trafficking-specific official referral process to transfer trafficking victims to institutions that provide short- or long-term care. The government did not provide data on the number of trafficking victims it identified during the reporting period. The ROK government allocated \$10.9 million in funding for victim support facilities to

support victims of all types, including 29 counseling facilities, 10 group homes, and 3 shelters for foreigners, a decrease from the previous year's funding. These shelters provided clients, including trafficking victims, with psychological and medical aid, legal assistance, counseling, and occupational training. Counseling centers subsidized by the central government provided medical and legal aid to trafficking victims. NGOs report that one counseling center and two shelters in the country are exclusively dedicated to foreign victims of sex trafficking. Most other facilities that support foreigners are geared towards women who have married Korean men and subsequently encounter abuse or conditions of forced labor, rather than sex trafficking victims. Most of the shelters are run by NGOs that are partially or fully funded by the government. The government encourages sex trafficking victims to assist in the investigation and prosecution of traffickers. The government provides legal alternatives to the removal of sex trafficking victims to countries where they may face hardship or retribution – primarily through the issuance of G-1 visas or orders of suspension of the victim's departure, though NGOs report some victims are not aware of these options. G-1 visa holders may apply for jobs in Korea, but are not eligible for permanent residency. The government has no record of how many trafficking victims were granted G-1 visas during the reporting period. The ROK government did not penalize victims for unlawful acts committed as a direct result of their being trafficked. The government continued implementing the EPS, a system for recruiting foreign workers through government-to-government agreements, that has eliminated the role of private labor agencies and recruiters, many of which had been found to employ highly exploitative practices – including fraudulent recruitment terms and excessive fees. The Ministry of Labor continued to fund three Migrant Worker Centers to support the needs of foreign contract laborers in the country. During the reporting period, the Labor Ministry increased from 20 to 27 the number of support centers that facilitate recovering unpaid wages.

### Prevention

The ROK government continued anti-trafficking prevention efforts through sex trafficking awareness campaigns. In 2008, the Ministry of Gender Equality allocated \$118,000 to trafficking prevention campaigns and \$45,000 to educational programs in public schools, public agencies, and local governments. The Ministry of Justice continued to run 39 "John schools," requiring that convicted male "clients" of prostitution attend these one-day seminars – in lieu of criminal punishment; 17,956 first-time offenders who were arrested by ROK police in 2008 attended these seminars. The seminars were designed to reduce demand for commercial sex acts and give attendees a greater appreciation for the potential for sex trafficking in Korea's sex trade. Some NGOs criticized the fact that women detained for prostitution were sometimes also required to attend these rehabilitation seminars, along with the male "clients." Some ROK men

reportedly continue to travel to the PRC, the Philippines, Cambodia, Thailand, and elsewhere in Southeast Asia for child sex tourism. In 2008, the government funded an NGO to carry out anti-sex tourism and anti-child sex tourism campaigns at Incheon International Airport. In 2008, the National Assembly revised the Passport Law enabling the ROK government to control more strictly the issuance of passports and to cancel the passports of Koreans convicted of engaging in a variety of illegal acts abroad, including participation in child prostitution. During the reporting period the Ministry of Labor implemented measures to prevent delayed or non-payment of wages, protect underage workers, encourage firms to abide by the minimum wage standards and have all firms sign written contracts with their workers. However, the government has never prosecuted a Korean national for child sex tourism. The ROK government provided anti-trafficking training to troops prior to their deployment abroad on international peacekeeping missions. The Republic of Korea has not ratified the 2000 UN TIP Protocol.

## KOSOVO (Tier 2)

Kosovo is a source, transit, and destination country for women and children trafficked across national borders for the purpose of commercial sexual exploitation. Kosovo women and children are also trafficked within Kosovo for the same purpose. NGOs reported that child trafficking, particularly from Roma communities, for the purpose of forced begging, was an increasing problem. Most foreign victims are young women from Eastern Europe subjected to forced prostitution. Kosovo victims are also trafficked to countries throughout Europe including Macedonia, Italy, and Albania. Kosovo residents, including three children, made up the majority of identified trafficking victims in 2008. Police report that internal trafficking involving Kosovo Serbs may also occur in north Kosovo, a Serb-majority region that presents particular security challenges.

