

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.

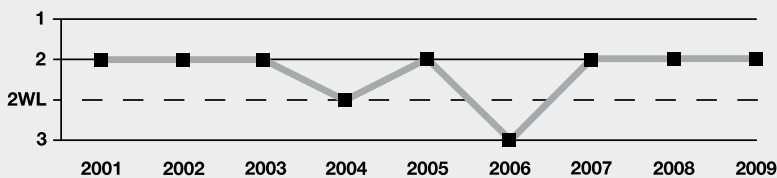
Prosecution

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

to return home are referred to a long-term shelter run by the Lao Women's Union or to a local NGO. Victims repatriated to Laos by Thai authorities are accompanied by case files written in Thai, which Lao officials are sometimes unable to read. The government does not penalize victims for unlawful acts committed as a direct result of their being trafficked. During 2008, 235 formally identified victims of cross-border trafficking were identified in Thailand and repatriated to Laos. The government did not identify any victims of internal trafficking. The government provides medical services, counseling, vocational training, and employment services for victims in its transit shelter in Vientiane. While domestic trafficking victims can also be referred to the transit shelter, there were no victims identified by Lao authorities who stayed in the shelter. During the reporting period, at least two Vietnamese women who were sex trafficking victims were identified by Savannakhet provincial units of the anti-trafficking police, and referred to NGOs for assistance and shelter after being housed in a local prison clinic for two weeks. The government subsequently returned seven Vietnamese sex trafficking victims, including one minor, to the establishment where they had been exploited and government officials withheld their passports after the victims told authorities they did not want to be repatriated to Vietnam. Four of the victims later returned to the police, requesting repatriation assistance. They were repatriated, but Lao authorities refused to follow established Vietnamese procedures meant to ensure the safe and voluntary returns of Vietnamese victims. The government did not prosecute or convict any traffickers in this case and the victims did not agree to testify. Although the government encouraged victims to participate in investigations and prosecutions of trafficking offenders, it did not provide foreign victims legal alternatives for their removal to countries where they may face hardship or retribution (e.g., Vietnam) if they testify, and the Lao government did not offer incentives for foreign victims to participate in court proceedings. The Lao government occasionally provides office space, land for shelters, and staff to assist in monitoring assistance programs run by NGOs and international organizations.

Prevention

The Lao government continued efforts to prevent trafficking in persons with assistance from international organizations and NGOs. With foreign funding, the government sponsored media messages on the dangers of trafficking. Also, in December 2008, the Lao Youth Union held a day-long event with workshops, puppet shows, and plays to address child trafficking. The event was led by the Deputy Prime Minister/Minister of National Defense who spoke about the dangers of trafficking. The Government of Laos demonstrated limited efforts to reduce demand for commercial sex acts through periodic raids of nightclubs and discos used as fronts for commercial sex. Due to the rise in tourism in Laos and the efforts in neighboring countries to crackdown on foreign pedophiles' sexual exploitation of local children, Lao government officials and NGOs estimate that child sex tourism is likely to

grow in Laos. Laos continued a national campaign to publicize the dangers of child sex tourism in the country, which included the training of tourism sector employees to report suspicious behavior and the display of NGO-created public awareness posters in international hotels.

LATVIA (Tier 2 Watch List)

Latvia is a source and destination country for women trafficked for the purposes of commercial sexual exploitation and forced labor. Latvian women are trafficked to Germany, the United Kingdom, the Netherlands, Italy, Spain, Denmark, Switzerland, Greece, Ireland, and Japan for commercial sexual exploitation. Latvian teenage girls are trafficked within the country for the purpose of commercial sexual exploitation. Latvia is a destination country for women trafficked from Belgium and Portugal for the purpose of commercial sexual exploitation and for women from Thailand who may have been trafficked for the purpose of forced labor.

The Government of Latvia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these efforts, the government did not show evidence of progress in prosecuting and punishing trafficking offenders and assisting victims of trafficking; therefore, Latvia is placed on Tier 2 Watch List. During the reporting period, the results of the government's efforts to investigate sex and labor trafficking crimes and prosecute those responsible declined. It also cancelled funding for one NGO that had been providing victim care and it deported three potential victims of labor trafficking before their claims were completely vetted.

Recommendations for Latvia: Provide government-funded assistance to a greater number of trafficking victims; increase efforts to identify victims of trafficking among vulnerable populations, such as women and girls in prostitution, and refer these victims for assistance; ensure law enforcement, border guards, and labor inspectors receive labor trafficking training; ensure that a majority of convicted traffickers serve some time in prison; take steps to expand available victim services to areas outside of Riga; work with NGOs to improve services available to victims of trafficking; and increase efforts to raise awareness about both sex and labor trafficking.

Prosecution

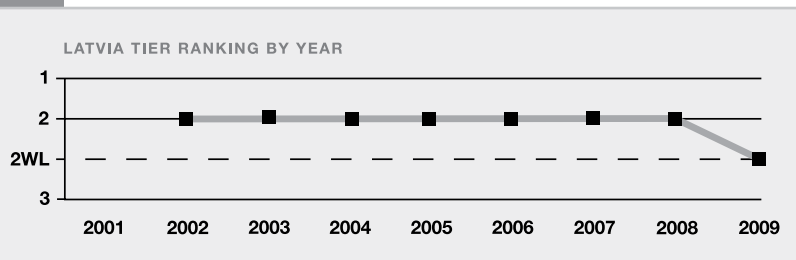
The results of the Government of Latvia's law enforcement efforts decreased in 2008. Latvia prohibits all forms of trafficking through Sections 154-1 and 154-2 of its Criminal Law, which prescribe penalties of three to 15 years' imprisonment. These prescribed penalties are sufficiently stringent and commensurate with penalties prescribed for other grave crimes, such as rape. The government also uses non-trafficking related laws to prosecute traffickers. Authorities initiated 17 trafficking investigations, including at least one case of forced labor, compared to 21 trafficking investigations in 2007.

Authorities prosecuted 15 individuals and convicted 11 traffickers in 2008, a decrease from 28 convictions in 2007. Only three of the 11 trafficking offenders convicted in 2008 are serving time in prison; eight traffickers were given suspended sentences or fines and served no time in prison. One trafficker was sentenced to up to three years' imprisonment and two traffickers were sentenced to five to 10 years' imprisonment. In 2007, seven convicted traffickers served sentences ranging from one to 10 years' imprisonment and 21 traffickers served no time in prison. Despite several labor trafficking cases reported by police in 2008, the government did not try any suspected labor trafficking offenders.

children, women in prostitution, and foreign migrant populations. Twenty-one out of 28 victims identified in 2008 were Latvian women trafficked abroad; seven of these identified victims were exploited in Latvia. The government encouraged victims to participate in investigations against their traffickers; in 2008, 14 victims assisted with law enforcement investigations. One trafficking victim benefited from the government's witness protection program. The government did not penalize victims for unlawful acts committed as a direct result of their being trafficked.

Prevention

Latvia again demonstrated modest efforts to prevent trafficking in persons during the reporting period. The Ministry of Education placed human trafficking as an education topic in the human rights curriculum of all high schools in Latvia. The government funded and the Latvian State Tourism Agency distributed information sheets and travel guides for tourists that included information designed to discourage sex tourism in Latvia.



Protection

The government demonstrated mixed efforts to assist victims during the reporting period. Although the government increased the total amount of money spent for victim assistance, the number of victims provided with government-funded assistance remained the same; the government discontinued funding for all but one anti-trafficking NGO operating in the country during the reporting period, reducing Latvia's overall ability to identify and assist victims of trafficking. The Government of Latvia spent \$58,500 of \$81,000 budgeted for victim assistance in 2008, an increase from \$23,000 spent in 2007. However, only 12 of 28 identified victims of trafficking qualified for government-funded assistance due to a cumbersome application process; the remaining 16 victims received assistance from privately funded NGOs. The government offered foreign victims temporary legal alternatives to their removal to countries where they may face hardship or retribution; victims who agree to assist law enforcement may apply for temporary residency and work permits. No victims applied for or received the 30-day reflection period during the reporting period. The residency permits of three Thai women, initially identified as trafficking victims, were abruptly terminated after the victims' alleged traffickers requested that the government cancel their work permits. The victims were quickly deported and the police stopped their investigation into their allegations of forced labor. The government identified and referred 17 victims to NGOs for assistance in 2008, compared to 10 in 2007; however, the NGO community expressed concerns that victim-screening mechanisms used by law enforcement did not adequately identify victims of trafficking from vulnerable populations living in Latvia including street

LEBANON (Tier 2 Watch List)

Lebanon is a destination for Asian and African women trafficked for the purpose of domestic servitude, and for women from Eastern Europe and the former Soviet Union trafficked for the purpose of commercial sexual exploitation. Lebanese children are trafficked within the country for the purposes of forced labor (mostly street vending) and sexual exploitation. Women from Sri Lanka, the Philippines, and Ethiopia who travel to Lebanon legally to work as household servants often find themselves in conditions of forced labor through withholding of passports, non-payment of wages, restrictions on movement, threats, and physical or sexual assault. In some cases, employers have kept foreign domestic workers confined in houses for years. Reports from NGOs indicate that 15 percent of foreign domestic workers encounter physical abuse from their employers, a potential indicator of involuntary domestic servitude.

In April 2008, the Ethiopian government banned its nationals from traveling to Lebanon to work as household maids for numerous cultural and socio-economic reasons, but also because of some incidents of mistreatment, including physical abuse, rape, and murder. The Philippines government lifted a similar ban on its nationals traveling to Lebanon for work in March 2009. The Lebanese government's "artist" work permit program, which facilitates entry of women from Eastern Europe and the former Soviet Union to work in the adult entertainment industry, serves to sustain a significant sex trade and facilitates sex trafficking. Some women are reportedly held in debt bondage, receiving little or no income until the employer has forced the women to repay fraudulently imposed debts allegedly associated with the cost of their recruitment, transportation, and employment.

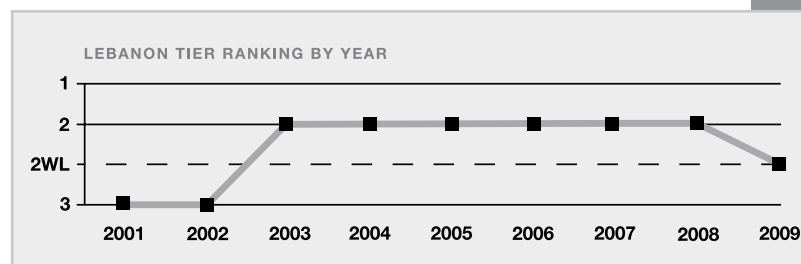
The Government of Lebanon does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these efforts, the government failed to show significant progress in identifying foreign victims of trafficking – particularly victims of domestic servitude – and punishing their exploiters. Nonetheless, it cooperated with NGOs, namely Caritas, by referring eight victims to Caritas in 2008. In October 2008, the Ministry of Justice, in cooperation with UNODC, launched a national report on trafficking in persons and committed to undertake efforts to combat trafficking. The assessment revealed a number of policies and practices that contribute to the phenomenon of trafficking in Lebanon. While the report represents a step forward in recognizing and bringing to light the nature of the problem, it may underestimate the overall magnitude of Lebanon’s human trafficking problem – particularly with regard to domestic servitude.

Recommendations for Lebanon: Criminalize all forms of trafficking in persons; investigate and prosecute trafficking offenses under existing law and convict and punish trafficking offenders; develop and institute formal procedures to identify victims of trafficking among vulnerable populations, such as women holding “artist” work permits and foreign domestic workers who have escaped from abusive employers; consider measures to lessen the abuse of the “artist” work permit as a conduit for sex trafficking; enforce Lebanese law prohibiting the confiscation of passports of foreign maids; implement the March 2009 Labor Code revision that provides a unified contract; and ensure that victims of trafficking are referred to protection services rather than detained for crimes committed as a direct result of being trafficked, such as immigration violations and prostitution.

Prosecution

Lebanon made modest but insufficient efforts to prosecute or punish trafficking offenses during the reporting period. Although trafficking is not defined as a crime in Lebanese law, some trafficking-related offenses are codified in the criminal code, including commercial sexual exploitation, depriving a person of his or her freedom, and use of documents belonging to another person. The prescribed penalties for commercial sexual exploitation – a maximum of two years’ imprisonment – and forced prostitution – a minimum of one year’s imprisonment – are not commensurate with those prescribed for other grave crimes, such as rape. Penalties for other forms of trafficking are not sufficiently stringent: temporary hard labor is prescribed for the offense of depriving a person of freedom. During the past year, five cases were reported of foreign household servants who had been victims of violence, insufficient payment of salary, and withholding of passports; these may have constituted trafficking. In one case of rape of a domestic worker, an employer was prosecuted, convicted, and sentenced to five years’ imprisonment and ordered to pay the victim compensation. Other cases involved financial

compensation and/or two-month prison sentences. The Ministry of Labor closed down two employment agencies for violation of workers’ rights, including physical abuse. The General Security reported 47 complaints of physical abuse, rape, and withheld earnings of foreign women working in adult clubs in 2008 – complaints that may have involved conditions of involuntary servitude. Most were settled out of court and the victims deported. These cases were hampered by a lack of resources, court backlogs, corruption, cultural biases against foreign women, bureaucratic indifference and inefficiency, difficulty proving cases of reported abuse, and victims’ lack of knowledge of their rights. Given the significant hurdles to pursuing criminal complaints in the Lebanese court system, and in the absence of alternate legal recourse, many foreign victims opted for quick administrative settlements followed by mandatory repatriation.



Protection

The Government of Lebanon did not make sufficient efforts to protect victims of trafficking during the reporting period. The government did not provide trafficking victims with any services directly; only an NGO, funded by a foreign donor, provided shelter to foreign victims of involuntary domestic servitude. However, this NGO has a Memorandum of Understanding with the Government of Lebanon, which stipulates that the government will cooperate with the NGO by referring trafficking victims to the shelter. The government also provides security for the shelter and protects the location’s whereabouts as requested by the NGO. That NGO provided shelter for 92 victims of trafficking in 2008. The government did not employ formal procedures to identify and refer victims of trafficking, although some victims are referred informally to NGOs for assistance. Moreover, the government pursued policies and practices that significantly harmed foreign victims of trafficking. For example, authorities required that women recruited for prostitution under its “artist” work permit program be confined in hotels for most of the day and summarily deported them if they complained of mistreatment. Similarly, the government regularly detained and deported foreign domestic workers who left their employers and did not have valid residency and work permits, without attempting to determine if any were victims of forced labor. Previously, domestic workers signed a contract with an employment agency before

leaving their home country and signed a second contract in Arabic upon arrival in Lebanon, a language they may not understand, and on terms that may not be consistent with initial contract. The new unified contract provided in the March 2009 amendment to Lebanon's Labor Code is printed in nine languages and provided to prospective employees in their home countries; domestic workers now sign the same contract, in their native language, upon arrival in Lebanon. It is common practice for employers to force a domestic worker who breaks his or her contract to repay residency and work permit fees, or pay for a paper releasing him or her from their contract; there is no exception for workers who break their contracts due to employers' abuse. Victims were neither encouraged to participate in trials, nor offered legal alternatives to removal to countries where they would face hardship or retribution. Rather, the government often deported victims to their countries of origin before giving them the opportunity to testify against their traffickers.

Prevention

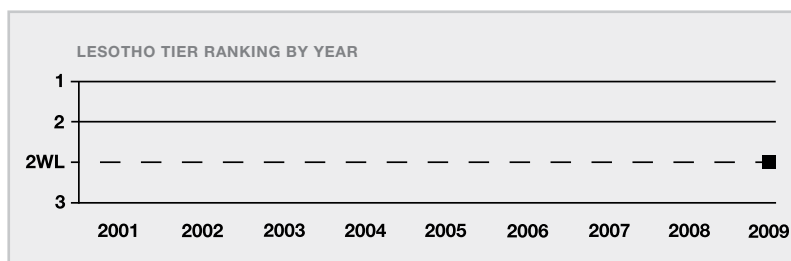
Lebanon made minimal efforts to prevent trafficking in persons over the last year. In February 2009, the Ministry of Labor published a unified contract to be used by all employment agencies hiring domestic workers locally or overseas; the contract regulates working hours and stipulates that workers be given days off for vacations and holidays. During 2008, 50 members of the armed forces and law enforcement officials participated in training conducted by an NGO on basic awareness of human rights, migrant workers' rights, and trafficking issues. In addition, the Ministry of Labor conducted routine training courses for its inspectors, although the Ministry has limited jurisdiction in cases of household employment. Aside from the introduction of the aforementioned unified contract for domestic workers, the government did not take additional steps to reduce the demand for domestic servitude or commercial sex acts in Lebanon during the reporting period. The government similarly did not institute a public awareness campaign targeting citizens traveling to known child sex tourism destinations.

LESOTHO (Tier 2 Watch List)

Lesotho is a source country for women and children trafficked for the purposes of sexual exploitation and forced labor. Victims are trafficked internally and to South Africa for domestic work, farm labor, and commercial sexual exploitation. Women and girls are also brought to South Africa for forced marriages in remote villages. Nigerian traffickers acquire Basotho victims for involuntary servitude in households of Nigerian families living in London. Chinese organized crime units acquire victims while transiting Lesotho and traffic them to Johannesburg, where they "distribute" them locally or

traffic them overseas. Identified traffickers in Lesotho tend to be white, Afrikaans-speaking men and long-distance truck drivers. Women and children attempting to support families affected by HIV/AIDS and Basotho looking for better employment prospects in South Africa are most likely to be lured by a trafficker's fraudulent offer for a legitimate job.

The Government of Lesotho does not 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 has not demonstrated progress in combating human trafficking through effective law enforcement; therefore, Lesotho is placed on Tier 2 Watch List. A program to train officers in several law enforcement agencies to identify trafficking situations as part of a general strategy to improve law enforcement has not yet resulted in any trafficking related arrests or prosecutions. Officials increased some anti-trafficking efforts, especially in raising the public's awareness of the risks of trafficking, even as most of their limited resources were directed at addressing the country's debilitating HIV/AIDS pandemic.



Recommendations for Lesotho: Enact a comprehensive law prohibiting all forms of human trafficking; collect data on victims identified and assisted, trafficking offenses investigated and prosecuted, and trafficking offenders convicted and punished; ensure that victims are not inappropriately punished for acts committed as a direct result of being trafficked; provide increased training, possibly in conjunction with NGOs, to law enforcement officers in victim identification, particularly at border points; provide shelter and services to victims of trafficking, possibly in collaboration with international organizations and NGOs; and increase efforts to raise public awareness of trafficking.

Prosecution

The government did not increase its law enforcement efforts during the past year. Lesotho has no comprehensive anti-trafficking law, which hinders the government's ability to address human trafficking. Slavery and forced labor are constitutionally prohibited. Existing laws governing abduction, kidnapping, labor exploitation, immigration and sexual abuse of children were used to prosecute trafficking-related crimes in the past. The Child Protection Act of 1980, the Sexual Offenses Act of 2003, the Common Law, and the Labor Code Order

of 1981, as amended, prescribe penalties of at least five years' imprisonment for trafficking crimes, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes. The Child Protection and Welfare Bill, drafted in 2005, defines child trafficking and prescribes penalties of 20 years' imprisonment for convicted offenders. This bill is currently under final review with the Office of the Attorney General. No current or draft laws specifically penalize the trafficking of adults. The government did not provide data on trafficking prosecutions or convictions in the past year. Other sources stated that investigations of trafficking-related situations are rare because trafficking is not specifically defined as a crime under existing laws, and law enforcement resources and capacity are limited. Some police and customs officers and members of the Lesotho Mounted Police Services' Child and Gender Protection Unit (CGPU) received training on detecting and curbing a range of illegal activities at border posts, including human trafficking. Law enforcement officers did not proactively identify trafficking victims among vulnerable populations such as women and children in prostitution or illegal migrants, and have not been adequately trained to recognize victims they may encounter as part of their normal duties.

Protection

The Lesotho government took inadequate steps to protect victims of trafficking over the last year. Officials did not proactively identify victims, and have no formal mechanism for referring victims to service providers. Lesotho has no care facilities specifically for trafficking victims. Orphanages supported by the Government of Lesotho and NGOs are available to provide some services to children identified as victims of trafficking. The CGPU staff provided counseling to women and children who are victims of abuse, including some who were possibly trafficking victims. Existing law does not protect victims from prosecution for offenses committed as a direct result of being trafficked. Information is not available on whether authorities encouraged or would encourage victims to participate in anti-trafficking investigations and prosecutions. The law also did not provide foreign victims of trafficking with alternatives to their removal to countries where they may face hardship or retribution.

Prevention

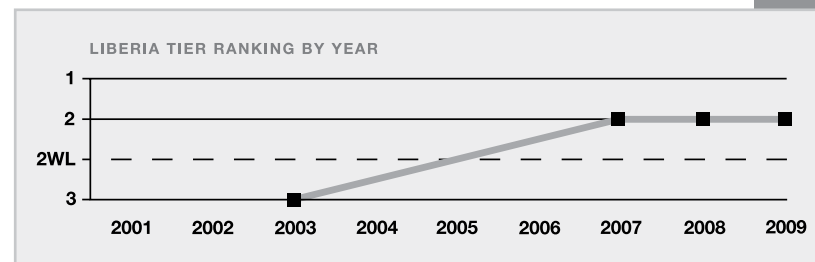
The government modestly increased its efforts to prevent trafficking during the year. Immigration authorities monitored border crossings for indications of transnational crimes such as smuggling and kidnapping, and received basic training in detecting potential trafficking situations. Police raised public awareness of human trafficking through radio programs and brochures explaining what trafficking is and how to identify it. The government also encouraged the public to report instances of rape, physical abuse, and sexual harassment, including potential sex trafficking situations, and began an associated increase in telephone access in rural areas.