The Government of Kosovo does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government helped fund two NGO anti-trafficking shelters in 2008 and began implementing a new National Action Plan. The government did not adequately investigate and prosecute trafficking offenders, address trafficking-related corruption, and identify trafficking victims.

**Recommendations for Kosovo:** Aggressively investigate, prosecute, convict, and sentence sex and labor trafficking offenders, including public officials complicit in trafficking; increase trafficking-specific training for prosecutors and judges; improve victim protection services to ensure adequate rehabilitation and reintegration for repatriated victims; ensure sustained funding and staffing in shelters; improve victim identification so that victims are not penalized

for unlawful acts committed as a direct result of being trafficked; increase detection of victims of forced begging in Kosovo; and continue trafficking prevention activities, including efforts to reduce the demand for commercial sex acts.

### Prosecution

Kosovo law criminalizes sex and labor trafficking and provides penalties for human trafficking of two to 12 years' imprisonment – penalties that are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. In 2008, the government reportedly prosecuted 24 trafficking cases, resulting in the conviction of 15 sex trafficking offenders. However, due to limited data collection efforts, some of these cases may be conflated with smuggling or other trafficking-related statistics. Sentences for 14 offenders exceeded five years and one conviction resulted in a suspended sentence. The government continued to provide anti-trafficking training for police officers and recruits. While there were no specific reports of trafficking-related complicity among government officials, foreign trafficking victims often arrive in Kosovo with valid documents and employment contracts stamped by municipal authorities; police reports indicate that these local Kosovo officials may be aware that the document holders are trafficking victims.

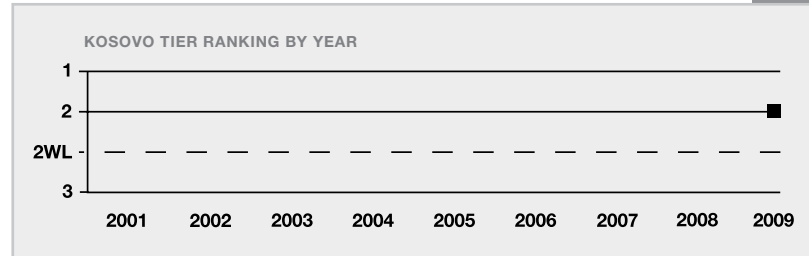
### Protection

The Government of Kosovo made important progress in protecting victims of trafficking in 2008. To help remedy a funding shortfall for the two NGO-run shelters, the government, in cooperation with international donors, provided critical funding totaling \$158,593. The government also provided \$64,786 for the operation of its official shelter for high-risk trafficking victims in 2008. The government reportedly used standard operating procedures when encountering suspected trafficking victims; however, a 2008 OSCE Report indicated that Kosovo officials often do not recognize victims of trafficking and that female victims are sometimes arrested for prostitution offenses, penalized for unlawful acts committed as a result of their being trafficked. The government reported it assisted 24 victims in 2008, a decline from 33 assisted in 2007. The government did not provide any repatriation or reintegration assistance to victims after they left a shelter. The government has procedures in place that allow victims to provide anonymous testimony, though NGOs reported that witness intimidation remained a serious problem in Kosovo. Only two victims assisted in the investigation and prosecution of their traffickers during the reporting period. Victims of trafficking have legal alternatives to removal to countries where they would face hardship or retribution, including the granting of refugee status or approval of residency permits.

### Prevention

The Government of Kosovo improved its prevention efforts during the reporting period. In April 2008, the

government appointed a new anti-trafficking national coordinator and in July 2008 it adopted and began implementation of an anti-trafficking National Strategy and Action Plan. The Government of Kosovo supported numerous educational programs from the primary to university levels to prevent trafficking in 2008. IOM and the Ministry of Justice continued to jointly sponsor anti-trafficking hotlines. Most anti-trafficking campaigns continue to be run by international organizations and NGOs, including a campaign geared to raise awareness about child trafficking, particularly for the purpose of forced begging.



## KUWAIT (Tier 3)

Kuwait is a destination country for men and women trafficked for the purposes of forced labor. The majority of trafficking victims are from among the over 500,000 foreign women recruited for domestic service work in Kuwait. Men and women migrate from Nepal, India, Sri Lanka, the Philippines, Indonesia, Pakistan, and Bangladesh in search of work in the domestic and sanitation industries. Although they migrate willingly to Kuwait, upon arrival some are subjected to conditions of forced labor from their "sponsors" and labor agents, such as withholding of passports, confinement, physical sexual abuse and threats of such abuse or other serious harm, and non-payment of wages with the intent of compelling their continued service. Adult female migrant workers are particularly vulnerable, and consequently are often victims of sexual exploitation and forced prostitution. There have been instances of domestic workers who have fled from their employers, lured by the promise of well-paying service industry jobs, and being coerced into prostitution. In other cases, the terms of employment in Kuwait are wholly different from those agreed to in their home countries.

The Government of Kuwait does not fully comply with the minimum standards for the elimination of trafficking and is not making sufficient efforts to do so. Although the government made some efforts to improve its performance from previous years, heated public discourse and wide press debate on human trafficking have not yet resulted in the implementation of adequate laws. The Kuwaiti government has shown an inability to define trafficking and has demonstrated insufficient political will to address human trafficking adequately. Much of the human trafficking found in Kuwait



involves domestic workers in private residences and the government is reluctant to prosecute Kuwaiti citizens. The Kuwaiti government has made progress on some of the commitments it made in 2007, e.g. by investigating and prosecuting individuals for trafficking-related offenses and by arranging for officials to participate in trafficking-related training. However, the government has not made significant progress in fulfilling other commitments it made in 2007, which included enacting legislation targeting human trafficking and establishing a permanent shelter for victims of trafficking.

**Recommendations for Kuwait:** Enact legislation specifically prohibiting and punishing all human trafficking offenses; develop and expand on anti-trafficking training to law enforcement and judicial officials; establish methods to proactively discern victims of human trafficking, especially among the female domestic worker population; provide a means by which trafficking victims can file claims against their offenders; and join international efforts and activities to discourage the demand for commercial sex acts and sex tourism by Kuwaiti nationals.

### Prosecution

The Government of Kuwait demonstrated some progress in punishing trafficking offenses this year. While existing legislation does not explicitly prohibit trafficking in persons, there are several related offenses which are prohibited by the Kuwaiti Criminal Code. Transnational slavery is prohibited through Article 185 of the criminal code and prescribes a maximum penalty of five years' imprisonment. Article 201, which prohibits forced prostitution, prescribes a maximum sentence of five years' imprisonment if the victim is an adult and seven years if the victim is a minor under the age of 18. These prescribed penalties are sufficiently severe and commensurate with those prescribed for other grave offenses. While the government did not punish any offenders under the specific charge of "human trafficking," it charged 12 individuals with domestic labor abuse and registered 1,762 cases against persons charged with falsifying labor petitions. Kuwaiti law enforcement generally takes an administrative or civil approach in addressing cases of labor exploitation or abuses, such as assessing fines, shutting down employment firms, issuing orders for employers to return withheld passports, or requiring employers to pay back wages.

Police, lawyers and judges have not been adequately trained on trafficking issues, although the Ministry of Social Affairs and Labor (MOSAL) and the Ministry of Interior (MOI) sent a small group of officers for training by IOM on human trafficking in Bahrain. In addition, the Kuwaiti government recently committed to funding anti-trafficking training for 15 to 20 police officers to be provided by IOM.