In an ongoing partnership with NGOs, the CGPU trained 250 children and 70 parents how to report possible child abuse, including suspected incidents of child sex and labor trafficking. A committee composed of several government ministries and the CGPU of the police had nominal responsibility for coordinating policy on trafficking but was not active during 2008 and early 2009. The government's ongoing, incremental implementation of tuition-free primary education expanded compulsory school enrollment and attendance in an effort to identify all school-aged children, prevent inappropriate child labor, and reduce children's vulnerability to trafficking and other crimes.

LIBERIA (Tier 2)

Liberia is a source, transit, and destination country for children and women trafficked for the purposes of forced labor and commercial sexual exploitation. Most victims are trafficked within the country, primarily from rural to urban areas for domestic servitude, forced street vending, forced begging by religious instructors and sexual exploitation in brothels or private apartments. Children may also be trafficked for labor on rubber plantations and in alluvial diamond mines. Some children in Liberia are subjected to sexual exploitation by international peacekeeping troops and personnel from international organizations. A January 2009 UN report indicates, however, that such abuses are declining. Internationally, children are trafficked to Liberia from Sierra Leone, Guinea, and Cote d'Ivoire and from Liberia to Cote d'Ivoire, Guinea, and Nigeria for domestic servitude, street vending, sexual exploitation, agricultural labor, and forced begging.

Liberia continues to struggle to rebuild after 14 years of civil conflict that crippled the nation's economy and institutions and increased the vulnerability of children to being trafficked. During its period of reconstruction, Liberia has taken some steps to address trafficking, but more needs to be done.



The Government of Liberia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so, despite limited resources. Although the government made limited progress in its efforts to combat trafficking through law enforcement and victim protection measures, its overall anti-trafficking performance remained low.

Recommendations for Liberia: Increase efforts to prosecute and punish trafficking offenders; allocate increased funding for basic anti-trafficking law enforcement and victim protection needs; combat the trafficking complicity of government personnel in the criminal justice system; educate judges about the law prohibiting trafficking; and increase efforts to educate the public about trafficking.

Prosecution

The Government of Liberia demonstrated slightly increased law enforcement efforts to combat trafficking over the last year. Liberia's 2005 Act to Ban Trafficking prohibits all forms of trafficking, prescribing a minimum penalty of one year's imprisonment for labor trafficking of adults, six years' imprisonment for child labor trafficking, and 11 to 16 years' imprisonment for child sex trafficking. These penalties are sufficiently stringent and commensurate with other grave crimes, such as rape. No trafficking offenders have yet been convicted or sentenced under this law. The government reported investigating 18 cases of trafficking and arresting nine suspects. Four child trafficking suspects are being tried and five are awaiting trial. During the year, the government extradited two traffickers to Guinea. The criminal justice system remains handicapped by shortages in human and material resources: police lacked vehicles to respond to trafficking reports, and courts lacked prosecutors. Police officers were sometimes required to play the role of prosecutor, and judges were often unaware of the law against trafficking. NGO reports also indicate that police, many of whom are poorly or infrequently paid, asked victims for compensation in exchange for bringing charges against suspected traffickers. Moreover, trafficking suspects reportedly bribed police in return for the dropping of criminal charges. The government adopted a revised national action plan to combat trafficking that expands the role of the National Human Trafficking Task Force, which had previously focused on awareness-raising, in investigating and prosecuting trafficking crimes. Established in 2006, the Task Force is chaired by the Ministry of Labor (MOL) and consists of government ministries, the Inspector General of Police, and the Commissioner of Immigration. Implementing this plan, in late 2008, Task Force members, including representatives from the Ministries of Labor and Health, accompanied the Liberia National Police on trafficking investigations of religious schools where children are often subjected to forced begging. An MOL attorney, whose position is funded by a donor, also accompanied government officials to court to provide guidance in prosecuting trafficking offenders during the year. Through the Joint Program on Sexual and Gender-based Violence, developed by the government and the UN in June 2008, a court was established to address sexual and gender-based violence offences, including sexually exploitive activities by peacekeepers.

Protection

Liberia demonstrated minimal efforts to protect trafficking victims during the year. The government did not operate its own victim shelters or provide direct assistance to victims due to resource constraints. The Liberian National Police rescued 50 Liberian, Sierra Leonean, and Guinean children from a religious school in Lofa, where they were being forced to beg. Police referred the children to an NGO-operated safe house for care and the government has shut down the school. Immigration officials worked with the Task Force to ensure the entry back into Liberia of a 17-year-old male victim, who was repatriated from Niger. Once back in Liberia, the Ministry of Health reunited him with his family. The government worked with Guinean officials to repatriate a child victim back to Guinea.

The MOL used its operational funds to provide training for government immigration officials, police commanders, and the Police Women and Children Protection Section in identifying victims. The government did not encourage victims, all of whom are children, to assist in trafficking investigations or prosecutions. Law enforcement officials did not employ formal procedures for identifying trafficking victims among females in prostitution. The government did not provide legal alternatives to the removal of foreign victims to countries where they might have faced hardship or retribution. Victims were not, however, inappropriately incarcerated, fined or otherwise penalized for unlawful acts committed as a direct result of being trafficked.

Prevention

The Government of Liberia made modest efforts to educate the public about trafficking. The MOL conducted multiple anti-trafficking awareness campaigns aimed primarily at parents and community leaders during the year, the majority of which it funded. The National Human Trafficking Task Force continued to raise awareness about trafficking through radio broadcasts funded by the MOL and broadcast on UN-donated air time. In an effort funded by the MOL and NGOs, the Task Force also went into local communities to hold one-day workshops to explain the effects of trafficking on communities. The Task Force met monthly and more frequently if required by newly developed cases. The government did not take steps to reduce demand for forced labor or for commercial sex acts.

LIBYA (Tier 2 Watch List)

Libya is a transit and destination country for men and women from sub-Saharan Africa and Asia trafficked for the purposes of forced labor and commercial sexual exploitation. Migrants typically seek employment in Libya as laborers and domestic employees or transit Libya en route to Europe. Both migrants and trafficking victims are routinely smuggled through Libya to Europe,

especially to or through Italy and Malta, en route to various locations on the continent. Libya's migrant population of 1.5 to 2 million represents about one-third of its overall population. Although precise figures are unavailable, foreign observers estimate that one-half to one percent of foreigners (i.e., up to 20,000 people) may be victims of trafficking. In some cases, smuggling debts and illegal status leave migrants vulnerable to coercion, resulting in cases of forced prostitution and forced labor; employers of irregular migrants sometimes withhold payment or travel documents. As in previous years, there were reports that women from sub-Saharan Africa were trafficked to Libya for the purposes of commercial sexual exploitation. In May 2008, Nigerian officials arrested one of their nationals, a resident of Libya, and rescued 21 young women who they claimed were being trafficked for the purpose of prostitution in Europe after paying the trafficker fees to work as maids in Libya.

The Government of Libya 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 investigating and prosecuting trafficking offenses and protecting trafficking victims; Libya is therefore placed on Tier 2 Watch List.

Recommendations for Libya: Criminalize all forms of trafficking; increase law enforcement efforts to investigate and prosecute trafficking offenses; increase training of government officials to identify and provide protection to victims; develop a program to assist victims; and undertake an information campaign to raise public awareness of the problem of human trafficking.

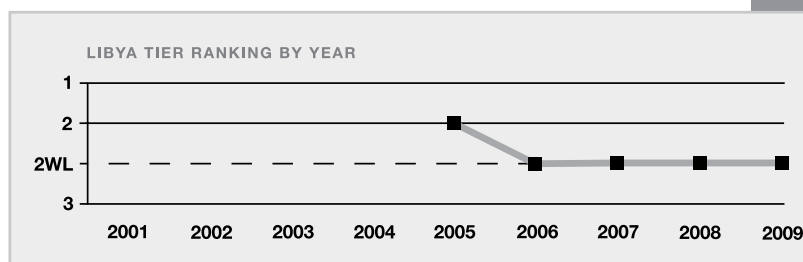
Prosecution

The government did not publicly release statistics on investigations or prosecutions of trafficking offenses or convictions of trafficking offenders in 2008. Press reports indicated that some traffickers were tried under other criminal statutes, though the disposition of those cases is unknown. Although Libya does not have a single law specifically prohibiting trafficking in persons, it does have laws criminalizing prostitution and sexual exploitation, which could be used to prosecute sex trafficking offenses, but there were no indications that the government did so. The 1970 labor law does not criminalize forced labor, but penalizes some exploitative labor practices, including holding an employee's passport. There is no evidence of government involvement in or tolerance of trafficking at any level.

Protection

The government took minimal steps to improve the protection of trafficking victims during the reporting period. Using established procedures, law enforcement officials collaborated with IOM and UNHCR to screen for evidence of trafficking among populations of refugees and migrants, focusing particularly on individuals who

appeared to be traveling on fraudulent documents or claiming a nationality other than their own. In some migrant detention centers, an unknown number of migrants identified as potential victims were referred to NGOs and international organizations for ad hoc medical care and counseling; the government lacked a formal victim referral mechanism and legal services were unavailable to victims. The government did not actively encourage victims to participate in the investigation and prosecution of trafficking offenders. Like irregular migrants, trafficking victims may be susceptible to deportation or punishment for unlawful presence in Libya as a result of being trafficked.



Prevention

Public awareness of human trafficking as a phenomenon distinct from illegal immigration and smuggling is low in Libya, including among government officials. During the reporting period, the government did not conduct any anti-trafficking public information campaigns. The government, however, supported a series of workshops for law enforcement officials and NGOs to raise awareness of human trafficking. During the year, the government provided in-kind assistance to IOM, including facilities, translation services, and transportation costs, which allowed IOM to provide anti-trafficking public awareness campaigns and law enforcement training to a larger audience than initially budgeted. No information was available on measures to reduce the demand for commercial sex acts, or to prevent possible child sex tourism committed abroad by Libyan nationals. The government collaborated with IOM to conduct anti-smuggling and anti-trafficking campaigns targeted to the irregular migrant community.

LITHUANIA (Tier 1)

Lithuania is a source, transit, and destination country for women and children trafficked for the purpose of commercial sexual exploitation. One estimate concluded that approximately 20 percent of Lithuanian trafficking victims are underage girls. Lithuanian women are trafficked within the country and to the United Kingdom, Germany, the Netherlands, Greece, Italy, France, and the Czech Republic for the purpose of forced prostitution. Women from Belarus are trafficked to Lithuania for the same purpose.

The Government of Lithuania fully complies with the minimum standards for the elimination of trafficking. In 2008, the government increased victim assistance funding to \$150,000, demonstrated strong law enforcement efforts, and increased the number of victims referred by law enforcement personnel for assistance. It also ensured that a majority of convicted traffickers served significant time in prison.

Recommendations for Lithuania: Train relevant law enforcement personnel to improve efforts to identify and investigate human trafficking offenses, including labor trafficking; provide trafficking awareness and prevention training for peacekeepers deployed abroad; and continue to ensure a majority of convicted traffickers serve some time in prison.

Prosecution

The Government of Lithuania sustained its anti-trafficking law enforcement efforts during the reporting period. Lithuania prohibits all forms of trafficking through Article 147 of its criminal code, which prescribes penalties ranging from probation to 15 years' imprisonment. These penalties are sufficiently stringent and commensurate with penalties prescribed for other grave crimes, such as rape. In 2008, authorities initiated 16 sex trafficking investigations and three labor trafficking investigations, up from a total of nine investigations in 2007. Authorities prosecuted 20 defendants for sex trafficking during the reporting period, compared to eight defendants prosecuted in 2007. In 2008, 13 trafficking offenders were convicted, a significant increase from four convictions in 2007. Ten convicted traffickers were given sentences ranging from two to eight years' imprisonment, while three traffickers were given no time in prison.

male victims of trafficking have requested shelter. The government encouraged victims to assist in trafficking investigations and prosecutions; in 2008, twenty-five Lithuanian victims assisted with trafficking investigations and prosecutions. Foreign victims who participated in court proceedings were eligible for temporary residency and work permits. Identified victims were not penalized for unlawful acts committed as a direct result of their being trafficked; however, some victims who were not properly identified may have been fined for prostitution offenses. During the reporting period, the Ministry of Foreign Affairs assisted 17 Lithuanian victims identified abroad by referring them to local NGOs for assistance and provided funding for their repatriation to Lithuania.

Prevention

Lithuania demonstrated some efforts to prevent trafficking during the reporting period. For example, the government funded an education campaign targeted at children and adolescents in seven towns across the country; the campaign focused on targeting both potential victims of trafficking and also potential future clients of the sex trade.

LUXEMBOURG (Tier 1)

Luxembourg is a destination country for women trafficked primarily from Russia and Ukraine for the purpose of commercial sexual exploitation. An increasing number of women from Africa, primarily Nigeria, are engaged in prostitution in the country, and are particularly vulnerable to trafficking due to debts they incur in the process of migrating – legally or illegally – to Luxembourg. The government and NGOs did not identify any cases of forced labor during the reporting period.

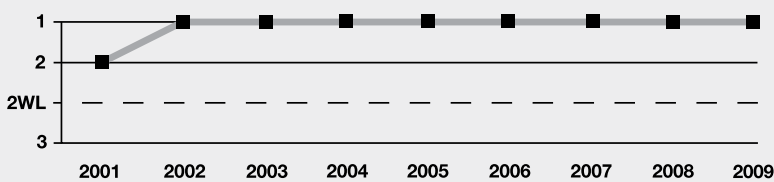
The Government of Luxembourg fully complies with the minimum standards for the elimination of trafficking. The government enacted additional anti-trafficking legislation and funded a sex trafficking demand reduction campaign during the reporting period. While formalized victim identification and referral procedures remained lacking, the government established a 90-day reflection period for victims in 2008.

Recommendations for Luxembourg: Establish formal procedures to identify victims among vulnerable groups, such as women in the legal commercial sex trade and illegal migrants, and to refer these victims to available services; ensure there are adequate protection facilities in place for all trafficking victims, including victims of forced labor, and child and male victims; and launch an awareness campaign to educate authorities and the general public about forms of labor trafficking.

Prosecution

The Government of Luxembourg demonstrated progress in the prosecution of trafficking crimes during the reporting period. In February 2009, the government adopted long-awaited amendments to its penal code

LITHUANIA TIER RANKING BY YEAR



Protection

The Lithuanian Government continued to improve its protection of trafficking victims. Law enforcement identified 86 trafficking victims and referred them to NGOs for assistance in 2008, compared with 56 victims referred in 2007. In 2008, the government provided approximately \$150,000 to 13 anti-trafficking NGOs to conduct victim assistance and rehabilitation, including vocational training and job placement for victims, compared to \$144,000 in 2007. Adult female and minor victims were provided shelter in domestic violence shelters. Male victims of trafficking could be housed at community crisis centers, although to date no

that distinguish human trafficking from smuggling or illegal migration and broaden the definition of human trafficking to include forced labor. Penalties prescribed in the new legislation increased from a maximum prison term of three years, to a range of five to 10 years' imprisonment. These penalties are sufficiently stringent and commensurate with penalties prescribed for other grave crimes. There were seven prosecutions and convictions of sex trafficking offenders during the reporting period, compared with six from the previous year. Sentences ranged from three months' imprisonment with fines to three years' imprisonment with fines. The majority of trafficking offenders were sentenced to two years' imprisonment or more. The government continued its ongoing training of police, immigration, and other government officials and NGOs on victim identification. There was no evidence of trafficking complicity by Luxembourg public officials during the year.

employ a formal referral mechanism for authorities to use when referring victims to available services.

Prevention

The government made some progress in its efforts to prevent trafficking during the reporting period. It launched a sex trafficking public awareness campaign at bus stops. In addition, the Ministry of Equal Opportunity funded a sex trafficking demand reduction poster campaign bearing the slogan, "If you hire a prostitute, you are financing human trafficking." The government did not report any child sex tourism prosecutions or prevention efforts during the reporting period.

MACAU (Tier 2)

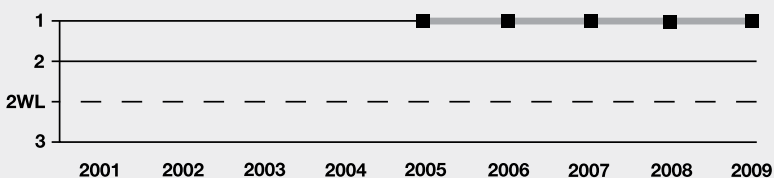
Macau is primarily a destination for the trafficking of women and girls from the Chinese mainland, Mongolia, Russia, Philippines, Thailand, Vietnam, Burma, and Central Asia for the purpose of commercial sexual exploitation. Most victims are from inland Chinese provinces who migrate to the border province of Guangdong in search of employment, where they fall prey to false advertisements for jobs in Macau. Foreign and mainland Chinese women and girls are deceived into migrating voluntarily to the Macau Special Administrative Region (MSAR) for employment opportunities in casinos, as

dancers, or other types of legitimate employment; upon arrival in Macau, some of the victims are passed to local organized crime groups, held captive, and forced into sexual servitude. Chinese, Russian, and Thai criminal syndicates are sometimes involved in bringing women into Macau for its legalized prostitution industry. Victims are sometimes confined in massage parlors and illegal but widely tolerated brothels, where they are closely monitored, have their identity documents confiscated, are forced to work long hours, or are threatened with violence. The control of some victims by organized crime syndicates makes it particularly dangerous for them to seek help. More rarely, Macau is also a source territory for women and girls trafficked elsewhere in Asia for commercial sexual exploitation.

The MSAR does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government passed a comprehensive anti-trafficking law and began to provide shelter, counseling, and medical and financial assistance to trafficking victims. Nevertheless, overall efforts to investigate and prosecute traffickers, particularly those involved in organized crime, remain inadequate. Victim identification and protection efforts also need improvement. Macau has the resources and government infrastructure to make greater efforts in addressing trafficking in persons.

Recommendations for the Macau Special Administrative Region: Push for greater investigations

LUXEMBOURG TIER RANKING BY YEAR



Protection

The government made some additional progress in protecting trafficking victims during the reporting period. The government adopted immigration legislation in 2008 that provides human trafficking victims with relief from deportation through the granting of temporary residence status for a 90-day reflection period. The government did not provide long-term shelter or housing benefits for victims of trafficking. The government encourages victims to participate in the investigation and prosecution of trafficking offenders during the reflection period, though the granting of the reflection period is not conditional on victims' cooperation with authorities. The government worked with neighboring countries on a witness protection plan for two trafficking victims during the reporting period. The government also funded two NGOs providing services for women in distress that also serve female human trafficking victims. Child victims of trafficking were placed in a general shelter for juveniles that offered specialized services for trafficking victims. The government has a stated policy of ensuring that victims are not punished for unlawful acts committed as a direct result of their being trafficked; it is unclear whether all women in prostitution who are in the country illegally are checked for trafficking indicators before being deported or imprisoned. It is also unclear whether authorities are proactively identifying victims among the estimated 500 women in prostitution in Luxembourg's legalized sex trade. The government did not appear to

and prosecutions of traffickers under the new comprehensive anti-trafficking law; cooperate closely with source country governments on cross-border trafficking cases; increase efforts to identify victims of trafficking among vulnerable groups such as migrant workers and foreign women and children arrested for prostitution; ensure that victims of trafficking are not punished for crimes committed as a direct result of being trafficked; provide specialized training to Social Welfare Bureau social workers in providing assistance to victims of human trafficking and designate a social worker to assist trafficking victims in the shelter; and support a visible anti-trafficking awareness campaign directed at employers and clients of the legalized sex trade.

to trial. Macau authorities did not report any allegations of official complicity with human trafficking in 2008. The control of Macau, Chinese, Russian, and Thai criminal syndicates over Macau's lucrative sex trade continued to challenge the effectiveness of prosecution efforts in Macau.

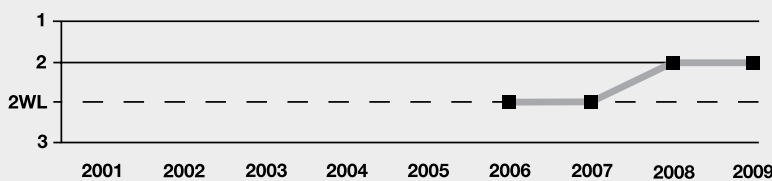
Protection

MSAR authorities demonstrated some efforts to protect trafficking victims in 2008. Although Macau authorities, with NGO assistance, developed guidelines for the proactive identification of trafficking victims, most trafficking victims were self-identified. Foreign victims found it extremely difficult to escape their state of servitude given the lack of services in their native language and the lack of their government's diplomatic representation in Macau. During the reporting period, several foreign women were trafficked to Macau for commercial sexual exploitation but were not identified by Macau authorities; they were instead assisted by foreign NGOs and their home governments, who arranged for their repatriation. The Macau government provided temporary shelter, counseling, and financial and medical services to 23 victims of trafficking in a shelter run by the Social Welfare Bureau. One additional victim stayed in a local NGO shelter. Victims are provided a weekly stipend during their time in the shelters, but are not offered legal alternatives to their removal to countries where they may face hardship or retribution. Due to the lack of effective victim identification, other victims were likely deported for immigration violations. Persons detained for immigration violations were usually deported and barred from re-entry to Macau for up to two years. The Women's General Association of Macau receives government funding to run a 24-hour trafficking victim assistance hotline. Although the Macau police also ran a trafficking hotline, the public appeared to lack awareness about the hotline's existence, and no trafficking cases were identified from hotline calls during the reporting period.

Prosecution

The Macau government made some progress in its anti-trafficking law enforcement efforts during the reporting period. In June 2008, the Macau Legislative Assembly passed comprehensive anti-trafficking legislation, which prohibits all forms of trafficking in persons and prescribes penalties ranging from three to 12 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. While the government conducted some investigations into cases of human trafficking, there were several cases during the reporting period of Vietnamese and Mongolian women allegedly trafficked to Macau for commercial sexual exploitation that Macau authorities did not investigate. Reports from law enforcement officials in source countries indicate a lack of cooperation by Macau authorities when requesting assistance and follow-up in cases involving foreign nationals. Two sex trafficking prosecutions are awaiting trial, both of which resulted from victims filing complaints with authorities. Macau authorities have yet to obtain a conviction of a trafficking offender. In October 2008, two Macau female sex trafficking victims were rescued in Japan after one of the victims sent a text message to a relative. Macau authorities worked with INTERPOL and Japanese law enforcement in the repatriation of the victims. Macau police arrested one trafficker in this case, who has not yet been prosecuted. Corruption is a significant problem in Macau, and is often closely linked to the gambling industry and organized crime networks. One Macau police officer arrested in 2007 for allegedly blackmailing two women in prostitution for "protection" fees has not been brought

MACAU TIER RANKING BY YEAR



Prevention

The government demonstrated progress in its trafficking prevention efforts. The government continued to publish anti-trafficking brochures in multiple languages that were displayed at border checkpoints, hospitals, and public gathering areas. It also ran radio and television advertisements, and organized several seminars to increase public awareness of human trafficking, in which senior Macau government officials called on the public to help the government fight trafficking. Authorities set aside funding to conduct an independent evaluation of the trafficking situation in Macau in 2009. The government did not take measures during the reporting period to reduce the demand for commercial sex acts or conduct any awareness campaigns targeting clients of Macau's legalized prostitution industry.

MACEDONIA (Tier 1)

Macedonia is a source, transit, and destination country for women and children trafficked for the purpose of commercial sexual exploitation. Macedonian women and children are trafficked within the country. Victims trafficked into Macedonia are primarily from Albania and Kosovo. Macedonian victims and victims transiting through Macedonia are trafficked to South Central and Western Europe. Children, primarily ethnic Roma, are trafficked for the purpose of forced begging within the country. Victims were trafficked for the purpose of forced labor in Macedonia's service sectors. Traffickers' *modus operandi* continued to evolve in response to law enforcement tactics, including increased use of more hidden, private sectors, such as beauty salons and massage parlors.

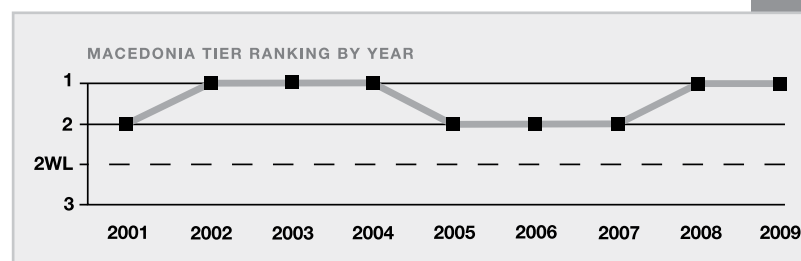
The Government of Macedonia fully complies with the minimum standards for the elimination of trafficking. While the government could strengthen its performance in certain areas, the government improved implementation of the anti-trafficking statute to obtain convictions of trafficking offenders and continued to expand the usage of its victim-centered standard operating procedures for the treatment and protection of trafficking victims.

Recommendations for Macedonia: Continue appreciable progress in victim protection and assistance; proactively implement the new standard operating procedures on victim identification; ensure institutionalized protection and reintegration services for victims; continue to ensure convicted traffickers receive adequate jail time; vigorously prosecute, convict, and punish public officials complicit in trafficking; and expand overall prevention and demand reduction awareness efforts to educate clients of the sex trade and forced labor about trafficking.

Prosecution

The Government of Macedonia demonstrated some important progress in its anti-trafficking law enforcement efforts in 2008 by decreasing processing times for trafficking cases and securing increased sentences for convicted trafficking offenders. While one organization reported that traffickers were still sometimes prosecuted under smuggling laws, significant improvement in prosecuting suspected traffickers under the anti-trafficking statute was reported during the year. The government prohibits sex and labor trafficking through its 2004 criminal code; Article 418(a) and (g) covers all forms of trafficking in persons. The minimum penalty prescribed for trafficking for commercial sexual exploitation is four years' imprisonment, which is sufficiently stringent and commensurate with penalties prescribed for other grave crimes, such as rape. In 2008, the government prosecuted 11 cases under article 418(a) and (g) involving 28 trafficking suspects, resulting in the conviction of 17 trafficking offenders. The average

sentence imposed was five years' imprisonment. The government prosecuted three cases on forced labor charges. These prosecutions resulted in eight sentences: four of four years, two of five years, one of six years, and one of seven years. There were reports that some law enforcement officials, including prosecutors and judges, continued to demonstrate an inadequate understanding of trafficking and insensitivity towards victims' rights, including in courtroom settings. The government did not prosecute any acts of trafficking-related complicity by government officials during the reporting period; however, reports indicated that corruption continued to directly hamper Macedonia's anti-trafficking efforts. For example, local brothel owners were occasionally tipped off prior to raids, allowing traffickers to elude law enforcement and brothel owners to hide potential trafficking victims.



Protection

The Government of Macedonia demonstrated some progress in its protection of trafficking victims in 2008. It continued to conduct training, with the support of international donors, on its standard operating procedures (SOPs) on the identification and referral of trafficking victims, and implementation of these procedures has continued to improve; however, application of the SOPs by local police was at times ad hoc and dependent on particular, victim-sensitive officers. The government has acknowledged that local police need more consistent understanding and application of the SOPs, and in January 2009 implemented a new requirement that all raids conducted by local police must include an officer from the police anti-trafficking unit. An international organization reported that border police did not employ systematic procedures to identify trafficking victims among migrants at Macedonian borders, although several victims were identified as a result of border police efforts. The government did not take proactive and systematic efforts to identify victims among vulnerable groups within its labor sectors. The government has not yet funded an NGO providing protection and assistance to domestic trafficking victims. It recently announced plans to take over full financial and material responsibilities for the country's domestic trafficking shelter, but there were concerns about the impact on victims' rights; these concerns were addressed and alleviated in a January meeting between the government and the NGO that voiced them. The

government continues to operate a reception center for foreign migrants and trafficking victims; victims' freedom of movement in this center is severely restricted. Although law enforcement reported it identified 130 "presumed" victims in 2008, only 18 victims, 14 of whom were Macedonian, qualified as trafficking victims during the reporting period. The government encouraged victims to participate in investigations and trials. The government in January 2008 created provisions for the offering of a six-month residency permit and reflection period to foreign victims; none of the 118 presumed foreign victims identified during the reporting period requested this permit. Presumed domestic victims were entitled to a 30-day reflection period in the domestic shelter before taking part in a formal interview process with a trained trafficking specialist. The government provided some reintegration support through its 27 Centers for Social Welfare. These centers assisted seven victims in 2008. NGOs and international experts reported some problems with the government's identification process, resulting in possible misidentification of potential trafficking victims by local authorities.

Prevention

The government collaborated with NGOs and the international community in its trafficking prevention efforts, and in December 2008 drafted a National Action Plan for the years 2009-2012. It did not provide any direct financial support for NGOs conducting anti-trafficking prevention activities during the reporting period, but continued to provide significant in-kind support. In May 2008, the government conducted a nationwide survey to determine the public's level of awareness about trafficking. Based on the findings, it conducted nine public roundtables throughout the country. The government included mandatory training in its primary and secondary school curriculum to prevent trafficking. In December 2008, the National Commission organized a national anti-trafficking week. The Commission set up booths in over a dozen cities throughout Macedonia to distribute anti-trafficking materials, and high-level officials spoke out about trafficking. In January 2009, the National Commission published an annual report on its anti-trafficking efforts. The government did not fund or initiate any awareness campaigns to reduce demand for forced labor or commercial sex in 2008; however, it used some IOM-funded materials aimed at demand during its anti-trafficking week.

MADAGASCAR (Tier 2)

Madagascar is a source country for women and children trafficked for the purposes of forced labor and sexual exploitation. Children, mostly from rural areas, are trafficked within the country for domestic servitude, commercial sexual exploitation, forced marriage, forced labor for traveling vendors, and possibly forced labor in mining, fishing, and agriculture. Some child

sex trafficking occurs with the involvement of family members, friends, transport operators, tour guides, and hotel workers. A child sex tourism problem exists in coastal cities, including Tamatave, Nosy Be, and Diego Suarez, as well as the capital city of Antananarivo; some children are recruited for work in the capital using fraudulent offers of employment as waitresses and maids before being exploited in the commercial sex trade on the coast. The main sources of clients for child sex tourism are France, Italy, Spain, Germany, Switzerland, and Reunion. Victims are usually girls, but reports of male tourists seeking sex with underage boys have increased. Young Malagasy women are trafficked within the country for domestic servitude and sexual exploitation, as well as in small numbers to the Middle East for domestic servitude.

The Government of Madagascar does not fully comply with the minimum standards for the elimination of trafficking but is making significant efforts to do so. This report covers the efforts of the Malagasy government until January 2009's political unrest, which resulted in an unlawful change in government in March. Efforts to verify implementation of the laws during the remainder of the reporting period, if any, were difficult given the level of political instability. The new regime's policies and perspectives on Madagascar's human trafficking problem are unknown; it remains to be seen whether the new government will maintain the previous administration's keen interest in combating trafficking. While the government sustained its efforts to raise awareness of child sex trafficking, lack of institutional capacity and funding remained significant impediments to its anti-trafficking efforts, particularly impacting the effectiveness of law enforcement activities.

Recommendations for Madagascar: Utilize the anti-trafficking law to prosecute trafficking offenses, including those involving forced labor, and punish trafficking offenders; institute a formal process for law enforcement officials to document trafficking cases and refer victims of both labor and sex trafficking for assistance; increase efforts to raise public awareness of labor trafficking; and investigate and prosecute public officials suspected of trafficking-related complicity.

Prosecution

Although the government enacted anti-trafficking legislation in January 2008, it reported no investigations or convictions of trafficking offenders during the reporting period and was unable to provide statistics regarding its anti-trafficking law enforcement efforts. Anti-Trafficking Law No. 2007-038, adopted in January 2008, prohibits all forms of human trafficking, though it only prescribes punishments for sex trafficking; these range from two years' to life imprisonment, penalties that are sufficiently stringent and commensurate with those prescribed for other grave crimes. The Ministry of Justice disseminated copies of the new law to all 22 regions during the year and magistrates received training in its use. Article 262 of the Labor Code criminalizes

labor trafficking, for which it prescribes inadequate penalties of one to three years' imprisonment. Decree 2007-563 prohibits various forms of child labor, including prostitution, domestic slavery, and forced labor. The government has yet to use its January 2008 anti-trafficking law to punish traffickers; a lack of case precedent, poor coordination among ministries, lack of systematic information, lack of data shared between the regional and central levels, and the lack of a presidential decree mandating and codifying its use likely hinder the new law's implementation. Several alleged sex trafficking cases came to trial in 2008, but only two reportedly made use of the anti-trafficking law, and neither has reached a resolution; the remaining cases were tried under other laws, and either dismissed or punished with suspended sentences. The government did not investigate or prosecute cases of forced labor during the reporting period.

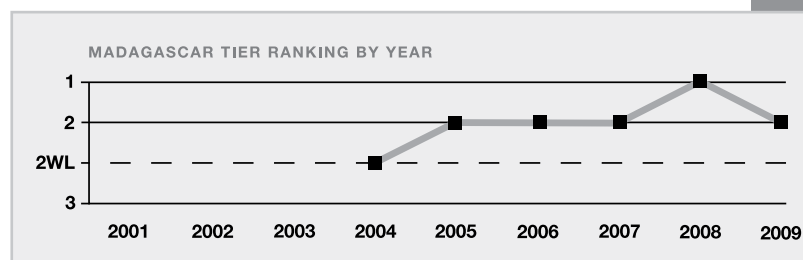
In September 2008, a foreign government-funded program finished the development of a centralized database for documenting and tracking trafficking cases nationwide. Training for personnel in the use of this database was conducted in the capital and areas of the country where high levels of trafficking have been reported. While a positive example of increased anti-trafficking cooperation between the gendarmerie and police, financial and legal issues threaten to derail this project; the center still lacks a presidential decree giving its work legal standing and financing remains uncertain. The database's use is limited to cases in Antananarivo.

In some tourist areas, local police appeared hesitant to prosecute child sex trafficking and child sex tourism offenses, possibly because of deep-rooted corruption, pressures from the local community, or fear of an international incident. Some officials were punished in 2007 for colluding with traffickers or accepting bribes to overlook trafficking crimes. The Ministry of Justice did not report any such cases in 2008, though the media ran stories alleging official complicity. The ministry began rotating magistrates to different jurisdictions within the country, in part to stem corruption.

Protection

The Government of Madagascar provided weak victim protections. During the last year, previously reported victim protection efforts were determined to mostly be provided by NGOs and international organizations and not by the government. The government did not operate victim assistance programs; the majority of trafficking victims identified in 2008 were assisted exclusively by NGO-run centers. Counseling centers run by local NGOs and supported by the Ministries of Justice and Health in Antananarivo and Fianarantsoa, however, provided psychological support and legal advice to child sex trafficking victims. An unknown number of parents of such children received advice on filing court cases, but most declined to do so, either for fear of reprisal or because of a payoff from the perpetrator. As Madagascar lacked a formal process to identify trafficking victims

among vulnerable populations or refer victims for care, law enforcement officials began drafting such procedures during the year with UNICEF assistance. However, the Ministry of Health's local-level Child Rights Protection Networks – which increased in number from 14 in 2007 to 65 in 2008 with UNICEF support – brought together government institutions, law enforcement officials, and NGOs to fill this role. Networks coordinated child protection activities, identified and reported abuse cases, and assisted victims in accessing appropriate social and legal services. In 2008, for example, a protection network in Diego rescued two trafficked girls and the government returned them to their families in Ambanja and Nosy Be and provided money for school enrollment. Labor inspectors reportedly taught job-finding skills to rescued victims during the year. The government did not penalize trafficking victims for unlawful acts committed as a direct result of their being trafficked and encouraged them to assist in the investigation and prosecution of their exploiters. The government does not provide legal alternatives to the removal of victims to countries where they would face hardship or retribution.



Prevention

The government sustained its trafficking prevention efforts during the year. At the regional level, Local Anti-Trafficking Boards, comprised of ministerial representatives, improved information sharing among stakeholders and sensitized the population on trafficking issues, resulting in NGO care centers receiving an increasing number of cases in 2008. Although eight Regional Committees to Fight Child Labor increased coordination among government entities, NGOs, and ILO/IPEC under the framework of the National Action Plan for the Fight Against Child Labor, the Ministry of Labor's five child labor inspectors were insufficient to cover areas beyond Antananarivo or in informal economic sectors. The government continued its national awareness campaign against child sex tourism and conducted a number of law enforcement actions against foreign child sex tourists during the year. In December 2008, President Ravalomanana presented remarks in Nosy Be on the importance of protecting children from foreign sex tourists. In May 2008, the Ministry of Justice launched a national campaign against child sexual exploitation that included messages on sex tourism in posters, a short film, and TV and radio spots. The government continued distributing anti-sex tourism

information to tourists at national events and cultural celebrations, such as the Donia festival in Nosy Be, and a customs booklet to arriving international passengers containing a full-page warning of the consequences. In January 2008, a man from Reunion was arrested and prosecuted for the commercial sexual exploitation of a child in Nosy Be, but his case was dismissed for lack of evidence; four Reunionese considered accomplices were deported from the country. A French national was imprisoned in Tamatave for child sex tourism in September 2008. Also, three French citizens' cases for indecent assault or statutory rape were either dismissed or punished with suspended sentences.

MALAWI (Tier 2)

Malawi is a source, transit, and destination country for men, women, and children trafficked for the purposes of forced labor and sexual exploitation. The incidence of internal trafficking is believed higher than that of transnational trafficking, and practices such as forced labor exist, particularly on tobacco plantations. Children are trafficked primarily within the country for forced labor in agriculture, animal herding, domestic servitude, and to perform forced menial tasks for small businesses. Girls and young women are trafficked internally for forced labor and prostitution at local bars and rest houses. Malawian adults and children are lured by fraudulent offers of employment into situations of forced labor and commercial sexual exploitation in Mozambique, South Africa, and Zambia. In 2008, Malawian men were also trafficked to Tanzania for forced labor in the fishing industry. Children, as well as a smaller number of women, from Zambia, Mozambique, Tanzania, Burundi, and Zimbabwe are trafficked to Malawi for forced labor and commercial sexual exploitation.

The Government of Malawi does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. While the government incrementally improved its efforts to identify victims and bring trafficking offenders to justice, the largely inconsequential punishments meted out to convicted traffickers during the reporting period demonstrated a continued lack of understanding of the seriousness of human trafficking crimes on the part of judicial and other government officials.

Recommendations for Malawi: Provide additional training to judges, prosecutors, and police – particularly those working near border areas – on how to identify, investigate, and prosecute trafficking cases utilizing existing laws; pass and enact comprehensive anti-trafficking legislation; expand the existing focus on protecting victims of child labor trafficking to include children exploited in domestic servitude or prostitution; and institute a system to compile data on cases investigated and prosecuted and victims assisted throughout the country.

Prosecution

The Government of Malawi's anti-trafficking law enforcement efforts improved over the last year, though punishments of trafficking offenders remained weak, inconsistent, and highly dependent on the knowledge level of the judges and prosecutors involved in the case. Malawi prohibits all forms of trafficking through existing laws, including the Employment Act and Articles 135 through 147 and 257 through 269 of the Penal Code, though a lack of specific anti-trafficking legislation allows for a range of potentially weak punishments to be imposed on convicted trafficking offenders. Prescribed penalties under the aforementioned statutes range from small fines to 10 years' imprisonment; these penalties are sufficiently stringent and commensurate with punishments prescribed for other grave crimes. The Child Care, Protection and Justice Bill, which defines child trafficking and sets a penalty of life imprisonment for convicted traffickers, remains in Cabinet and was not passed by Parliament during the reporting period. The Malawi Law Commission continued drafting comprehensive anti-trafficking legislation to specifically outlaw all forms of human trafficking.

In 2008, the government used laws against child labor, kidnapping, and profiting from prostitution to convict trafficking offenders; as in past years, the majority of trafficking cases involved forced child labor in the agricultural sector. According to the Ministry of Labor, the government conducted at least 24 such child labor trafficking investigations and prosecuted three cases under the Employment Act in 2008. A court in Mchinji district sentenced a man to eight years' imprisonment for trafficking children for agricultural labor. A Mchinji tobacco farm employee received a sentence of two years' imprisonment for his participation in child labor trafficking. A Kasungu district court sentenced a man to two years' imprisonment for attempting to sell his 17-year old daughter into slavery for \$700. Most other offenders, however, received a warning for the first offense and a small fine for subsequent violations. The Ministry of Labor reported the out-of-court settlement of at least 13 possible trafficking cases for payment of back wages and repatriation costs. Responding to the trafficking of young Burundian girls for prostitution, a Malawian court convicted two Burundian nationals for profiting from prostitution; they received fines rather than prison sentences. In 2008, the government deported a Zimbabwean sex trafficking victim when her temporary residency status expired, resulting in the dismissal of the court case against the Malawian truck driver who trafficked her to Malawi. The Anti-Corruption Bureau did not provide information on the status of its 2007 investigation into two complaints of government corruption relating to trafficking.

Protection

Malawi depends heavily on foreign donors and NGOs to fund and operate most of the country's anti-trafficking

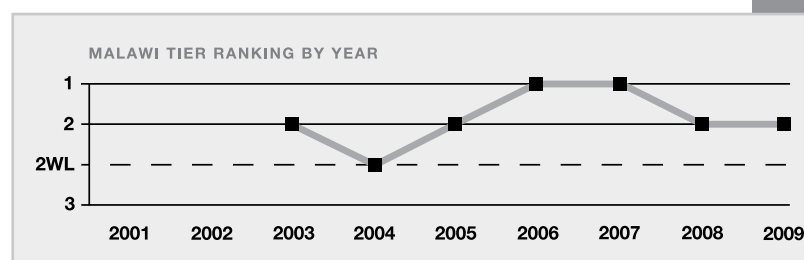
programs, limiting the government's discretion in programming and placement of resources. The government funds and operates a social rehabilitation drop-in center in Lilongwe for victims of trafficking and gender-based violence, but does not maintain records specifically on trafficking victims receiving assistance or identify trafficking victims among the center's clients. The government provided shelter and legal assistance to one identified Zimbabwean trafficking victim in 2008. Using established procedures, district and local officials – police, social welfare officers, and labor officers – also referred victims to various NGO-run facilities that provided protective services and, in some districts such as Mchinji, facilitated their return to their home districts. There were no protective services available to Malawian trafficking victims returning from other countries. Police stations throughout the country housed victim support units to respond to gender-based violence and trafficking crimes. These units provided limited forms of counseling and, in some places, temporary shelter, though their capacity to identify and assist victims varied greatly among stations. Inter-ministerial district child protection committees monitored their districts for suspicious behavior and reported suspected trafficking cases to police and social welfare officers.

During the reporting period, the Ministry of Women and Child Development trained 289 volunteer community child protection workers to recognize child victims of all forms of exploitation, including trafficking. In early 2009, it began the process of converting these volunteer positions into paid positions within the ministry. The government allocated \$176,056 to the Child Labor Control Unit for conducting inspections in 2008. The government encouraged victims' participation in the investigation and prosecution of trafficking crimes and did not inappropriately incarcerate, fine, or otherwise penalize victims for unlawful acts committed as a direct result of being trafficked. Government officials indicated that foreign victims were usually granted temporary residency status; the length of court proceedings, however, sometimes exceeded the duration of this status, resulting in deportation and dismissal of cases against alleged traffickers.