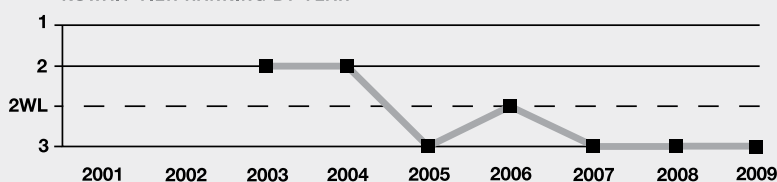
### Protection

During the year, Kuwait made minimal efforts to improve protection for victims of trafficking. In September 2007, the government opened a temporary shelter for female victims of forced labor. The shelter has a maximum capacity of 40 and is intended to provide medical, psychological and legal services. During its first full year of operation, 279 domestic workers—the group most vulnerable to trafficking and abuse—entered and departed the shelter. There is, to date, no shelter available for male migrant workers. In 2007, the government proposed opening a larger shelter that would be able to accommodate up to 700 men and women. An existing building was finally selected in 2008 to serve as the shelter and \$2.5 million was allocated toward its refurbishment. Final authorization from the Council of Ministers is necessary before the funds can be disbursed and refurbishment of the building can begin; as of this writing the shelter had not yet been opened. The government continues to lack a formal procedure for the systematic identification and protection of trafficking victims among vulnerable populations, such as foreign workers arrested without proper identity documents and women forced into prostitution. Government authorities do not encourage victims to participate in the investigation or prosecution of their traffickers. In July 2008, Kuwaiti law enforcement responded with force to protests and riots by an estimated 80,000 Bangladeshi workers complaining of non-payment of wages and abuses; the government made no discernable effort to identify trafficking victims among the 80,000 or investigate their complaints related to forced labor; instead, hundreds of the workers were summarily deported to Bangladesh. The government responded to some of the protesting workers by offering them reimbursement of unpaid wages.

### Prevention

Kuwait made minimal efforts to prevent trafficking in persons this year. Throughout September 2008, the Ministry of Awqaf and Islamic Affairs organized a series of lectures in mosques throughout Kuwait in which imams discussed the rights of domestic workers according to Islam. In April 2008, Kuwait established a Human Rights Commission, which meets once a month to discuss such issues, though there has been no indication of actions or decisions from these meetings. The government did not take any steps to address child sex tourism among Kuwait citizens traveling abroad or efforts to reduce the demand for commercial sexual acts within Kuwait.

KUWAIT TIER RANKING BY YEAR



## KYRGYZ REPUBLIC (TIER 2)

The Kyrgyz Republic is a source, transit, and to a lesser extent, a destination country for men and women trafficked from Uzbekistan, Tajikistan, Turkmenistan, and South Asia for purposes of forced labor and commercial sexual exploitation. Men and women are trafficked to Kazakhstan and Russia for the purpose of forced labor in the agricultural, construction, and textile industries. Kyrgyz and foreign women are trafficked to the U.A.E, Kazakhstan, China, South Korea, Turkey, Greece, Cyprus, Thailand, Germany, and Syria for commercial sexual exploitation. The city of Osh is a growing destination for women trafficked from Uzbekistan for the purpose of commercial sexual exploitation.

The Government of the Kyrgyz Republic does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Human trafficking complicity of low-level government officials remained a concern. The government maintained good efforts to protect and assist Kyrgyz labor migrants and potential trafficking victims in key destination countries. In September 2008, the government enacted a new anti-trafficking national action plan.

**Recommendations for Kyrgyz Republic:** Increase efforts to prosecute and convict trafficking offenders and ensure that a majority of convicted trafficking offenders serve time in prison; vigorously investigate, prosecute, convict, and punish government officials complicit in trafficking; continue to improve the collection of trafficking law enforcement data; continue trafficking sensitivity training for police, prosecutors, and judges; continue efforts to repatriate expeditiously Kyrgyz victims found abroad; ensure that victims of trafficking are not punished for acts committed as a direct result of being trafficked; and encourage greater registration of newborns, thereby reducing the number of undocumented persons vulnerable to trafficking.