Prevention

The Government of Malawi sustained its efforts to prevent human trafficking in 2008. Child trafficking issues fall under the purview of both the National Steering Committee on Orphans and Vulnerable Children and the National Steering Committee on Child Labor, which were created to provide policy guidance and coordinate the government's engagement on children's issues. Most districts have a district child labor committee, a district orphan and vulnerable child committee, and a district child protection committee, all of which have responsibility for trafficking issues. There is significant overlap and inadequate communication and coordination among these committees. The effectiveness of these

committees in preventing child trafficking during the reporting period varied widely and was often dependent on the capacity of the individuals employed or their partnership with NGO- or foreign-funded projects in the vicinity. The government and UNICEF continued a child rights information campaign called "Lekani" or "Stop!" that included billboards, bumper stickers, newspaper ads, and radio programs which provided messages against trafficking, child labor, child sexual exploitation, and commercial sexual exploitation. Through the National AIDS Commission's Action Framework on HIV/AIDS Prevention, the government also provided community sensitization on the dangers of commercial sexual exploitation and attempted to reduce the demand for commercial sex acts. The Malawi Defense Force has a zero tolerance policy on human trafficking and provided training on human rights, child protection, and the elimination of sexual exploitation to its nationals deployed abroad as part of peacekeeping missions.



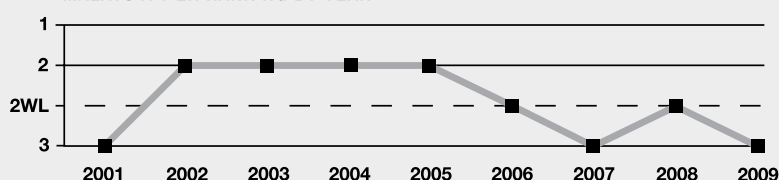
MALAYSIA (Tier 3)

Malaysia is a destination and, to a lesser extent, a source and transit country for women and children trafficked for the purpose of commercial sexual exploitation, and for men, women, and children trafficked for the purpose of forced labor. Malaysia is mainly a destination country for men, women, and children who migrate willingly from Indonesia, Nepal, Thailand, the People's Republic of China (PRC), the Philippines, Burma, Cambodia, Bangladesh, Pakistan, India, and Vietnam for work – usually legal, contractual labor – and are subsequently subjected to conditions of involuntary servitude in the domestic, agricultural, food service, construction, plantation, industrial, and fisheries sectors. Some foreign women and girls are also victims of commercial sexual exploitation. Some migrant workers are victimized by their employers, employment agents, or traffickers who supply migrant laborers and victims of sex trafficking. Some victims suffer conditions including physical and sexual abuse, forced drug use, debt bondage, non-payment of wages, threats, confinement, and withholding of travel documents to restrict their freedom of movement. Some female migrants from Indonesia, Thailand, the Philippines, Cambodia, Vietnam, Burma, Mongolia, and the PRC are forced into prostitution after being lured to Malaysia with promises of legitimate employment. Individual employment agents, which are

sometimes used as fronts for human trafficking, sold women and girls into brothels, karaoke bars, or passed them to sex traffickers. There were reports of Malaysians, specifically women and girls from indigenous groups and rural areas, trafficked within the country for labor and commercial sexual exploitation. Burmese migrants, including some Burmese registered with the United Nations as refugees, a legal status not recognized by the Malaysian government, are trafficked for forced labor. To a lesser extent, some Malaysian women, primarily of Chinese ethnicity and from indigenous groups and rural areas, are trafficked abroad to destinations including Singapore, Hong Kong, France, and the United Kingdom, for commercial sexual exploitation.

officials in trafficking and extorting Burmese refugees, including those released in April 2009 in a formal report by the U.S. Senate Foreign Relations Committee, overshadowed initial steps by the Immigration Department to address human trafficking. The Royal Malaysian Police is investigating the allegations with the cooperation of the Immigration Department, as publicly confirmed by the Prime Minister but no officials were arrested, prosecuted, or convicted for involvement in trafficking during the reporting period. The government did not develop mechanisms to screen effectively victims of trafficking in vulnerable groups. The government also continued to allow for the confiscation of passports by employers of migrant workers – a common practice in Malaysia. This practice is recognized by many in the international anti-trafficking community as facilitating trafficking. The practice of withholding the salaries of foreign domestic workers for three to six months so the employer can recover the levy paid to hire the worker remained widely practiced. As a regional economic leader approaching developed nation status, Malaysia has the resources and government infrastructure to do more in addressing trafficking in persons.

MALAYSIA TIER RANKING BY YEAR



There were a number of credible reports of Malaysian immigration authorities' involvement in the trafficking of Burmese refugees from immigration detention centers to the Thai-Malaysian border. Several credible sources reported that immigration officials sold refugees for approximately \$200 per person to traffickers operating along Thailand's southern border. In turn, the traffickers demanded ransom – ranging from \$300 for children to \$575 for adults – in exchange for their freedom. Informed sources estimated 20 percent of the victims were unable to pay the ransom, and were sold for the purpose of labor and commercial sexual exploitation. The Malaysian and Indonesian governments did not amend or replace a 2006 Memorandum of Understanding (MOU) between the two countries covering the employment of Indonesian women as domestic servants in Malaysia. The MOU authorizes Malaysian employers to confiscate and hold the passport of the domestic employee throughout the term of employment. Although the MOU stated that domestic workers should be paid directly and be given time off in lieu of overtime, it remained common practice for employers to deposit wages with recruiting agencies as repayment for debts. NGOs reported that many Indonesian household workers were required to work 14 to 18 hours a day, seven days a week.

The Government of Malaysia does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so, despite some progress in enforcing the country's new anti-trafficking law. While the government took initial actions under the anti-trafficking law against sex trafficking, it has yet to fully address trafficking in persons issues, particularly labor trafficking in Malaysia. Credible allegations of involvement of Malaysian immigration

Recommendations for Malaysia: Fully implement and enforce the comprehensive anti-trafficking in persons law; increase the number of prosecutions, convictions, and sentences for both sex and labor trafficking; adopt and disseminate proactive procedures to identify victims of trafficking among vulnerable groups such as migrant workers and foreign women and children arrested for prostitution; apply stringent criminal penalties to those involved in fraudulent labor recruitment or exploitation of forced labor; ensure that victims of trafficking are not threatened or otherwise punished for crimes committed as a result of being trafficked; re-examine existing MOUs with source countries to incorporate victim protection and revoke passport or travel document confiscation; increase efforts to prosecute and convict public officials who profit from or are involved in trafficking; expand the training of law enforcement, immigration, prosecutors, and judges on the use of the 2007 trafficking law; implement and support a comprehensive and visible anti-trafficking awareness campaign directed at employers and clients of the sex trade; and increase efforts to prosecute and convict public officials who profit from, or are involved in trafficking, or who exploit victims.

Prosecution

The Government of Malaysia made some progress in investigating sex trafficking offenses and punishing trafficking offenders during the reporting period, but has not demonstrated efforts to investigate, prosecute, or convict offenders of labor trafficking. Malaysian law prohibits all forms of human trafficking through its July 2007 comprehensive anti-trafficking law, which prescribes penalties that are commensurate with those prescribed for other grave offenses, such as rape. In December 2008, the government convicted its first trafficking offender under the 2007 anti-trafficking law;

an Indian national convicted of forcing a female domestic worker into prostitution was sentenced to eight years in prison. The government also initiated prosecutions against an additional six alleged traffickers, one of whom fled while on bail. Although there were credible reports of government officials' direct involvement in human trafficking, none were arrested, prosecuted, or punished for trafficking. The Prime Minister and Inspector General of Police reported that the government is actively investigating the allegations. In July 2008, the Director-General of Immigration and his Deputy Director-General were arrested for graft and corruption involving the acceptance of bribes for issuance of visas and visitation passes. Informed observers speculate this corruption facilitated trafficking in persons. There were reports of a significant number of migrant laborers trafficked to Malaysia and widespread media reporting of the trafficking conditions many of these workers face. The government did not report any criminal prosecutions of employers who subjected workers to conditions of forced labor or labor recruiters who used deceptive practices and debt bondage to compel migrant workers into involuntary servitude.

During the reporting period, there were several NGO and media reports of groups of foreign workers subjected to conditions of forced labor in Malaysia. In August 2008, following an investigative news report, more than 1,000 foreign workers at a Malaysian factory producing apparel for a U.S. company were found subjected to squalid living conditions, confiscation of their passports, withheld wages, and exploitative wage deductions—conditions indicative of forced labor. Following its own investigation, the U.S. company stated that it found labor violations committed by the local factory, though a Malaysian government official reportedly responded saying that the local factory's management did not breach any labor laws. Moreover, the Malaysian government did not respond with a criminal investigation of the allegations.

In February 2009, a Malaysian newspaper revealed a case of 140 Bangladeshi workers locked in a small apartment. The workers each reportedly paid recruiters \$5,000 to \$13,000 to find them jobs in Malaysia; however, the recruiters passed the workers to a Malaysian employment agency, which upon their arrival in Malaysia, confiscated their passports and work permits and did not pay their wages for three to six months in most cases, although some individuals were not paid in more than a year. The Malaysian government is investigating the case as a labor dispute rather than a human trafficking case. In 2008, a local NGO coordinated with police in Sarawak to rescue 17 male Cambodians forced to work on commercial fishing boats and repatriated them to Cambodia. The government did not prosecute any employers who confiscated passports of migrant workers or confined them to the workplace. Some employers who hired foreign migrant workers held the wages of their employees in 'escrow' until completion of a contract.

Protection

While Malaysia showed modest efforts to protect victims of sex trafficking during the reporting period, its efforts to protect victims of labor trafficking remained inadequate. Numerous source country governments of migrant workers in Malaysia expressed concern about the lack of legal protections in place for foreign workers, particularly those subjected to involuntary servitude. There was no widespread effort by the Government of Malaysia to identify trafficking victims among vulnerable migrant groups, such as girls and women detained for involvement in prostitution or the thousands of undocumented migrant workers rounded up by RELA, a government-sponsored public security auxiliary force. As a result, some unidentified victims, including children, detained by immigration authorities were routinely processed as illegal migrants and held in prisons or illegal migrant detention facilities prior to deportation. In some cases, especially those involving deportation over land borders, this made victims vulnerable to being re-trafficked by traffickers operating at the borders such as along the Malaysian-Indonesian border on Borneo. Police reported rescuing about 2,000 foreign women and minors forced into prostitution during raids on brothels in 2008. The government deported or voluntarily repatriated most of the victims to their home countries, referring some to their respective embassy shelters and processing a limited number as victims under the anti-trafficking law. The Ministry for Women, Family, and Community Development continued to run two trafficking shelters, which held suspected and confirmed trafficking victims until they were repatriated to their home countries. In 2008, the Ministry renovated a third shelter in the East Malaysian state of Sabah. In 2008, the police referred 98 potential trafficking victims to the government shelters in Kuala Lumpur, 34 of which were certified by magistrates as officially recognized trafficking victims. Police also referred hundreds of suspected trafficking victims to local and diplomatic missions operating victims' shelters; the government cooperated with the embassies' repatriation of victims, but did not offer other assistance. Foreign migrant laborers, legal and illegal, lacked regular access to legal counsel in cases of contract violations and abuse, although in a small percentage of cases workers filed complaints under the labor laws. Some suspected trafficking victims continued to be housed at immigration detention centers pending repatriation. The government offered no facilities for male trafficking victims. While victims may file a civil suit against exploiters under Malaysian law, they are unable to work while their suit is being considered, thus discouraging such attempts at restitution. Immigration authorities did not screen foreign women arrested for prostitution for identification as trafficking victims, but instead processed them for quick deportation. The government does not provide legal alternatives to the removal of victims to countries where they may face hardship or retribution.

Prevention

Malaysia made limited efforts to prevent trafficking in persons over the last year. Senior officials, including the Prime Minister, Inspector General of Police, and the Minister for Women, Family, and Community Development, spoke out more routinely against trafficking crimes, and the government-influenced media carried numerous reports that raised awareness of trafficking. The Women's Ministry developed information brochures on trafficking in English and Malay for NGOs to distribute to the public, and started a women's hotline for victims of trafficking. The government condoned the confiscation of passports by employers. Employers passed the government's "immigration levy" on to the low-skilled workers, which facilitated debt bondage. There were no visible measures taken by the government to reduce the demand for forced labor or for commercial sex acts. Protection officers from the Women's Ministry received specialized training on assisting victims. The government provided anti-trafficking training through its Peacekeeping Training Center at Port Dickson to troops preparing to deploy to international peacekeeping missions. Malaysia has not ratified the 2000 UN TIP Protocol.

THE MALDIVES (Tier 2)

The Maldives is primarily a destination country for migrant workers from Bangladesh and India trafficked into forced labor and, to a lesser extent, a destination country for women trafficked for the purpose of commercial sexual exploitation. An unknown number of the 80,000 foreign workers currently working in the Maldives – primarily in the construction and service sectors – face fraudulent recruitment practices, confinement, confiscation of identity and travel documents, debt bondage, or general slave-like conditions. Twenty thousand of these workers do not have legal status in the country, yet both legal and illegal workers were vulnerable to conditions of forced labor. While some migrant workers have paid agents up to \$4,000 for the opportunity to work in the Maldives, most pay \$2,000; these high fees may create vulnerabilities for debt bondage, as noted in a recent ILO report on forced labor. A small number of women from Sri Lanka, Thailand, India, and China reportedly are trafficked to

Male, the capital, for purposes of commercial sexual exploitation. A small number of underage Maldivian girls reportedly are trafficked to Male from other islands for domestic servitude. Trafficking offenders usually fall into two groups: wealthy families that subject domestic servants to forced labor; and some of the 200 registered employment agents who bring low-skilled migrant workers to the Maldives under false terms of employment and subject them to conditions of forced labor upon arrival.

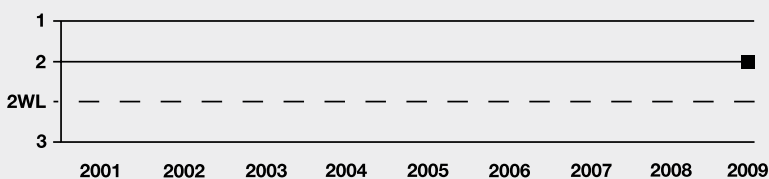
The Government of the Maldives does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government acknowledged the human trafficking problem on the Maldives and began taking steps to confront it effectively, though overall efforts were insufficient.

Recommendations for the Maldives: Draft and enact legislation prohibiting and punishing all forms of trafficking in persons; develop and implement systematic procedures for government officials to identify victims of trafficking among vulnerable groups such as undocumented migrants and women in prostitution; ensure that identified victims of trafficking are provided necessary assistance and are not penalized for unlawful acts committed as a direct result of their being trafficked; increase efforts to investigate and prosecute trafficking offenses and convict and sentence trafficking offenders; raise public awareness of human trafficking through media campaigns; and take steps to ensure that employers and labor brokers are not abusing labor recruitment or sponsorship processes in order to subject migrant workers to forced labor.

Prosecution

The Government of the Maldives undertook minimal anti-trafficking law enforcement efforts during the last year. Although the Maldives does not have an anti-human trafficking law, its constitution prohibits forced labor and slavery and some laws covering sexual offenses and child protection can be used to prosecute sex trafficking and child trafficking offenses. The sexual offenses statute – Section 173 of the Rules of Procedure adopted in February 2008 – prescribes penalties of up to 15 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. While overall awareness of the Maldives' trafficking problem seemed low among law enforcement personnel, the government provided them with some training in the recognition of trafficking victims. These officials, however, did not vigorously investigate possible cases of labor trafficking. The government prosecuted one case of forced labor during the year. A migrant worker had been chained in a small room for days and let out only for work; his employer was convicted and sentenced to only four months' imprisonment. A case of suspected transnational sex trafficking was investigated, but the case was dropped due to lack of evidence.

MALDIVES TIER RANKING BY YEAR



Protection

The Maldivian government made no discernable efforts to identify or assist victims of human trafficking for labor exploitation. Over the year, there were reported cases of foreign workers suffering from conditions of fraudulent recruitment, confinement, withheld pay, physical abuse, poor living conditions, and even debt bondage; however, authorities' efforts to identify trafficking victims among these exploited workers were weak. The government provided no services, such as shelter, counseling, medical care, or legal aid, to foreign or Maldivian victims of trafficking. When workers in distress sought assistance from the government, they were returned to their countries of origin, as the government lacked adequate resources to support them. The government's general policy for dealing with trafficking victims was to get them out of the country as quickly as possible, noting that deportation is less costly than incarceration. Two foreign women identified by police as sex trafficking victims in 2008 were provided temporary shelter before being repatriated with the help of their home country's diplomatic mission in Male; there was no criminal prosecution related to their exploitation. There were no reported investigations of internal trafficking of Maldivian or transnational sex trafficking. Authorities did not encourage victims to participate in the investigation or prosecution of trafficking offenses and did not provide foreign victims with legal alternatives to their removal to countries where they might face hardship or retribution. The government did not ensure that victims of trafficking were not penalized for unlawful acts committed as a direct result of their being trafficked, though there were no reports during the reporting period of the government deliberately punishing trafficking victims.

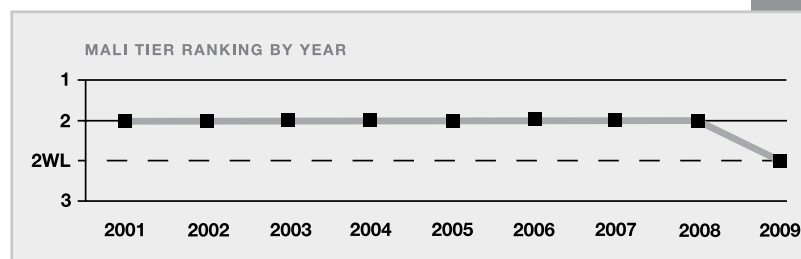
Prevention

The Maldivian government made minimal efforts to prevent human trafficking over the reporting period. The government conducted one anti-trafficking informational campaign, however, in January 2008, which attempted to educate the public on the provisions of the 2008 Employment Law. Various government ministries and agencies lacked any mechanism – such as a committee or plan of action – for coordination on anti-trafficking matters. However, various ministries were in frequent contact and relied on their personal relationships rather than a formal mechanism for contact. The government did not take any measures to reduce the substantial demand for forced labor on the islands but did start operations of a Labor Tribunal which will address the main form of trafficking in the country. The Maldives has not ratified the 2000 UN TIP Protocol.

MALI (Tier 2 Watch List)

Mali is a source, transit, and destination country for women and children trafficked for the purposes of forced labor and, to a lesser extent, commercial sexual exploitation. In Mali, victims are trafficked from rural

areas to urban centers, agricultural zones, and artisanal mining sites. Victims are also trafficked between Mali and other West African countries. Some notable destination countries for Malian child victims are Burkina Faso, Cote d'Ivoire, Guinea, Senegal, Mauritania, Niger, and Nigeria. Women and girls are trafficked primarily for domestic servitude and, to a lesser extent, forced prostitution, while boys are trafficked for forced begging and forced labor in gold mines and agricultural settings both within Mali and to neighboring countries. Reports in the last year indicate that Malian boys and girls are trafficked to Senegal and Guinea for labor in gold mines and to Cote d'Ivoire for forced labor on cotton and cocoa farms. Boys from Mali, Guinea, Burkina Faso and other countries are trafficked by Koranic masters within Mali and across borders for forced begging and other forms of forced labor. Adult men and boys, primarily of Songhai ethnicity, are subjected to the longstanding practice of debt bondage in the salt mines of Taoudenni in northern Mali. Some members of Mali's black Tamachek community are subjected to traditional slavery-related practices rooted in hereditary master-slave relationships.



The Government of Mali does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so, despite limited resources. Despite these overall significant efforts, the government failed to show evidence of progress in prosecuting and punishing trafficking offenders, and, therefore, Mali is placed on Tier 2 Watch List. The government arrested three alleged child traffickers during the year; they were released pending trial dates which have not been set. The government took some steps to protect victims and raise public awareness of trafficking.

Recommendations for Mali: Investigate and prosecute trafficking offenses, including cases of traditional slavery, and convict and punish trafficking offenders using existing laws; criminalize the trafficking of adults for all purposes, including slavery; develop a system for collecting data on trafficking crimes and the number of victims identified and referred by government authorities to service providers for care; and increase efforts to raise public awareness about trafficking and traditional hereditary servitude.

Prosecution

The Government of Mali demonstrated limited law enforcement efforts to combat trafficking during the last year. Mali does not prohibit all forms of trafficking,

though Article 244 of the criminal code prohibits all forms of child trafficking. Conviction of child trafficking carries a penalty of from five to 20 years' imprisonment. Article 229 of the criminal code criminalizes the sexual exploitation of children and forced prostitution of adult women. Criminal Code Article 242, passed in 1973, prohibits individuals from entering into agreements or contracts that deprive third parties of their liberty.

During the reporting period, the government arrested three suspected traffickers though it failed to prosecute any trafficking offenders. A trial date has not yet been set for three individuals arrested in March 2008 for allegedly trafficking two Malian and 24 Guinean children to Mali from Guinea; they were released in June pending trial. Six cases of traditional enslavement are pending in Malian courts. Judicial authorities have taken no action on any of these cases. One of these cases involves a black Tamachek child taken from his parents in Kidal in September 2007 by an individual claiming traditional ownership rights over the child. The child remains in the custody of this traditional master.

Protection

The Government of Mali demonstrated moderate efforts to protect trafficking victims in the last year. Due to its limited resources, the government does not operate any victim shelters or provide direct aid to victims. Instead it refers victims to NGOs and international organizations for assistance. According to statistics provided by the Ministry for the Advancement of Women, Children and the Family, in 2008 Mali assisted in the repatriation of 21 boys of Malian origin discovered in neighboring countries and 40 boys and one girl of other nationalities discovered within Mali. The government also assisted with the return of four girls and one boy of Malian nationality trafficked within Mali.