### Prosecution

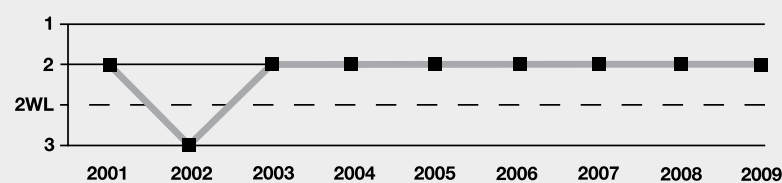
The Kyrgyz government improved its collection of trafficking-specific law enforcement data, although it demonstrated weak law enforcement efforts during the reporting period. The 2005 Law on Prevention and Combating Trafficking in Persons criminalizes trafficking for both sexual exploitation and forced labor and prescribes penalties ranging from 3 to 20 years' imprisonment, which are sufficiently stringent and commensurate with prescribed penalties for other grave crimes, such as rape. In 2008, the government conducted 92 investigations, according to its definition of trafficking – which appears broader than the U.S. Government's definition – an increase from 33 investigations in 2007. The government reportedly prosecuted eight defendants and secured the convictions of six trafficking offenders in 2008. Four of the six convicted trafficking offenders

in 2008 received suspended sentences. Sentences for the other two convicted traffickers ranged from three to eight years' imprisonment. NGOs contend that some low-level law enforcement officials are complicit in human trafficking and accept bribes from traffickers; other low-level police tolerate trafficking due to a lack of awareness. The government reported no efforts to investigate, prosecute, convict, or punish these complicit government officials.

### Protection

The government sustained modest efforts to assist victims during the reporting period. The government and NGOs identified 161 victims of trafficking in 2008, compared to 331 victims identified in 2007. Although the government provided no direct funding for shelter or medical assistance to victims, it continued to provide space for three shelters run by anti-trafficking NGOs. In 2008, 34 of the total 117 victims assisted by NGOs and international organizations were assisted by shelters that received in-kind government assistance. Government officials referred 20 victims to IOM and NGOs for assistance in 2008, a significant increase from four victims so referred in 2007. Victims were encouraged to participate in trafficking investigations and prosecutions. Victims who cooperated with law enforcement investigations were not penalized for crimes committed as a direct result of being trafficked; there were no reports of victims who did not cooperate with law enforcement being penalized during the reporting period. NGOs reported improved efforts by government officials to quickly repatriate Kyrgyz nationals; in previous years, some victims remained in destination countries for several months awaiting the Kyrgyz government's issuance of necessary travel documents.

KYRGYZ REPUBLIC TIER RANKING BY YEAR



### Prevention

Kyrgyzstan maintained its limited human trafficking prevention efforts over the last year. The government continued to publish brochures and leaflets in both Kyrgyz and Russian languages advising Kyrgyz nationals seeking work abroad of the dangers of trafficking and providing the numbers for trafficking assistance hot-lines in several key destination countries. The Kyrgyz government maintained migration offices in six key destination cities in Russia to assist and advise its nationals vulnerable to labor trafficking of their rights

and also provided in-kind assistance to an NGO-run national labor migration hotline that provided legal advice and assistance to potential victims of trafficking.

## LAOS (Tier 2)

Laos is primarily a source country for women and girls trafficked primarily to Thailand for the purposes of commercial sexual exploitation and forced labor as domestic or factory workers. Some Lao men, women, and children migrate to neighboring countries in search of better economic opportunities but are subjected to conditions of forced or bonded labor or forced prostitution after their arrival. Lao men who migrate willingly to Thailand are sometimes subjected to conditions of involuntary servitude in the Thai fishing and construction industry. Women who migrate to Thailand are more likely to rely on recruitment agents and incur debt, increasing their likelihood of becoming trafficking victims. A small number of female citizens were also reportedly trafficked to China to become brides for Chinese men. Ethnic minority populations in Laos are particularly vulnerable to trafficking because of their lack of Thai language skills and unfamiliarity with Thai society. Laos is increasingly a country of transit for Vietnamese, Chinese, and Burmese women destined for Thailand – including trafficked women – due to the construction of new highways and the acceleration of infrastructure projects linking the People’s Republic of China, Vietnam, Thailand, and Cambodia through Laos. There were new reports of Vietnamese women trafficked to Laos by Vietnamese organized crime gangs for forced prostitution in the Vietnamese community. Internal trafficking is also a problem that affects young women and girls who are forced into prostitution in urban areas.

continued to be largely dependent upon the international donor community to fund anti-trafficking activities in the country, though it continued to restrict greatly the activities of NGOs, which impeded progress in anti-trafficking efforts.

**Recommendations for Laos:** Increase efforts to combat internal trafficking, including the prosecution of traffickers and identification of Lao citizens trafficked within the country; create and implement formal victim identification procedures and train police and border officials to identify trafficking victims; increase efforts to combat trafficking-related complicity; implement and support a visible anti-trafficking awareness campaign directed at clients of the sex trade; and improve collaboration with international organizations and civil society to build capacity to combat trafficking in persons.

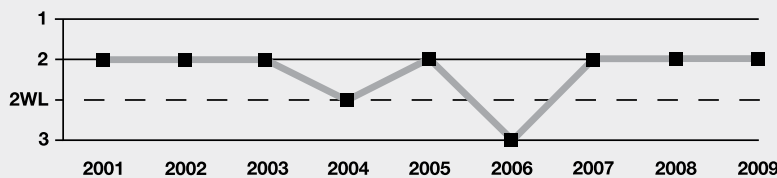
### Prosecution

The Lao government demonstrated some progress in its anti-trafficking law enforcement during the reporting period. Laos prohibits all forms of human trafficking through Penal Code Article 134, which was revised in 2006. The prescribed penalties under Article 134, which are five years to life imprisonment, are sufficiently stringent and commensurate with those punishments prescribed for rape. In 2008, Lao judicial authorities convicted 15 individuals of trafficking. Several sentences imposed on convicted traffickers during 2008 consisted of one year’s imprisonment. An additional 53 cases are currently under investigation. Police corruption, a weak judicial sector and the population’s general distrust of the court system impede anti-trafficking law enforcement efforts. Corruption remains a problem with government officials susceptible to involvement or collusion in trafficking in persons. Observers of trafficking in Laos believe that at the local level, it is almost certain that some officials are involved in facilitating human trafficking, sometimes in collusion with their Thai counterparts. There is also evidence that border officials permit smuggling of all kinds, including of humans. However, no government or law enforcement officials have ever been disciplined or punished for involvement in trafficking in persons. The Lao government collaborated with international organizations and NGOs to increase law enforcement capacity through training for police, investigators, prosecutors, and customs and border officials. Through legal aid clinics, the Lao Bar Association is currently assisting 10 victims of trafficking.

### Protection

The Lao government demonstrated a mixed record in ensuring trafficking victims’ access to protective services during the year. The Ministry of Labor and Social Welfare (MLSW) and Immigration Department continued to cooperate with IOM, the UN Inter-Agency Project on Human Trafficking (UNIAP), and a local NGO to provide victim assistance. The MLSW, with NGO funding, also continued operating a small transit center in Vientiane, where identified victims returning from Thailand remain for one week before returning home. Victims not wanting

LAOS TIER RANKING BY YEAR



The Government of Laos does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the last year, the government increased efforts to investigate trafficking offenses and prosecute and punish trafficking offenders. It also sustained collaboration with international organizations and NGOs to provide training for government and law enforcement officials, repatriate and reintegrate Lao victims, and conduct public awareness campaigns. A severe lack of resources, poor training of officials, and an ongoing corruption problem remain key impediments to the government’s ability to combat trafficking in persons. The government