The government continued to provide in-kind assistance, such as land and buildings to NGOs providing services to trafficking victims. These local NGOs and international organizations collaborated to repatriate the 41 non-Malian child trafficking victims discovered during the year. Most cases of trafficking identified by NGOs are reported to the government, and an official from the Ministry for the Advancement of Women, Children and the Family coordinates the process of repatriation with a counterpart in the government of the victim's country of origin. In February 2009, government officials in the towns of Gourma-Rharous and Bambara-Maounde facilitated the rescue of a woman held as a hereditary slave for 14 years. Government authorities also facilitated the rescue of the former slave's eight year old son.

There were no reports in the past year of the government interviewing victims to gather evidence for investigation and prosecution of their traffickers or, in the case of slavery allegations, their alleged masters. Mali does not provide legal alternatives to the removal of foreign victims to countries where they face hardship or retribution. Victims are not inappropriately incarcerated or fined

for unlawful acts committed as a direct result of being trafficked.

Prevention

The Government of Mali made limited efforts to prevent trafficking, through awareness-raising or other means, during the last year. The government participated in an NGO-sponsored campaign to educate potential victims, primarily children, and their parents about trafficking. Officials overseeing the collection of statistics about trafficking victims participated in a donor-funded training on how to collect and disseminate this information. The government also assisted in organizing two IOM-funded anti-trafficking trainings, in June and December 2008, for NGOs on capacity building and information sharing. The National Steering Committee Against Child Labor, which is comprised of 43 government, NGO and international organization members, met five times during the year. Mali continued to work toward the formation of anti-trafficking committees in each of the country's eight regions to coordinate local anti-trafficking efforts. In 2008, Mali selected institutional members for each regional committee, including village leaders, mayors, and regional representatives. The government took no visible measures to reduce the demand for forced labor, though it did take steps to reduce the demand for commercial sex acts within Mali through periodic raids of prostitution houses. The government did not take measures to ensure that its nationals who are deployed abroad as part of international peacekeeping missions do not engage in or facilitate trafficking.

MALTA (Tier 2)

Malta is a destination country for women from Russia, Ukraine, Romania, and other European countries trafficked for the purpose of commercial sexual exploitation. In addition, irregular migrants from African countries arrive in Malta en route to Italy and elsewhere and may be vulnerable to human trafficking.

The Government of Malta does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Malta demonstrated strong political will to combat human trafficking through several executive branch initiatives, including the development of victim assistance services, training of government officials, and expanded public awareness. There was limited visible progress on prosecution of cases and punishment of convicted trafficking offenders. Progress in the area of convictions and punishment of trafficking offenders during the next reporting period is necessary to fully comply with the minimum standards.

Recommendations for Malta: Vigorously prosecute and convict trafficking offenders; ensure convicted trafficking offenders, including officials complicit in trafficking, receive adequate punishment; continue to develop and implement procedures for identifying and caring

for victims, including possible child victims, among migrants and other vulnerable populations; continue to develop procedures, in consultation with international organizations or NGOs as appropriate, in relevant source countries to ensure safe, voluntary repatriation for victims; and consider raising awareness to deter the possibility of child sex tourism.

Prosecution

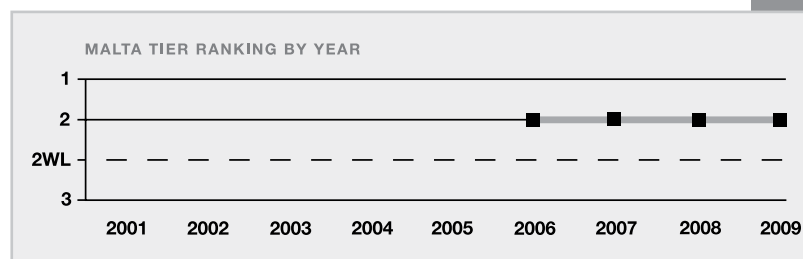
Malta demonstrated inadequate efforts to prosecute trafficking in persons offenses during the reporting period. Malta's criminal code prohibits trafficking for commercial sexual exploitation and involuntary servitude and prescribes punishments of two to nine years' imprisonment. These prescribed penalties are sufficiently stringent and commensurate with those prescribed for other grave crimes. In a 2004 case that came to trial in 2008, a Maltese woman was convicted of trafficking Russian women into forced prostitution in Malta and given a two-year suspended sentence. The ongoing cases cited in the 2008 Report, including the case of the police officer convicted in 2005 who remained out of jail pending an appeal, were slowly working their way through the Maltese legal system. In January 2009, the police trained 60 police officers in identifying and assisting trafficking victims.

Protection

Malta improved efforts to protect victims of trafficking during the reporting period. In February 2009, the Social Welfare Services Agency (Appogg) conducted a training session on victim assistance for government social workers, including those who work with the irregular migrant population. There are no NGOs in Malta specializing in assisting human trafficking victims; the government assists foreign victims through government-funded shelters that are used primarily for victims of domestic violence. An NGO assisting irregular migrants identified four potential trafficking victims in a migrant detention center. The government determined they were not trafficking victims and did not offer trafficking-specific services to them, though it released them from detention. On a case-by-case basis, the government can offer legal alternatives to the removal of identified foreign trafficking victims to countries where they may face hardship or retribution. There is no evidence that authorities punished victims of trafficking for unlawful acts committed as a direct result of their being trafficked. The government developed a formal system for referring all women in prostitution apprehended by police to government social workers, and began proactively seeking to identify victims among asylum seekers, though it did not identify any victims during the reporting period. Malta encourages victims to assist in the investigation and prosecution of trafficking crimes. In 2008, the one victim referred to Maltese police by a foreign embassy was allowed to provide testimony against her trafficker through video conferencing.

Prevention

The government boosted prevention activities over the last year. Appogg produced detailed brochures to raise awareness about human trafficking that included information about identifying potential victims and outlets for assistance and distributed them at health clinics, community centers, and churches. In addition, Appogg distributed these brochures in entertainment areas to target potential clients of the sex trade. Malta's government Employment and Training Corporation conducted informational sessions within migrant detention centers to inform migrants about their rights and the process by which to attain work permits and proper employment if they are granted asylum and released. The assistant commissioner of police raised awareness of human trafficking through a television appearance on a top rated talk show in 2008. The government did not report any specific actions to reduce the possible participation of Maltese nationals in child sex tourism abroad.



MAURITANIA (Tier 3)

Mauritania is a source and destination country for children trafficked for forced labor and sexual exploitation. Slavery-related practices, rooted in ancestral master-slave relationships, continue to exist in isolated parts of the country. Mauritanian boys called *talibe* are trafficked within the country by religious teachers for forced begging. Children are also trafficked by street gangs within the country that force them to steal, beg, and sell drugs. Girls are trafficked internally for domestic servitude and sexual exploitation. Mauritanian children may also be trafficked for forced agricultural and construction labor, herding, and for forced labor in the fishing industry within the country. Boys from Mali and Senegal are trafficked to Mauritania for forced begging by religious teachers. Senegalese and Malian girls are trafficked to Mauritania for domestic servitude and forced prostitution. Ghanaian and Nigerian women and girls may be trafficked to Mauritania for sexual exploitation. Reports indicate that while some slaves are forced by their masters to remain in conditions of servitude, others stay with their masters because they lack land and other means to live freely.

The Government of Mauritania does not fully comply with the minimum standards for the elimination of

trafficking and is not making significant efforts to do so. The government did not show evidence of overall progress in prosecuting and punishing trafficking offenders, protecting trafficking victims, and preventing new incidents of trafficking. Progress that the previous government demonstrated in 2007 through enactment of strengthened anti-slavery legislation and deepened political will to eliminate slavery and trafficking has stalled.

Recommendations for Mauritania: Improve on the current void of anti-trafficking law enforcement efforts by investigating and prosecuting slavery and other trafficking offenses, and convicting and punishing trafficking offenders; consider measures to allow NGOs to file complaints on behalf of slaves; provide slaves with land and other resources to live freely; increase assistance to child trafficking victims; end the practice of penalizing children trafficked in prostitution by placing them in prison and train authorities to identify trafficking victims among children detained for criminal conduct and illegal migrants; and increase efforts to educate the public about slavery and trafficking.

or prosecutions of slave holders or trafficking offenders during the year. Although there were cases of slaves breaking free of masters, no legal action was taken against the masters.

The Ministry of Justice (MOJ) reportedly issued a directive for the enforcement of the new anti-slavery law. The ministry also reported to have sent delegations to all regions of the country to educate local authorities about the law. Local NGOs, however, were unaware of these initiatives. Labor inspectors lack the basic resources, such as transport and office equipment, needed to investigate forced labor cases. In May 2008, the MOJ collaborated with UNICEF to host a child trafficking seminar for judges and law enforcement officials

Protection

The Government of Mauritania demonstrated weak efforts to protect victims of human trafficking, including slavery. Although the government promised in 2007 to allocate funds in the 2008 budget to provide former slaves with land and other resources for their reintegration, this commitment was not fulfilled; no government programs assisted former slaves during the year. The government closed six centers that it jointly funded with a donor in Nouakchott to provide care to indigent children, many of whom were *talibe*.

The government did not encourage victims to assist in trafficking investigations or prosecutions. Mauritania does not provide legal alternatives to the removal of foreign victims to countries where they face hardship or retribution. Victims are inappropriately incarcerated or otherwise penalized for unlawful acts committed as a direct result of being trafficked. The government continued to place children in jail for stealing or engaging in commercial sexual activity, despite the fact that many of them are likely trafficking victims who have been forced into these activities. The government does not follow procedures to identify trafficking victims among illegal immigrants detained in a center in Nouadhibou, where conditions are extremely harsh.

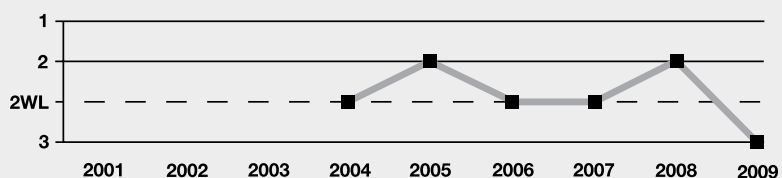
Prevention

The Government of Mauritania made inadequate efforts to raise awareness of trafficking during the last year. In November 2008, the Ministry of Labor collaborated with the ILO to organize a National Forum on Fundamental Labor Principles and Rights. The government has not taken steps to reduce the demand for forced and child labor, including trafficking and slavery, or demand for commercial sex acts.

MAURITIUS (Tier 1)

Mauritius is a source for children trafficked within the country for the purpose of commercial sexual exploitation. Secondary school-age girls and, to a lesser extent, younger girls from all areas of the island, including from Rodrigues Island, are induced into

MAURITANIA TIER RANKING BY YEAR



Prosecution

The Government of Mauritania decreased its law enforcement efforts to address human trafficking, including traditional slavery practices. Mauritanian law prohibits all forms of trafficking through its 2003 Law Against Trafficking in Persons, which prescribes penalties of from five to 10 years' imprisonment that are sufficiently stringent and exceed those prescribed for rape. Slavery is prohibited by Law number 2007-048, which was enacted in September 2007. This law defines slavery and prescribes an adequate penalty of from five to 10 years' imprisonment. It supplements a 1981 anti-slavery ordinance that failed to prescribe penalties or define slavery and it repeals a provision in the ordinance compensating slave owners for the liberation of their slaves. The law's effectiveness, however, is hampered by its requirement that slaves file a legal complaint before a prosecution may be pursued. The law also bars NGOs from filing complaints on behalf of slaves. Because many slaves are illiterate, they are often unable to complete the paperwork to file a legal complaint. Although the government in 2007 pledged \$7.5 million to combat slavery, a portion of which was allocated to enforcing the new anti-slavery law, the government failed to enforce this law. The government reported no arrests

prostitution, often by their peers, family members, or businessmen offering other forms of employment. Taxi drivers are known to provide transportation and introductions for both the girls and the clients. Boys whose mothers engage in prostitution are reportedly forced into prostitution at a young age. Some drug-addicted women are forced to engage in prostitution by their boyfriends, who serve as pimps.

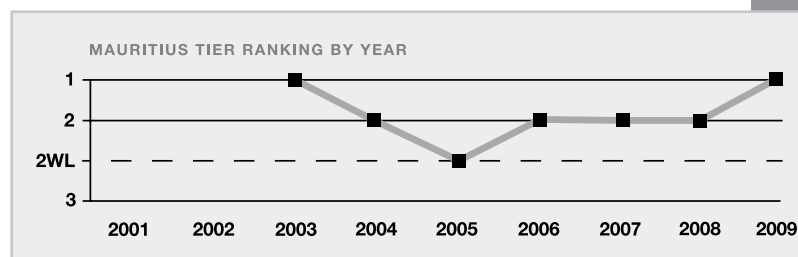
The Government of Mauritius fully complies with the minimum standards for the elimination of trafficking. Mauritius sustained its strong efforts to identify, address, and prevent incidences of trafficking during the reporting period. Government officials demonstrated an increasing level of awareness of human trafficking and commitment to addressing the problem. Public awareness projects, particularly those convened for school students by police officers and the National Children's Council, were frequently conducted and broad-reaching. Mauritius' parliament passed a comprehensive human trafficking law in April 2009.

Recommendations for Mauritius: Utilize newly passed anti-trafficking legislation to investigate and prosecute trafficking offenses and convict and punish trafficking offenders; designate an official coordinating body or mechanism to facilitate improved anti-trafficking communication and coordination among the relevant ministries, law enforcement entities, working groups, and NGOs; and increase protective services available to victims of child commercial sexual exploitation, particularly in regard to safe shelter and educational opportunities.

Prosecution

The Mauritian government demonstrated increased anti-trafficking law enforcement efforts, vigorously investigating cases of human trafficking throughout the year. During the year, the State Law Office drafted the Combating of Trafficking in Persons Bill and the Office of the Attorney General held consultations with relevant ministries and government agencies, including the Prime Minister's Office, Ministry of Women's Rights, Child Development, and Family Welfare (MOWCD), and the Mauritius Police Force on the law's implementation. The law, which was introduced in the Cabinet and passed by the parliament in April 2009, prescribes punishment of up to 15 years' imprisonment for convicted offenders, penalties which are sufficiently stringent and commensurate with those prescribed for other grave crimes. The Child Protection Act of 2005 prohibits all forms of child trafficking and prescribes punishment of up to 15 years' imprisonment for convicted offenders. In November 2008, however, the government passed the Judicial Provisions Act which provided for increased penalties for various offenses; the act prescribes punishment for child trafficking offenses of up to 30 years' imprisonment. The government reported eight child sex trafficking convictions during 2008: three under a brothel-keeping statute and five under a

"debauching youth" statute. Sentences for these convicted offenders ranged between three months' and three years' imprisonment, with fines up to an equivalent \$1,764. In January 2009, police in Curepipe arrested and charged a massage parlor owner for allegedly exploiting three girls in prostitution within the spa. Police completed the investigation resulting from the January 2008 arrest of a man and woman charged with inducing their 12-year-old niece into prostitution and referred the case to the Office of the Director of Public Prosecution. Ten trafficking cases remain under investigation, including two for brothel-keeping and three for causing a child to be engaged in prostitution. The Mauritius Police Force utilized a database for tracking trafficking-related cases.



Protection

The Mauritian government sustained its protection of child trafficking victims during the reporting period, paying NGO shelters \$6 per day for the protection of each child, including victims of trafficking. Government officials regularly referred children to these organizations for shelter and other assistance. The government-funded, NGO-run drop-in center for sexually abused children, which provided counseling to approximately 16 girls engaged in prostitution in 2008, advertised its services through bumper stickers, a toll-free number, and community outreach; its social worker continued to promote the services in schools and local communities. Nevertheless, due to the drop-in center's lack of shelter facilities and the often crowded conditions at NGO shelters, comprehensive protective services were not readily available to all victims identified within the country. To remedy this, the MOWCD acquired land and obtained funding to construct a residential center for victims of child commercial sexual exploitation late in the year. The ministry also operated a 24-hour hotline for reporting cases of sexual abuse; three cases of child prostitution were reported to the hotline in 2008. Mauritius has a formal protocol on the provision of assistance to all victims of sexual abuse; minors victimized by commercial sexual exploitation are accompanied to the hospital by a child welfare officer and police work in conjunction with this officer to obtain a statement. Medical treatment and psychological support were readily available at public clinics and NGO centers in Mauritius. In December 2008, the parliament passed the Child Protection (Amendment) Act, which created a child mentoring scheme to provide support and rehabilitation

to children in distress, including children engaged in prostitution. In May 2008, the government launched a capacity-building program for its five District Child Protection Committees, which report cases of vulnerable children in their respective localities, including those involving child prostitution. The government encourages victims' assistance in the investigation and prosecution of trafficking crimes. The government ensures that victims are not inappropriately incarcerated, fined, or otherwise penalized solely for unlawful acts committed as a direct result of being trafficked.

Prevention

The Mauritian government made notable efforts to prevent the sex trafficking of children and reduce the demand for commercial sex acts during the year. In 2008, the Ministry of Tourism, Leisure, and External Communications published and distributed to hotels and tour operators 3,000 pamphlets regarding the responsibility of the tourism sector to combat child sex trafficking. Law enforcement and child welfare officials conducted surveillance at bus stops, night clubs, gaming houses, and other places frequented by children to identify and interact with students who were at a high risk of sex trafficking. The Police Family Protection Unit and the Minor's Brigade, in conjunction with the MOWCD's Child Development Unit, conducted a widespread child abuse awareness campaign at schools and community centers that included a session on the dangers and consequences of engaging in prostitution; this campaign reached over 12,035 persons in 2008, including 145 parents, 300 primary school teachers, and 35 youth leaders. In addition, the police provided specific training on avoiding child prostitution to over 100 children in Flic en Flac, a tourist destination on the west coast of the island.

MEXICO (Tier 2)

Mexico is a large source, transit, and destination country for persons trafficked for the purposes of commercial sexual exploitation and forced labor. Groups considered most vulnerable to human trafficking in Mexico include women and children, indigenous persons, and undocumented migrants. A significant number of Mexican women, girls, and boys are trafficked within the country for commercial sexual exploitation, lured by false job offers from poor rural regions to urban, border, and tourist areas. According to the government, more than 20,000 Mexican children are victims of sex trafficking every year, especially in tourist and border areas. The vast majority of foreign victims trafficked into the country for commercial sexual exploitation are from Central America, particularly Guatemala, Honduras, and El Salvador; many transit Mexico en route to the United States and, to a lesser extent, Canada and Western Europe. In a new trend, unaccompanied Central American minors, traveling through Mexico to meet family members in the United States, increasingly fall victim to human traffickers,

particularly near the Guatemalan border. Victims from South America, the Caribbean, Eastern Europe, and Asia, are trafficked into Mexico for sexual or labor exploitation, or transit the country en route to the United States. Mexican men and boys are trafficked from southern to northern Mexico for forced labor. Central Americans, especially Guatemalans, are subjected to forced labor in southern Mexico, particularly in agriculture. Child sex tourism continues to grow in Mexico, especially in tourist areas such as Acapulco and Cancun, and northern border cities like Tijuana and Ciudad Juarez. Foreign child sex tourists arrive most often from the United States, Canada, and Western Europe. Organized criminal networks traffic Mexican women and girls into the United States for commercial sexual exploitation. Mexican men, women, and children are trafficked into the United States for forced labor, particularly in agriculture and industrial sweatshops.

The Government of Mexico does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government took steps to implement its federal anti-trafficking law, issuing regulations in February 2009. As of May 2009, twenty-two Mexican states and its federal district had enacted legislation to criminalize some forms of human trafficking on the local level. However, no convictions or stringent punishments against trafficking offenders were reported last year, though the federal government opened 24 criminal investigations against suspected trafficking offenders. Moreover, the government has not completed renovations on its planned trafficking shelter, though it continued to refer victims to NGOs for assistance. While Mexican officials recognize human trafficking as a serious problem, the lack of a stronger response by the government is of concern, especially in light of the large number of victims present in the country.

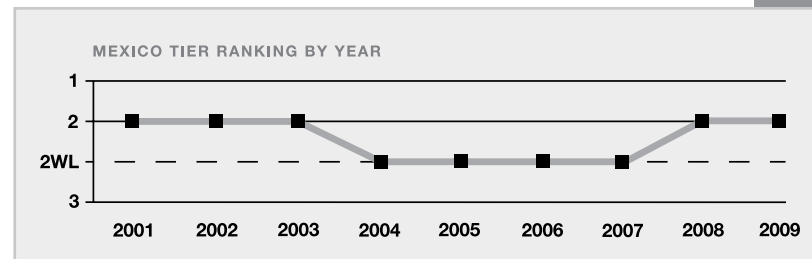
Recommendations for Mexico: Vigorously implement the new federal anti-trafficking law and provide funding for such implementation; increase efforts to investigate and prosecute trafficking offenses, and convict and punish trafficking offenders, including complicit public officials; dedicate more resources for victim assistance; continue to develop and implement formal procedures to identify trafficking victims among vulnerable populations; and increase anti-trafficking training for judges and law enforcement, including immigration and labor officials.

Prosecution

The Government of Mexico failed to improve on its limited anti-trafficking law enforcement efforts against offenders last year. No convictions or sentences of trafficking offenders were reported by federal, state, or local authorities. In late 2007, the federal government enacted legislation to prohibit all forms of human trafficking, prescribing penalties of six to 12 years' imprisonment. Under aggravated circumstances, such as when the victim is a child or lacks mental capacity,

penalties increase to nine to 18 years' imprisonment; when the defendant is a public official, penalties increase by one half. The above penalties are sufficiently stringent and exceed those prescribed for other serious crimes, such as rape. However, there are concerns over the new law's effective implementation, particularly that victims must press charges against traffickers, otherwise they will not be considered trafficking victims and will not be provided with victim assistance. During the reporting period, the Attorney General's Crimes Against Women and Trafficking in Persons Unit (FEVIMTRA), which prosecutes federal anti-trafficking cases in coordination with the Organized Crimes Unit, opened 24 investigations into suspected trafficking activity, including 11 cases of labor exploitation and 13 cases of commercial sexual exploitation; FEVIMTRA also handled a large number of domestic violence against women cases last year. In October 2008, FEVIMTRA filed one prosecution for forced labor in the state of Chiapas. In Mexico's federalist system, state governments investigate and prosecute trafficking activity on the local level. As of May 2009, twenty-two Mexican states and its federal district had enacted at least partial anti-trafficking laws. Federal jurisdiction is typically invoked in organized crime cases, or cases involving international or transnational trafficking; however, Mexico's federal government has yet to assert its clear jurisdiction over such human trafficking cases. Last year, prosecutors for the state of Chihuahua opened nine anti-trafficking cases; two are awaiting trial, and seven remain under investigation. The Mexican federal government continued to provide significant assistance to the U.S. government on cross-border trafficking investigations last year. The United States extradited a suspected child trafficker to Mexico in 2006; the defendant has yet to be prosecuted in Mexico, though he remained in federal custody during the reporting period. Last year, competing anti-crime priorities and security concerns in Mexico, along with scarce government resources, continued to hamper investigations against human traffickers. However, as organized crime groups continue to encompass human trafficking within the scope of their unlawful activities, the government's battle against organized crime, largely drug cartels, includes combating human trafficking. NGOs and other observers continued to report that corruption among public officials, especially local law enforcement and immigration personnel, was a significant concern; some officials reportedly accepted or extorted bribes or sexual services, falsified identity documents, discouraged trafficking victims from reporting their crimes, or ignored child prostitution and other human trafficking activity in commercial sex sites. No convictions or sentences against corrupt officials were achieved last year, although two immigration officials arrested in 2007 for their alleged leadership of an organized criminal group involved in extortion and smuggling remained under custody. Operation Limpieza, the Mexican government's investigation of high level corruption, resulted in arrests of senior officials from the Mexican

Attorney General's Office, in addition to military officials. Newly instituted vetting procedures for the Attorney General's Office have resulted in multiple dismissals of lower-ranking officials. Government-sponsored anti-trafficking training for public officials continued, though NGOs noted that many public officials in Mexico, including state and local officials, did not adequately distinguish between alien smuggling and human trafficking offenses.



Protection

The Mexican government provided limited victim assistance last year, relying on NGOs and international organizations to provide the bulk of specialized assistance and services for trafficking victims, particularly adults. Mexico's social welfare agency operated shelters for children who are victims of violence, including child trafficking victims. In 2007, the Mexican Congress appropriated 70 million pesos (\$7 million) for shelters for trafficking victims to house men, women, and children; the funds were allocated during the last year, and a dedicated property is now being renovated to hold up to 33 persons. The shelter will include a detoxification clinic, therapy rooms, and workshop studios. The Attorney General's Office at the end of 2007 donated a residence it confiscated from a convicted narco-trafficker for use as a human trafficking shelter. The residence was renovated last year and is fully operational, accommodating up to 22 victims. The government offered foreign victims a temporary legal alternative to their removal to countries where they may have faced hardship or retribution; however, most foreign trafficking victims, particularly adults, continued to be deported within 90 days. The government continued to issue renewable one-year humanitarian visas to foreign victims who assisted with the investigation and prosecution of their traffickers; however, foreign victims who declined to assist law enforcement personnel were repatriated to their home countries and were not eligible for aid or services. Only three trafficking victims received humanitarian visas last year. Many victims in Mexico were afraid to identify themselves or push for legal remedies due to their fears of retribution from their traffickers, many of whom are members of organized criminal networks. There were no confirmed reports of victims being penalized for unlawful acts committed as a direct result of being trafficked. The government did not employ formal procedures for identifying trafficking victims among

vulnerable populations, such as prostituted women in brothels. However, the government's immigration agency continued to develop guidelines for identifying trafficking victims, particularly children, among detainees. Last year Mexican authorities identified 55 trafficking victims within the country: 28 females and 27 males; trafficking allegations related both to commercial sexual exploitation and forced labor. FEVIMTRA directed identified victims to local resources for assistance.

Prevention

Federal and state governments sustained trafficking prevention efforts last year. In January 2009, FEVIMTRA inaugurated a widespread campaign to distribute anti-trafficking materials across the country. With assistance from NGOs and international organizations, the government continued additional activities to raise public awareness, particularly against the commercial sexual exploitation of children. In February 2009, the government issued implementing regulations to establish a formal interagency anti-trafficking commission and assign responsibilities to various federal agencies. Government collaboration with NGOs and international organizations on anti-trafficking efforts continued last year, but was reportedly uneven among the various federal agencies involved; under regulations issued pursuant to the federal anti-trafficking law, NGOs have limited involvement with the government's interagency anti-trafficking committee and related activities, such as developing anti-trafficking statistics. Authorities took some steps to reduce demand for commercial sex acts through state-level prosecutions of individuals engaging in commercial sex acts with children. No specific measures to reduce demand for forced labor were reported.

MICRONESIA, FEDERATED STATES OF (Tier 2 Watch List)

The Federated States of Micronesia (FSM) is a source country for some women trafficked to Guam for the purposes of commercial sexual exploitation, and possibly a destination for women from the People's Republic of China (PRC) trafficked for the purposes of commercial sexual exploitation. FSM may be a destination country for a few men and women from other Pacific nations

trafficked for the purpose of forced labor. In one reported case, a small group of young women in the state of Chuuk were lured by job opportunities in the service and hospitality sectors with salaries unavailable locally to the U.S. Territory of Guam. Instead of working as store clerks or waitresses, however, the women were forced to engage in prostitution. Brothel owners reportedly confiscated their passports and physically harmed the victims to ensure their obedience. Very little data on human trafficking in FSM exists, as the government has not conducted any relevant investigations, studies, or surveys on the issue. Anecdotal reporting suggests that few victims are trafficked within or outside FSM.

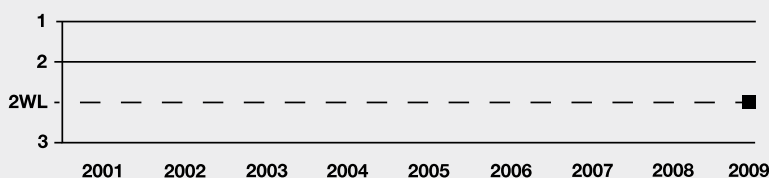
The Government of the Federated States of Micronesia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite significant overall efforts, the government has not provided evidence of vigorous efforts to identify trafficking victims and to prevent trafficking incidents by educating the public about the dangers of trafficking; therefore FSM is placed on Tier 2 Watch List. In the two police academy classes that have taken place since 2007, anti-trafficking in persons techniques were a major part of the curriculum.

Recommendations for FSM: Develop and implement a comprehensive federal anti-human trafficking law; create or support campaigns to educate and inform the public about the dangers of trafficking; monitor the practices of overseas employment recruiters, and investigate recruiters who may be involved in trafficking; and develop an internal structure which ensures victims' access to protective services.

Prosecution

FSM national police has jurisdiction over trafficking issues, although no specific or comprehensive federal laws prohibit human trafficking or trafficking-related offenses such as slavery, forced labor, or forced prostitution. Each of the four states could prosecute trafficking offenses under related laws prohibiting false imprisonment, criminal coercion, kidnapping, and even "making threats." Penalties for trafficking offenders under these laws range from five to 10 years' imprisonment and are sufficiently stringent and commensurate with penalties for other serious crimes, such as rape. The government's Transnational Crime Unit (TCU), part of the Pacific Transnational Crime network, was the main conduit for general law enforcement information coming from international sources. The unit had regular contact with the FBI and the Australian Federal Police. FSM police cooperated with foreign law enforcement officials investigating the case of the women trafficked from Chuuk to a brothel in Guam, where prosecution of the illegal brothel owners for trafficking began in early 2009. FSM reportedly began an investigation into the activities of the Micronesian citizen who recruited the women in Chuuk and is believed to also have been trying to recruit women in the state of Pohnpei. Law enforcement agencies

MICRONESIA (FSM) TIER RANKING BY YEAR



operated under significant resource, personnel, and capacity constraints.

Protection

During the reporting period, the government did not identify any trafficking victims within FSM's borders, and therefore did not provide specific assistance to victims of trafficking, though it ensured that identified victims would have access to limited, general protective services provided by government agencies. No NGOs provide victim services independently or in cooperation with the government. FSM has no laws specifically protecting trafficking victims or witnesses, although general material witness laws give the government the right to detain witnesses for their own protection. Effective due process procedures in FSM criminal justice system generally ensured that the rights of all victims of crime were respected and protected. While no specific civil remedy for trafficking victims is spelled out in the state or national codes, each state's code does provide general redress for personal injuries caused by another. Victims may bring personal injury civil suits against traffickers, although no suits have ever been filed. The law did not provide legal alternatives to the removal of foreign victims to countries where they faced hardship or retribution.

Prevention

The government made no efforts to prevent trafficking or increase the public's awareness of trafficking risks in FSM and the region during the reporting period. Evidence and anecdotal reports suggest that the current number of internal or transnational trafficking victims is relatively low; the government's limited resources were thus often directed to meet more emergent priorities. The government, however, did initiate anti-trafficking in persons training for new police recruits in the last two police academy classes. FSM supports no anti-trafficking task forces or working groups. The government has run no campaigns aimed at reducing the demand for commercial sex acts. FSM has not ratified the 2000 UN TIP Protocol.

MOLDOVA (Tier 2 Watch List)

Moldova is a source, and to a lesser extent, a transit and destination country for women and girls trafficked for the purpose of commercial sexual exploitation and men trafficked for forced labor. According to an ILO report, Moldova's national Bureau of Statistics estimated that there were likely over 25,000 Moldovan victims of trafficking for forced labor in 2008. Moldovan women are trafficked primarily to Turkey, Russia, Cyprus, the UAE, and also to other Middle Eastern and Western European countries. Men are trafficked to work in the construction, agriculture, and service sectors of Russia and other countries. There have also been some cases of children trafficked for begging to neighboring countries. Girls and young women are trafficked within the country from rural areas to Chisinau, and there is evidence that men

from neighboring countries are trafficked to Moldova for forced labor. The small breakaway region of Transnistria in eastern Moldova is outside the central government's control and remained a source for trafficking victims.

The Government of Moldova does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite initial efforts to combat trafficking-related complicity since the government's reassessment to Tier 2 Watch List in September 2008, and increased victim assistance, the government did not demonstrate sufficiently meaningful efforts to curb trafficking-related corruption, which is a government-acknowledged problem in Moldova; therefore, Moldova is placed on Tier 2 Watch List. While some of Moldova's anti-trafficking activities remained dependent on international donor funding, the government improved victim protection efforts, deployed more law-enforcement officers in the effort, and contributed direct financial assistance toward victim protection and assistance for the first time.

Recommendations for Moldova: Continue to investigate and prosecute law enforcement officials' complicity in trafficking, and seek punishment of any guilty officials; continue to improve data collection on investigations, prosecutions, convictions, and sentences for trafficking offenders, and demonstrate increased law enforcement efforts; continue to disburse resources for victim assistance and protection; boost proactive efforts to identify and protect trafficking victims, including child victims and victims trafficked within Moldova; consider prevention activities specifically targeted at reducing the demand for human trafficking in Moldova.

Prosecution

The Government of Moldova acknowledged a trafficking-related complicity problem and investigated some cases of trafficking-related complicity, though it did not convict any complicit officials or demonstrate increased overall law enforcement efforts over the reporting period. The Government of Moldova prohibits all forms of trafficking through Articles 165 and 206 of its criminal code. Penalties prescribed range from seven years' to life imprisonment, which are sufficiently stringent and commensurate with those prescribed for rape. Data collection on trafficking-related law enforcement statistics improved in 2008, though accuracy concerns remained. The government reported initiating 246 trafficking investigations (decreased from 507 reported last year) and 127 trafficking prosecutions (decreased from 250 reported last year), including 31 under the child trafficking statute. The government reported 58 convictions (comparable to 60 reported last year) with sentences ranging from seven to 23 years. Despite widespread reports of corruption related to human trafficking, the government still has not convicted any official for trafficking-related complicity. In June 2008, the government acknowledged a lack of adequate efforts to prosecute officials reportedly complicit in trafficking and at that time re-opened three high

profile cases involving allegations of trafficking-related corruption that had previously been dismissed under questionable circumstances. These investigations remain open. During 2008, the government prosecuted one trial court judge and investigated another suspected of unreasonably downgrading the charges in two trafficking cases and imposing on the defendants penalties more lenient than prescribed by the law; the government reported that the prosecution remains open, though it closed the separate investigation for lack of evidence. The government opened several additional investigations of alleged trafficking complicity of law enforcement officials in 2008 but later determined they were not trafficking-related cases. The national police academy included a regular segment on trafficking in its curriculum, the Ministry of Internal Affairs organized 32 trafficking seminars for employees, and officials held one seminar for consular officers on trafficking in 2008.

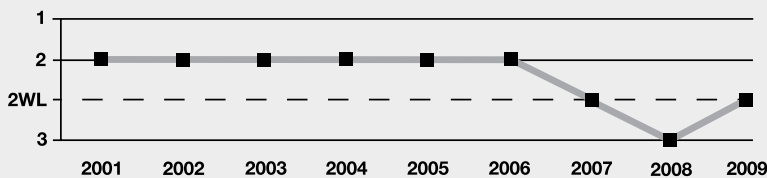
Prevention

The government sustained prevention efforts during the reporting period. In 2008, CCTIP participated in 27 interviews broadcast on radio and TV, conducted 30 seminars on trafficking prevention in schools and universities, and provided outreach to church leaders. The government's national committee charged with coordinating anti-trafficking activities in Moldova held only one meeting in 2008. The Ministry of Economy and Trade provided vocational training free of charge to at-risk persons and returned trafficking victims referred by IOM. The Ministry of Interior funded and operated a victim assistance hotline during the reporting period. The Ministry of Foreign Affairs and European Integration trains consular officers to assist victims in destination countries. There was no evidence that the government undertook prevention activities specifically targeted at reducing the demand for commercial sex or forced labor in Moldova.

MONGOLIA (Tier 2)

Mongolia is a source country for men, women, and children trafficked for the purposes of sexual exploitation and forced labor. Mongolian women and girls are trafficked to China, Macau, Hong Kong, Malaysia, and South Korea for both forced labor and sexual exploitation. Mongolian men and women are trafficked to Kazakhstan and Turkey for labor exploitation. There is also concern about involuntary child labor in the Mongolian construction, mining, and industrial sectors, where they are vulnerable to injury and face severe health hazards, such as exposure to mercury. Mongolian trafficking victims were documented over the last year in a greater number of destinations, including Germany, Switzerland, the United Arab Emirates, Israel, and other countries in the Middle East. Some Mongolian women who enter into marriages with foreign nationals – mainly South Koreans – were subjected to conditions of involuntary servitude after moving to their spouses' homeland. Mongolia continues to face the problem of children trafficked internally for the purpose of commercial sexual exploitation, reportedly organized by criminal networks. There have been several reports of Mongolian girls and women being kidnapped and forced to work in the country's commercial sex trade. According to NGOs, South Korean and Japanese child sex tourists are visiting Mongolia in greater numbers. Methods used by traffickers to lure victims grew increasingly organized and sophisticated. For instance, traffickers are beginning to utilize "TV Chat," a late-night broadcast through which viewers send and view text messages, as a method to recruit victims, typically through the promise of lucrative jobs. Around 150 North Koreans remain employed in Mongolia as contract laborers. In 2008, the Mongolian government signed an agreement with North Korea that could bring as many as 5,300 additional DPRK laborers to Mongolia. Once overseas, North Korean workers do

MOLDOVA TIER RANKING BY YEAR



Protection

Moldova improved its victim protection efforts during the reporting period. For the first time, the government funded approximately \$52,000 for the operation of an IOM-operated primary shelter for repatriated adult and child victims. In cooperation with IOM, the government expanded the national system of referring identified trafficking victims to shelters to cover 16 districts and two municipalities, an increase from seven districts covered in 2007. During the last year, the government enacted regulations for facilitating and funding victim repatriation. Moldovan law exempts victims from criminal prosecution for unlawful acts committed as a direct result of being trafficked. NGOs continued to document instances of trafficking victims' rights being violated in court, though the official government policy remained one of encouraging victims to participate in the investigation and prosecution of trafficking offenders. Most NGOs noted that the government's treatment of victims improved during the last year. Moldova's government Center to Combat Trafficking in Persons (CCTIP) continued operating a special unit for physical and psychological protection of victims and witnesses, and in September 2008, the government enacted a new witness protection law. Moldova does not provide legal alternatives to the removal of foreign victims to countries where they may face retribution or hardship.

not appear to be free to leave their employment, their freedom of movement and communication are restricted, and workers typically only receive a fraction of the money paid to the North Korean government for their work.

The Government of Mongolia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The use of laws other than trafficking-specific laws to prosecute traffickers resulted in generally lower sentences for convicted offenders. The government cooperated with NGOs on anti-trafficking measures, but did not provide sufficient assistance to victims. Despite continued reports of complicity by government officials in severe forms of trafficking, there were no investigations or prosecutions of such corruption.

Recommendations for Mongolia: Make more effective use of Article 113, Mongolia's trafficking law, to prosecute suspected trafficking offenses; investigate and prosecute government officials complicit in trafficking; expand the number of police investigators and prosecutors dedicated to addressing trafficking cases; raise awareness among law enforcement officials and prosecutors throughout the country about trafficking crimes; develop and implement formal victim identification and referral procedures to ensure that victims are found among at-risk populations and referred for victim services; consider measures to protect victims who assist and testify in trafficking trials; and improve protection and rehabilitation services for victims.

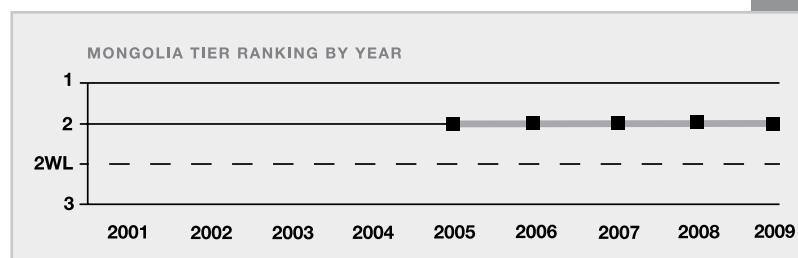
Prosecution

The Mongolian government made some progress in enforcing its anti-trafficking laws during the last year. Mongolia criminalizes all forms of human trafficking through Article 113 of its criminal code, which was amended in 2007 and which prescribes penalties that are sufficiently stringent – up to 15 years' imprisonment – and commensurate with those penalties prescribed for other serious offenses. The government secured the convictions of 10 trafficking offenders under Article 113, compared to seven convictions in the previous reporting period. Those convicted under Article 113, including a woman who trafficked five young Mongolian women to Macau, received sentences of 10 to 15 years' imprisonment. Thirty-three other people were convicted under the lesser offense of forced prostitution (Article 124) and were sentenced to between one and three years' imprisonment. Several trafficking offenders convicted under Article 124 were fined and were not sentenced to prison. Two cases prosecuted in 2008 under Article 124 involved five victims who were children. During the year, the Supreme Court issued an interpretation of the amended Article 113 that created ambiguities as to when prosecutors and judges should apply the law. Police, judges, and prosecutors continued to exhibit a lack of knowledge regarding trafficking. There continued to be reports of law enforcement officials directly involved in or facilitating trafficking crimes during the year,

including assisting traffickers in identifying potential victims. Anecdotal reporting suggests that some high-level government and police officials have been clients of minors exploited in prostitution, but the government did not investigate or take any disciplinary actions against law enforcement officers implicated in trafficking-related corruption.

Protection

The Mongolian government's efforts to protect trafficking victims were inadequate, and it continued to rely heavily on NGOs and international organizations to provide the bulk of victim services. Sixty-one trafficking victims were identified during the reporting period, compared with 115 victims identified during the previous year. Most victims were trafficked to China for sexual exploitation. It is unclear how many victims were identified by the government, as opposed to NGOs. Government personnel did not proactively identify trafficking victims, nor do they refer trafficking victims to appropriate government or NGO services. The government encouraged victims to participate in investigations and prosecutions of trafficking offenders, but Mongolian law continued to lack protection provisions for victims of any crimes, including trafficking. Victims were sometimes punished for unlawful acts committed as a direct result of their being trafficked, as they faced the risk of being prosecuted on charges related to prostitution. In February 2009, while in police custody, two trafficking victims filed charges against their trafficker. When they left police custody, their trafficker used threats to force them to recant the charges. Upon doing so, the trafficker had the victims charged with defamation and making false statements to the police. The girls were arrested and sentenced in the Sukhbaatar District Court on February 18, 2009, to two years in prison, but the sentence was suspended for one year and the girls placed under police supervision to provide time for their NGO-provided lawyer to prepare an appeal. Given its limited resources, the government did not run or fund shelters for victims of trafficking; nor did it provide direct assistance to Mongolian trafficking victims repatriated from other countries.



Prevention

The Government of Mongolia did not undertake any significant new trafficking prevention activities during the reporting period. Government personnel continued the distribution of NGO-sponsored passport and train

ticket inserts, which led to the repatriation of several additional Mongolian trafficking victims. The government sustained collaboration with NGOs providing anti-trafficking training to police, immigration officials, Border Force officials, and civil servants. NGOs continued to report, however, that cooperation varied considerably by government ministry. The government did not take any measures during the reporting period to reduce the demand for commercial sex acts. Mongolian troops deployed abroad for international peacekeeping missions were briefed on the fact that solicitation of prostitution while serving abroad would be considered a criminal act under Mongolian law.

MONTENEGRO (Tier 2 Watch List)

Montenegro is primarily a transit country for the trafficking of women and girls from Ukraine, Moldova, Serbia, Albania, and Kosovo to Western Europe for the purpose of commercial sexual exploitation. There have been reported cases of forced labor in the construction industry. There is anecdotal evidence that foreign children, mainly Roma, are also trafficked through Montenegro for the purpose of forced begging. In 2008, there were no reports of Montenegrins being trafficked to other countries. Groups that are vulnerable to trafficking include women in prostitution, unaccompanied foreign minors, ethnic Roma, and foreign construction workers. Refugees and displaced persons also are vulnerable, as their lack of legal status in Montenegro limits their access to legal employment and social rights.

Recommendations for Montenegro: Continue to vigorously investigate and prosecute trafficking offenses, and convict and sentence trafficking offenders, including any public officials complicit in trafficking; ensure that convicted trafficking offenders receive adequate punishment; improve tracking of human trafficking law enforcement data; increase efforts to identify victims among vulnerable groups, such as women arrested for prostitution violations, undocumented migrants, and child beggars, and refer them to the government shelter or trafficking NGOs; provide protection for potential child victims of trafficking; continue the recently launched anti-trafficking public awareness campaign; and continue vigorous efforts to coordinate all anti-trafficking entities within Montenegro.

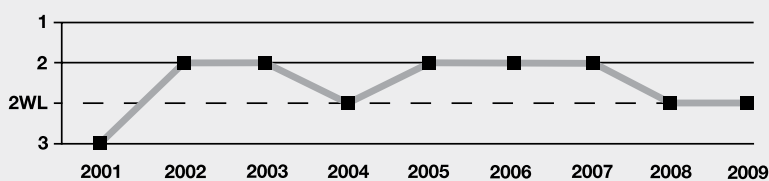
Prosecution

The Government of Montenegro did not demonstrate vigorous anti-trafficking law enforcement efforts in 2008. Montenegro prohibits sex and labor trafficking through Article 444 of its criminal code, which prescribes penalties that are sufficiently stringent and commensurate with those prescribed for rape. Precise trafficking-related statistics for 2008 were unavailable, but the new coordinator is working on establishing a mechanism that would address this concern as well as improving overall prosecution efforts. According to information provided by the government and media reports, the government initiated 18 trafficking prosecutions and secured the convictions of eight trafficking offenders during the reporting period. Sentences ranged from two years to six years' and 10 months' imprisonment. The government reported that four of the eight convicted traffickers are currently serving time in jail. The government also confirmed that three convicted trafficking offenders sentenced each to five years' imprisonment in 2007 were not serving their sentences in jail. Although corruption is a significant problem in Montenegro, during the reporting period, neither civil society, nor media outlets, nor government agencies reported specific allegations of official complicity in trafficking in persons crimes.

Protection

The Government of Montenegro continued efforts to protect trafficking victims over the last year, although results were mixed. The government funded all expenses for a trafficking victim shelter and provided medical and legal assistance as well as vocational training for victims. The government reported it used a formal mechanism to guide police in referring potential trafficking victims to the government shelter, but authorities reported identification of just three victims, two of whom were referred to the shelter in 2008. Also during the reporting period, at least 75 minors were apprehended for begging; police determined they were not trafficking cases and did not refer any of the children to the government's trafficking shelter, which can accommodate potential child victims. Police conducted raids on nightclubs and illegal construction sites but reported no additional referrals. According to official policy, the government

MONTENEGRO* TIER RANKING BY YEAR



* Serbia and Montenegro were a Union Republic until June 5, 2006.

The Government of Montenegro does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these overall significant efforts, the government did not provide adequate evidence of progress in punishing convicted traffickers or proactively identifying trafficking victims among vulnerable groups; therefore, Montenegro is placed on Tier 2 Watch List. In a positive development late in the reporting period, the new anti-trafficking coordinator has made it a priority to create a mechanism that accurately tracks anti-trafficking law enforcement statistics, conduct outreach to the judicial branch to address concerns about trafficking prosecutions, and raise awareness about human trafficking within Montenegro. It is expected that these positive steps should portend tangible results in the coming year.

encouraged victims to participate in the investigations or prosecution of trafficking offenders; lengthy court proceedings lead to prolonged shelter stays and delayed repatriation for victims while they waited to participate in prosecutions. In practice, few victims have participated in the prosecution of their traffickers beyond giving statements to the police due to fear of reprisals; as noted previously, many convicted traffickers have not been sentenced to prison. The government reported that trafficking victims have not been penalized for unlawful acts committed as a direct result of their being trafficked. Under Montenegrin law, the government can provide temporary or permanent residency status to foreign victims, depending on the circumstances of the case.

Prevention

The government acknowledged that human trafficking was a regional problem, but has not specifically acknowledged that there is a problem occurring in Montenegro. During the reporting period, the government funded six workshops for various ministries involved in combating trafficking and performed an awareness raising campaign in schools. The government also signed a memorandum of understanding with NGOs to facilitate cooperation on combating human trafficking. The government adopted a new action plan in December 2008 valid through 2009. The government did not fund Montenegro's hotline for trafficking victims but pledged to do so in the future. The new coordinator has brought renewed focus to the government's efforts to combat trafficking in persons, reinstating regular meetings of the anti-trafficking working group. There were no awareness efforts aimed at reducing the demand for sex or labor trafficking during the reporting period.

MOROCCO (Tier 2)

Morocco is a source, destination, and transit country for men, women, and children trafficked for the purpose of forced labor and commercial sexual exploitation. Children are trafficked within the country from rural areas to urban centers to work as maids or laborers, or for exploitation in the sex trade. Men, women, and children are trafficked to European and Middle Eastern countries as illegal migrants who become exploited for forced labor and prostitution. Young Moroccan girls from rural areas are recruited to work as child maids in cities, but often face restrictions on movement, non-payment of wages, threats, and physical or sexual abuse. Moroccan boys experience involuntary servitude as apprentices in the artisan and construction industries and in mechanic shops. Transnational human trafficking in Morocco is associated with people smuggling and drug trafficking. Some Moroccan women are trafficked to Gulf States, Jordan, Libya, Syria, Cyprus, and European countries for commercial sexual exploitation. There were reports of Moroccan men who were promised jobs in the Gulf; upon arrival their passports were confiscated and they were forced into debt bondage. Men lured to Italy with

job offers were forced to sell drugs. In addition, men and women from sub-Saharan Africa, South Asia, and the Philippines enter Morocco voluntarily, but illegally, with the assistance of smugglers; once in Morocco, some of the women are coerced into commercial sexual exploitation.

The Government of Morocco does not comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government did not take adequate steps to collect data on trafficking, identify victims, increase overall law enforcement efforts to investigate, convict, or punish traffickers, or provide adequate protection for victims of trafficking who were often detained and subject to deportation. Moroccan authorities, however, moved to engage international organizations to conduct a first baseline assessment of human trafficking in the country, which is expected to be completed in 2009.

Recommendations for Morocco: Enact comprehensive anti-trafficking legislation that increases prescribed penalties for forced labor; significantly increase prosecutions of trafficking offenders; collect data on incidence of trafficking (as distinct from smuggling); institute a victim identification mechanism; ensure that victims are not punished for acts committed as a direct result of being trafficked; and conduct public awareness campaigns, encompassing child sex tourism.

Prosecution

The Government of Morocco made inadequate efforts to investigate trafficking offenses and punish trafficking offenders during the reporting period. Morocco appears to prohibit all forms of trafficking. Its Penal Code prohibits forced child labor through Article 467, forced labor through Article 10, and forced prostitution and prostitution of a minor through Articles 497-499. The Government of Morocco reports that it also employs the Immigration Law of 2003 and other statutes, such as those prohibiting kidnapping, fraud, and coercion, to prosecute trafficking offenses. Penalties prescribed by these various statutes for sex trafficking offenses are sufficiently stringent, and commensurate with those prescribed for other grave crimes, such as rape. In contrast, prescribed penalties for labor trafficking appear not to be sufficiently stringent; penalties for child labor under Article 467 range from one to three years' imprisonment, while general penalties for forced labor under Article 10 are limited to fines for first-time offenders or six days' to three months' imprisonment for repeat offenders. Authorities claim they dismantled 220 trafficking or smuggling rings in 2008; however, the government made no distinction between migrant smuggling and trafficking, so it was unclear how many were truly human trafficking rings. Authorities reported prosecuting 42 individuals for exploiting children trafficked for the purpose of domestic servitude under trafficking-related statutes during the reporting period. In 2008, the government also prosecuted 200 individuals for "inciting" children into prostitution or sexually abusing children; some of these prosecutions likely involve

trafficking offenses. The government did not report the number of individuals convicted or punished for trafficking offenses in 2008. The government offered anti-trafficking training to judges, prosecutors, the territorial police, and border security officials.

Protection

Morocco made insufficient progress in protecting victims of trafficking over the last year. Foreign trafficking victims are often treated as illegal migrants, subject to arrest and deportation. Government officials continued to round up illegal sub-Saharan migrants – failing to make efforts to identify trafficking victims among them – and left them at the Algerian border, often without food or water; there were reports that some were robbed, assaulted, and sexually abused by criminal gangs that operate in the area. The government did not offer legal alternatives to the removal of foreign victims of trafficking to countries where they might face retribution. Morocco does not encourage victims to participate in investigations against their traffickers, although some victims reportedly testify during prosecutions. Reports from NGOs indicate that some potential trafficking victims suffered physical abuse at the hands of Moroccan police. NGOs provided most services to domestic victims of trafficking. Government-operated centers in Casablanca and Marrakech offered assistance to street children and other victims of violence, abuse, and sexual exploitation, including victims of trafficking. Also, during the reporting period, Moroccan diplomatic missions provided assistance with passports and transportation home to Moroccan women trafficked to Middle Eastern countries for commercial sexual exploitation.

team consisting of UN investigators and Moroccan army officers was unable to find any conclusive evidence of abuse. An investigation by the UN Office of Internal Oversight was ongoing at the end of the reporting period. The government provided Moroccan soldiers participating in UN peacekeeping missions with training on the issue of sexual exploitation and abuse. Morocco has not ratified the 2000 UN TIP Protocol.

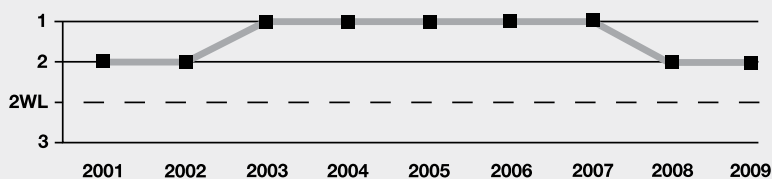
MOZAMBIQUE (Tier 2)

Mozambique is a source and, to a much lesser extent, a destination country for men, women, and children trafficked for the purposes of forced labor and sexual exploitation. The use of forced and bonded child laborers is a common practice in Mozambique's rural areas, often with the complicity of family members. Women and girls, often with promises of employment or education, are trafficked from rural to urban areas of Mozambique, as well as to South Africa, for domestic servitude and commercial sexual exploitation; young men and boys are trafficked to South Africa for farm work and mining. Trafficked Mozambicans often labor for months in South Africa without pay and under coercive conditions before their exploiters have them arrested and deported as illegal migrants. Traffickers are typically part of small networks of Mozambican and/or South African citizens; however, the involvement of larger Chinese and Nigerian syndicates have been reported. Small numbers of Mozambican children and adults are reportedly trafficked to Zambia for agricultural labor, while adults are trafficked to Portugal for forced labor and commercial sexual exploitation. Zimbabwean and Malawian women and girls are trafficked to Mozambique for sexual exploitation and domestic servitude. A recent NGO report found that human trafficking of Mozambican children and adults for the forcible removal of body parts is significant; so-called witchdoctors in Mozambique and South Africa seek various body parts of live victims for traditional medical concoctions commonly purchased to heal illness, foster economic advancement, or hurt enemies.

The Government of Mozambique does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Mozambique demonstrated an increased commitment to combating trafficking in 2008, particularly through the enactment of comprehensive anti-trafficking legislation, the creation of an anti-trafficking police unit, and the conviction and sentencing of two child traffickers.

Recommendations for Mozambique: Utilize new anti-trafficking legislation to prosecute and convict suspected trafficking offenders; launch a nationwide public awareness campaign; build the capacity of the new police anti-trafficking unit and victim support units to investigate cases and provide short-term protection to victims; and investigate and prosecute public officials suspected of accepting bribes to overlook trafficking crimes or free traffickers.

MOROCCO TIER RANKING BY YEAR



Prevention

The government periodically undertook awareness-raising campaigns related to the abuse of children, child labor, and sexual exploitation during the year. The 2006-2015 National Plan for Action for Children includes the goal of protecting children from abuse, violence, and exploitation, in part by reducing the incidence of child labor. Authorities did not make significant efforts to raise public awareness of the commercial sexual exploitation of children and women, especially in tourist areas, and did not take any reported measures to reduce the demand for commercial sex acts.

The government fully supported UN efforts to investigate accusations that Moroccan peacekeepers in Côte d'Ivoire sexually abused underage girls. An inquiry

Prosecution

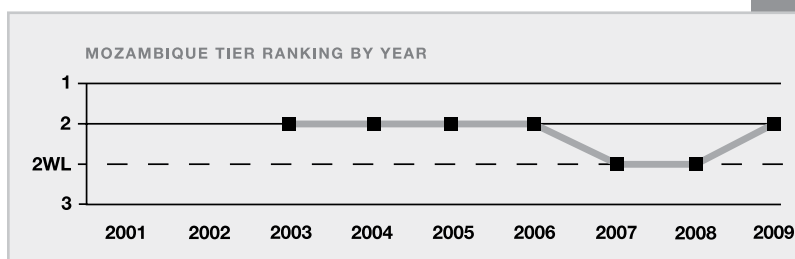
The government demonstrated progress in its anti-trafficking law enforcement efforts during the reporting period. In April 2008, the National Assembly passed the final version of a comprehensive human trafficking law. In June, the president signed the bill into law; it went into force in September after being gazetted. The law provides for penalties of 16 to 20 years' imprisonment for those recruiting or facilitating the exploitation of a person for purposes of prostitution, forced labor, slavery, or involuntary debt servitude; these penalties are sufficiently stringent and exceed those for other grave crimes. The government budgeted \$360,000 to support the enforcement of this new law, though this funding has not yet been allocated to any government entity. Following passage of the law, the Mozambican Police created a six-person anti-trafficking unit to apprehend trafficking offenders, investigate cases, and reintegrate victims. This unit began developing procedures for interviewing potential victims and transferring them to the care of other organizations. In 2008, the Ministry of Justice launched a juvenile court system in Maputo specifically designed to handle trafficking cases, as well as other sensitive cases involving children; this new court has yet to hear a child trafficking case. In July 2008, under child abuse laws, a Maputo court sentenced two Turkish citizens to a year in prison and fined each \$3,100 for physically and sexually abusing 17 children whom they brought to the capital under pretense of providing an Islamic education, but actually used for domestic servitude at their private residence. In mid-2008, the MOI worked closely with South African authorities to develop evidence needed for the trial of a Mozambican sex trafficker in Pretoria. During the reporting period, police also reported breaking up several trafficking schemes, arresting several drivers and facilitators, but not the organizers behind the operations.

Many low-ranking police and border control agents reportedly accept bribes from traffickers, severely hindering Mozambique's prosecution efforts. In response, the government institutionalized training on human trafficking as a standard part of the mandatory training program for new border guard and police cadets. In addition, the MOI's Office for Assistance to Women and Vulnerable Children began implementing a plan to augment trafficking awareness training for police officers; it also increased the availability of victim support services in each of the country's police stations.

Protection

The government's efforts to protect victims of trafficking continued to suffer from limited resources and a lack of political commitment; government officials regularly relied on NGOs to provide shelter, food, counseling, and rehabilitation. Moreover, the government continues to lack formalized procedures for identifying potential victims and transferring them to NGOs with the capacity to provide care. The Office of Assistance to Women and Vulnerable Children, however, continued collaboration

with a network of anti-trafficking NGOs to respond quickly to tips on potential trafficking cases and provide care and protection to victims. Each of the 204 police stations has designated staff to respond to cases of women and children victimized by violence; these victim support centers registered complaints and filed reports of trafficking crimes before transferring victims to the care of NGOs. The Mozambican police force reportedly rescued more than 200 Mozambican children being trafficked to South Africa in the first half of 2008. The government also provided shelter and medical care for two Mozambican girls rescued from sex trafficking in South Africa in March 2008; the trial of their Mozambican trafficker is ongoing in Pretoria. The government encouraged victims to assist in the investigation and prosecution of traffickers, and did not penalize victims for unlawful acts committed as a direct result of their being trafficked. The government neither systematically seeks to identify trafficking victims among vulnerable groups nor provides legal alternatives to the removal of foreign trafficking victims to countries where they would face hardship or retribution.



Prevention

The government's prevention efforts remained weak during the reporting period; it has yet to launch a nationwide campaign to foster public awareness of human trafficking among government officials and private citizens. As a result, most Mozambicans, including many law enforcement officials, reportedly still do not have a clear understanding of what constitutes trafficking. In the year following the March 2008 arrest of a Mozambican sex trafficker in South Africa, the government-owned and private press ran frequent articles on updates to the case, the need for passage of the anti-trafficking law, and suspected cases of trafficked Mozambican children, including children abducted from school playgrounds in Maputo and Matola. At year's end, police and Ministry of Justice officials began regularly meeting with NGOs to develop a viable anti-trafficking strategy for the 2010 World Cup, which is expected to increase the incidence of Mozambicans trafficked to South Africa for sexual exploitation. Radio Mozambique and Television Mozambique continued to produce and air, with the assistance of international organizations, child-to-child programs focused on children's themes, including child trafficking. Radio Mozambique aired an IOM-produced radio drama on human trafficking. The government, however, did not take any significant measures during the

reporting period to reduce the demand for forced labor or commercial sex acts.

NAMIBIA (Tier 2)

Namibia is a source, transit, and destination country for children trafficked for the purposes of forced labor and commercial sexual exploitation. Namibian children are trafficked within the country for domestic servitude and forced agricultural labor, cattle herding, vending, and commercial sexual exploitation. In some cases, Namibian parents may have unwittingly sold their children into trafficking conditions, including child prostitution. There have been reports of Namibian children being trafficked to South Africa, typically by truck drivers, for the purpose of sexual exploitation. Zambian and Angolan children are trafficked to Namibia for domestic servitude, agricultural labor, and livestock herding. There is evidence that a West African labor trafficking syndicate transports West African adults through Namibia to Angola to work under false pretenses.

The Government of Namibia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The Ministry of Gender Equality and Child Welfare's (MGECW) distribution of anti-trafficking brochures and commissioning, with foreign funding, of a baseline study on human trafficking in Namibia demonstrates the government's increasing awareness of the issue and commitment to addressing it. The government also hosted the ninth annual INTERPOL working group meeting on trafficking in persons in September 2008.

period. The Prevention of Organized Crime Act of 2004 has a provision that criminalizes trafficking in persons and prescribes up to 50 years' imprisonment or fines of up to \$140,000 for those convicted. This act was implemented in May 2009. Section 4 of Namibia's Labor Act of 2007, which was signed into law in 2007 and came into force in November 2008, prohibits forced labor and prescribes penalties of up to four years' imprisonment or a fine of up to \$2,000, or both. Section 3 of the Labor Act prohibits various forms of exploitative child labor, prescribing penalties equal to those for forced labor offenses. Existing laws prohibiting child prostitution, pimping, and kidnapping could also be used to prosecute trafficking cases. Prescribed penalties for the above crimes are sufficiently stringent and commensurate with those prescribed for other grave crimes. The government did not prosecute any cases of human trafficking during the reporting period. In mid-2008, before the November 2008 implementation of the Labor Act which prescribes criminal penalties for forced and child labor, the Ministry of Labor issued three administrative compliance orders to potential child trafficking offenders under the 2004 Labor Act. Though an August 2008 case involving Angolan children forced to herd cattle was slated to be reopened in 2009 under the Act's new criminal penalties, the Ministry of Labor discovered in March 2009 that the suspect, a farmer, had disappeared. Police initiated various investigations during the year into suspected cases of pimping and brothel-keeping, but the lack of appropriate anti-trafficking legislation prevented the prosecution of alleged perpetrators.

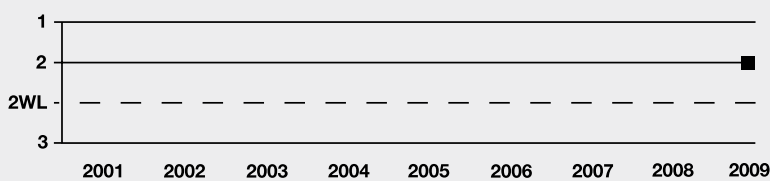
Protection

Though the Women and Child Protection Unit of the police and the MGECW's gender liaison officers attended a half-day workshop on trafficking during the reporting period, government officials did not identify any trafficking cases. The government lacked the financial resources and capacity to provide direct care to victims. NGOs and other civil society entities provided short-term shelter facilities to which government authorities referred victims of crime for assistance; however, shelters are often full and cannot accommodate all victims of abuse referred. Neither long-term shelter facilities nor services specifically tailored to the needs of trafficking victims exist in Namibia. MGECW social workers are assigned to the Namibian Police's 15 Women and Child Protection Units; these units implemented a formal referral agreement with a local NGO that offers counseling to victims of trauma, but there is no record they have ever referred a trafficking victim to this organization. The Namibian legal system provided protection to victims who wish to testify against their abusers, as well as a legal alternative to foreign victims' removal to countries where they faced hardship or retribution in the form of a comprehensive asylum policy.

Prevention

Understanding of what constitutes human trafficking remained limited in Namibia, though the government

NAMIBIA TIER RANKING BY YEAR



Recommendations for Namibia: Draft and enact anti-trafficking legislation that prohibits and punishes all forms of trafficking; implement already enacted legislation against forced labor to prosecute trafficking offenses and convict labor trafficking offenders; launch a national anti-trafficking public awareness campaign, particularly in the border areas; provide further training to law enforcement and social services officials on the identification and provision of assistance to trafficking victims; and begin maintaining statistics on specific human trafficking offenses.

Prosecution

The Government of Namibia's anti-trafficking law enforcement efforts were moderate during the reporting

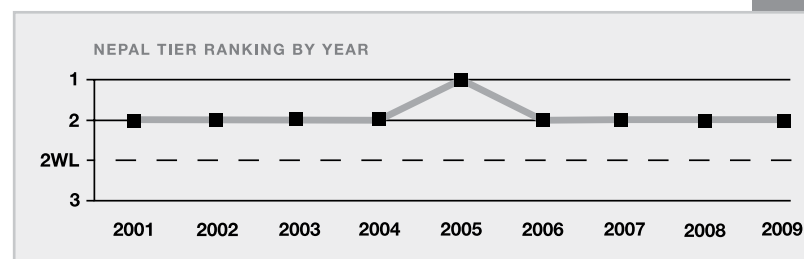
made efforts during the year to raise awareness throughout the country. There were, however, no discernible efforts made to reduce the demand for commercial sex acts during the reporting period. In 2008, the MGECW designed, printed, and distributed 13,000 brochures explaining human trafficking to local populations in the country's 13 regions through its gender liaison officers, community liaison officers, social workers, and officials from each Regional Council. In addition, the Ministry of Labor conducted a national public awareness campaign to introduce the new labor legislation that included radio and television programs, visits by Ministry of Labor and Social Welfare officials to all regions, and the production and distribution of 300,000 copies of a 12-page pamphlet explaining the act's provisions, including those prohibiting exploitative child labor.

NEPAL (Tier 2)

Nepal is a source country for men, women, and children trafficked for the purposes of commercial sexual exploitation and involuntary servitude. Children are trafficked within the country and to India and the Middle East for commercial sexual exploitation or forced marriage, as well as to India and within the country for involuntary servitude as domestic servants, circus entertainers, factory workers, or beggars. NGOs working on trafficking issues report an increase in both transnational and domestic trafficking during the reporting period, although a lack of reliable statistics makes the problem difficult to quantify. NGOs estimate that 10,000 to 15,000 Nepali women and girls are trafficked to India annually, while 7,500 children are trafficked domestically for commercial sexual exploitation. In many cases, relatives or acquaintances facilitated the trafficking of women and young girls into sexual exploitation. Women and girls are also trafficked to other Asian destinations, including Malaysia, Hong Kong, and South Korea for commercial sexual exploitation and forced labor.

The Nepalese Youth Opportunity Foundation estimated that, annually in Nepal, 20,000 to 25,000 girls become involuntary domestic workers. Bonded labor also remains a significant problem, affecting entire families forced into labor as land tillers or cattle herders. Over one million Nepali men and women work abroad in countries other than India, which is, by far, the most popular destination for Nepali workers; many of them migrate willingly to Malaysia, Israel, South Korea, the United States, Saudi Arabia, the UAE, Qatar, and other Gulf states with the help of labor brokers and manpower agencies to work as domestic servants, construction workers, or other low-skill laborers, and subsequently face conditions indicative of forced labor such as withholding of passports, restrictions on movement, non-payment of wages, threats, deprivation of food and sleep, and physical or sexual abuse. Many are deceived about their destination country. Many Nepali trafficking victims are

subjected to debt bondage, which can in some cases be facilitated by fraud and high recruitment fees charged by unscrupulous agents in Nepal. Many traffickers provide parents of victims a "salary advance" in order to place the victims in a state of indebtedness, which may then be used to compel those victims to perform labor or a service in order to avoid threatened serious harm. In 2008, there was an increased number of reports of Nepali men who had been recruited for work in Gulf States, but were subsequently trafficked into forced labor in Iraq and Afghanistan by manpower agencies. Nepal's role as a destination for foreign child sex tourists appears to be growing, as efforts to confront this problem in traditional Southeast Asian destinations have become more effective, according to local observers.



The Government of Nepal does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government continued modest efforts to prosecute traffickers and raise public awareness of trafficking during the reporting period, though its efforts to adequately punish labor trafficking could be improved. Additionally, trafficking-related complicity by government officials remained a serious problem in Nepal.

Recommendations for Nepal: Significantly increase law enforcement efforts against all types of trafficking, including bonded labor, forced child labor, fraudulent labor recruitment for the purpose of forced labor, and sex trafficking; increase law enforcement efforts against government officials who are complicit in trafficking; institute a formal procedure to identify victims of trafficking and refer them to protection services to ensure that they are not punished for unlawful acts committed as a direct result of their being trafficked; improve protection services available for victims of all forms of trafficking; and put in place more effective tracking mechanisms for both sex and labor trafficking cases.

Prosecution

Nepal made limited progress in its anti-trafficking law enforcement efforts over the reporting period. Through its 2007 Trafficking in Persons and Transportation (Control) Act (TPTA), Nepali law prohibits all forms of trafficking and prescribes penalties ranging from 10 to 20 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. The 2007 Foreign Employment Act, through its Chapter 9, criminalizes

the acts of an agency or individual sending workers abroad based on false promises or without the proper documentation, prescribing penalties of three to seven years' imprisonment for those convicted. Nepali law formally prohibits bonded labor, but the government does not enforce penalties for violators. According to the Office of the Attorney General (OAG), 14 individuals were convicted of trafficking offenses during the reporting period, six more than in the previous year, while 19 people were acquitted. The OAG did not provide information on the punishment imposed. In 2008, the government reported 400 cases filed under the Foreign Employment Act on behalf of workers for deceptive recruitment practices that may have led to situations of labor trafficking, including 137 cases against manpower agencies and 263 cases against individual labor recruiters, representing a significant increase from the previous reporting period. The government did not indicate, however, which of these cases involved acts of human trafficking. Of the 800 labor recruitment agencies licensed by the Department of Labor under the Act, 220 have had their licenses revoked for deceptive recruitment practices since late 2007. Trafficking-related complicity by government officials remained a serious problem in Nepal, with traffickers using ties to politicians, businesspersons, state officials, police, customs officials, and border police to facilitate trafficking. NGOs report that some police, border guards, and other officials routinely accept bribes to turn a blind eye to activities of traffickers. Many dance bars, "cabin restaurants," and massage parlors in Kathmandu that facilitate sex trafficking are reportedly co-owned by senior police and army officials. Additionally, given the large number of genuine Nepali passports containing false information that Indian officials have encountered in trafficking cases, it is clear that some Nepali officials are working with traffickers to provide them with these documents. Despite these serious concerns regarding the prominent role complicit government officials play in trafficking, the government did not prosecute any official complicit in trafficking during the reporting period. It is critical for the Government of Nepal to take serious and proactive efforts to investigate and punish this trafficking complicity.

Protection

Nepal made minimal efforts to protect victims of trafficking during the reporting period. Although the TPTA includes provisions for assistance to Nepali citizens trafficked abroad, these provisions have not been implemented due to lack of resources. Most of the facilities that can assist trafficking victims are run by NGOs. During the reporting period, the government began providing financial support to NGO-run trafficking shelters in Kathmandu, Sindhualchowk, and Kanchanpur, and made plans to fund four additional shelters in 2009. Child victims were placed in foster care in government institutions. The government did not directly provide any medical or psychological services to trafficking victims, though the Ministry of Women, Children and Social Welfare provided limited legal counseling through the

Nepal Women's Commission. The government did not report the number of trafficking victims identified or assisted during the reporting period. The government encourages sex trafficking victims to participate in investigations against their traffickers, but lacks sufficient resources to ensure their personal safety. Additionally, victims who are material witnesses in court cases are not permitted to obtain employment or leave Nepal until the case has concluded; as such, many victims are reluctant to testify. NGOs complained that police and other authorities were not rigorous in their efforts to identify trafficking victims. Law enforcement officers do not employ formal procedures to identify victims of trafficking from among vulnerable groups, such as women arrested for prostitution, and did not ensure that victims of trafficking were not penalized for unlawful acts committed as a direct result of their being trafficked. As a result, some victims were arrested and fined for acts committed as a result of being trafficked. In September 2008, the police cracked down on entertainment establishments in Kathmandu, many of which were fronts for prostitution; hundreds of women and underage girls were arrested, though none were screened by police and identified as victims of trafficking, or given protection, and no manager, owner, or client of these establishments was arrested. It is of particular concern that Nepali police do not attempt to identify as trafficking victims children in prostitution in such establishments or adult women who are in prostitution involuntarily. The government does not provide victim protection services for men and women trafficked abroad for involuntary servitude, and there were a number of incidents in 2008 in which Nepali workers who may have been victims of labor trafficking were stranded overseas.

Prevention

Nepal sustained its efforts to prevent trafficking in persons throughout the reporting period. The Ministry of Women, Children, and Social Welfare increased its financial assistance to task forces in 26 high-risk districts to raise awareness and mobilize communities against trafficking, however it remains insufficient. In order to increase awareness of trafficking in the country, the government ran a public information campaign on the country's National Anti-Trafficking Day. There were no measures taken by the government to reduce the demand for commercial sex acts or raise awareness about child sex tourism. To date, the government has done little to prevent the exploitation of minors in the growing domestic sex industry, or to conduct an awareness campaign to reduce the demand for commercial sex acts. Nepal has not ratified the 2000 UN TIP Protocol.

THE NETHERLANDS (Tier 1)

The Netherlands is a source, transit, and destination country for men, women, and children trafficked for the purposes of commercial sexual exploitation and forced labor. During 2008, most female victims were exploited

in forced prostitution, and the majority of identified sex trafficking victims were from the Netherlands. Within the Netherlands, victims are trafficked by so called “pimp boys” or “lover boys”—men who seduce vulnerable young women and girls and force them into prostitution. During the reporting period, women were also trafficked from Asia, Africa, other parts of Europe, and the Western Hemisphere; the most common countries of origin for foreign female trafficking victims were China, Nigeria, Hungary, and Sierra Leone. Males were trafficked into commercial sexual exploitation as well as forced labor in the catering, cleaning, agriculture, and construction sectors. The main countries of origin for male victims were China, India, Nigeria, Sierra Leone, and the Netherlands. According to the Dutch National Rapporteur for Trafficking in Persons, the highest risk sectors for labor trafficking are domestic employment, temporary employment agencies, agriculture and horticulture, restaurants, hotels, and construction. Groups vulnerable to trafficking include single underage asylum seekers, women with dependent residence status obtained through fraudulent marriages, and women recruited in Africa, China, and Thailand for work in massage parlors.

The Government of the Netherlands fully complies with the minimum standards for the elimination of trafficking. The government sustained strong anti-sex trafficking law enforcement efforts, sustained protections provided to female trafficking victims, and improved services available to male trafficking victims. It also expanded prevention activities, including a program targeted at raising trafficking awareness among clients of the sex trade.

Recommendations for the Netherlands: Vigorously investigate and prosecute, and convict and punish labor trafficking offenders; enhance forced labor awareness training for prosecutors and judges; continue anti-trafficking awareness initiatives aimed at educating clients of the commercial sex trade as well as beneficiaries of forced labor about the causes and consequences of trafficking; continue efforts to proactively identify trafficking victims in the prostitution and relevant labor sectors of the Netherlands.

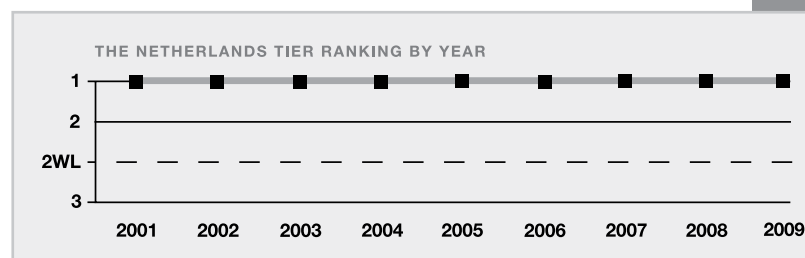
Prosecution

The government demonstrated progress in investigating and prosecuting sex trafficking offenses, though its prosecutions of labor trafficking offenses diminished. Since January 2005, the Netherlands has prohibited all forms of trafficking through Criminal Code Article 273, which prescribes penalties for any form of trafficking of six to 15 years’ imprisonment, with fines of up to \$58,000. These penalties are sufficiently stringent and commensurate with those prescribed for other grave crimes. There were no new labor trafficking prosecutions or convictions during the reporting period, compared with five during the previous reporting period. The government prosecuted 221 persons for human trafficking offences in 2007, the last year for which comprehensive

statistics are available, compared to 216 during the previous year. In 2007, verdicts were handed down in 120 cases, 81 percent of which resulted in convictions, 12 percent resulted in acquittals, and 7 percent were dismissed. According to the National Rapporteur’s office, average prison sentences imposed in 2007 ranged from 20 to 23 months, down from 27 months in 2006. The police included a module on trafficking as part of standard police training curriculum. The Netherlands, Netherlands Antilles, and Aruba signed a memorandum of understanding on increasing cooperation in combating human trafficking.

Protection

The Dutch government made increased efforts to protect trafficking victims during the reporting period. Dutch authorities provided a temporary residence mechanism to allow foreign trafficking victims and witnesses to stay in the Netherlands during a reflection period of three months and, separately, during the investigation and prosecution of their traffickers. During these periods, the government provided victims with legal, financial, and psychological assistance, including shelter (in facilities that also serve victims of domestic violence), medical care, social security benefits, and education financing. Child victims had access to a full range of specialized services. The government opened four new shelters specifically equipped to assist male victims of human trafficking during the reporting period. The government provided permanent residence status to some victims based on particular conditions. The government encouraged victims to press charges against traffickers and to assist in prosecutions. Nevertheless, victims were often reluctant to assist law enforcement personnel, due to fear of reprisals from traffickers. In 2008, the national victim registration center identified and registered 826 trafficking victims, including 46 males, compared with 716 identified victims in 2007. The Justice Ministry



took measures to prevent victims from being punished for unlawful acts committed as a direct result of being trafficked, including through training of prison staff on proactive victim identification. Police and prosecutors provided specialized training to help judges, labor inspectors, and immigration officers identify and assist trafficking victims during the reporting period. Local governments were responsible for regulating legalized prostitution sectors and for conducting anti-trafficking inspections of brothels in these sectors. The Hague’s vice

squad checked sex establishments at least six times during the reporting period; the Amsterdam vice squad inspected brothels at least four times. The inspections included observation for any signals of trafficking, informal interviews with persons in prostitution, and the review of residence and work permits.

Prevention

The government demonstrated some progress in preventing trafficking during the year. In February 2009, the government introduced an information card entitled “exploitation at the workplace” that was made available to all municipalities and social welfare agencies during the reporting period. The card provides examples of labor exploitation, information on where to seek help, and details on victims’ rights in several languages. The Justice Ministry funded the “Meld M” multimedia campaign, targeted at clients of the sex trade and persons in prostitution, as well as residents, shopkeepers and taxi-drivers in areas where prostitution occurs. The campaign encouraged people to report suspicions of trafficking to an anonymous hotline. In December 2008, the Interior and Justice Ministers released a draft act containing new regulations for legalized prostitution; the regulations reportedly would boost efforts to counter sex trafficking. The Ministry of Foreign Affairs funded \$2.5 million for anti-trafficking programs in trafficking source countries in Europe, the Caribbean, Asia, and Africa. The National Rapporteur for Trafficking in Persons in July 2008 published its sixth report, which is available on the Justice Ministry’s website. Since January 2008, the government provided single underage asylum seekers with intensive counseling in secured shelters to protect them against traffickers. The Foreign Ministry website includes travel information warning Dutch travelers that sex with children is prosecutable in the country of destination as well as in the Netherlands. The government funds several initiatives to prevent child sex tourism including a project to assist tour operators in Cambodia, Thailand, and the Philippines to adopt and implement a code of conduct aimed at preventing child sex tourism. The Justice Ministry estimates several dozen convictions annually in the Netherlands of Dutch residents found guilty of child sex tourism offenses abroad. The Dutch military provided training to all military personnel on the prevention of trafficking and additional training on recognizing trafficking victims for Dutch troops being deployed abroad for duty as international peacekeepers.

The Netherlands Antilles (Tier 2 Watch List)*

The five islands of the current Netherlands Antilles are a transit and destination point for men and women from Colombia, Venezuela, Suriname, Cuba, the Dominican Republic, and other parts of South America and the Caribbean, trafficked for the purposes of commercial sexual exploitation and forced labor. The women in

prostitution in the Netherlands Antilles’ regulated and illegal sex trades are highly vulnerable to human trafficking. Credible reports have alleged the trafficking of over 100 Cuban construction workers employed by the Curacao Dry Dock Company in 2006—a case that garnered significant international press during the reporting period as a result of a related civil case in a U.S. court. Local authorities believe that men and women have also been trafficked into local domestic servitude as well as into the agriculture and construction industries. Groups vulnerable to labor trafficking include Haitian males in the agriculture and gardening sectors and Latin American and Caribbean males in construction. There is anecdotal evidence that some Middle Eastern and Asian migrants in restaurants and local businesses may be vulnerable to debt bondage.

The Government of the Netherlands Antilles 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 is placed on Tier 2 Watch List. The government has not enacted anti-trafficking legislation, although during the reporting period legislation was introduced, processed, and awaits final action. The government also did not develop and fund victim assistance policies and programs or raise awareness among clients of the sex trade and beneficiaries of forced labor about the causes and consequences of human trafficking. As noted above in the Netherlands narrative, in January 2009 the justice ministers of the Netherlands Antilles, the Netherlands, and Aruba signed a memorandum of understanding to promote increased anti-trafficking cooperation.

Recommendations for the Netherlands Antilles: Enact legislation criminalizing all forms of human trafficking; vigorously prosecute and convict sex and labor trafficking offenders throughout the Netherlands Antilles; establish formal procedures to guide officials in the proactive identification of trafficking victims and referral of these victims to service providers; consider ways to educate clients of the sex trade and beneficiaries of forced labor about the causes and consequences of trafficking.

Prosecution

The Netherlands Antilles’ anti-trafficking law enforcement efforts were greatly hindered by the absence of specific anti- trafficking legislation. A draft amendment to the Netherlands Antilles penal code prohibiting trafficking for sexual exploitation and forced labor remained pending in the Antillean Parliament during the reporting period. There were two likely cases of human trafficking that officials in St. Maarten prosecuted using statutes prohibiting other non-trafficking offenses. In May 2008, a man who had held three women in a brothel against their will was convicted and sentenced to 36 months in prison for human smuggling and ill-treatment. Another man was detained briefly on allegations of keeping a household servant locked in his house. A court required

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

the man to pay the domestic servant's outstanding wages and the costs associated with the servant's repatriation. Antillean authorities cooperated with Suriname's request that the Dutch extradite several traffickers who fled to Curacao during a trafficking-related law enforcement action. Funding for and staffing of police and judicial offices remained a chronic problem in the Netherlands Antilles. Local media reported on corruption related to the issuance of immigration and work permits, though these did not involve specific trafficking allegations. The government provided training to individual prosecutors and members of the islands' police departments and has systematic anti-trafficking training in place for law enforcement authorities.

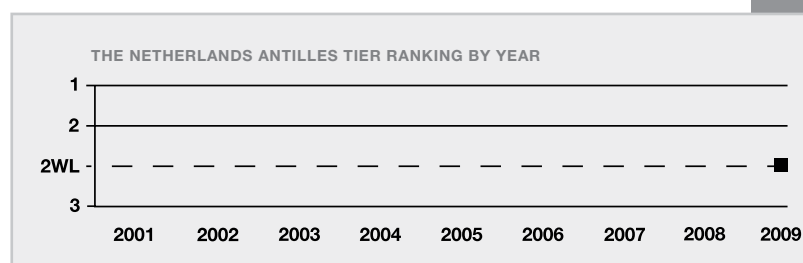
Protection

The government's victim protection efforts were mostly *ad hoc* during the reporting period. Trafficking victims received limited assistance through a combination of government agencies and NGOs that receive some government subsidies in the Netherlands Antilles, including the Bureau for Aid to Victims in Curacao and the Women's Desk in St. Maarten. There were no specific trafficking victim health care facilities in the Netherlands Antilles, but government health care providers were available to assist trafficking victims. The legal system allows witnesses to trafficking crimes to provide anonymous testimony or testimony from abroad. Island governors had the authority to issue temporary residency status for trafficking victims; it is unknown if any were issued. The government does provide long-term shelter for trafficking victims. In practice, consulates representing source countries often handled assistance to and repatriation of their citizens. Curacao has one legal, government-regulated brothel compound with approximately 90 foreign women in prostitution. International organizations have expressed strong concern about the working conditions, including possible involuntary servitude at this brothel. The government did not train health officials charged with regulating the Curacao brothel on identifying trafficking indicators and referring suspected victims for assistance. The justice ministry reiterated a directive in 2008 prohibiting immigration officials from holding the passports of foreign women entering the islands for the purpose of legal prostitution. One official in Curacao reported that some officials practiced proactive identification measures within detention facilities. There were no reported cases of victims being penalized during the reporting period for crimes that were a direct result of being trafficked. The government espoused a policy of encouraging trafficking victims to participate in investigations and prosecutions of trafficking offenders, but officials acknowledged that many victims were reluctant to participate.

Prevention

The government made some efforts to raise awareness of human trafficking during the reporting period but did not undertake any measures to reduce the demand for

commercial sex acts. Formal interagency anti-trafficking working groups operated in Bonaire, Curacao, Saba, St. Eustatius, and St. Maarten during the reporting period. The anti-trafficking coordinator based in Curacao spoke out about the problem of human trafficking in the region and continued to promote an IOM-developed public awareness campaign. The anti-trafficking coordinator in Curacao also arranged for a short awareness raising documentary video to be aired on local television stations. Netherlands Antilles officials issued a contract for an outside evaluation of their anti-trafficking strategy in 2008. The government provided in-kind support for two human trafficking hotlines in the Netherlands Antilles. There were no awareness campaigns specifically targeting potential clients of the sex trade or beneficiaries of forced labor in the Netherlands Antilles.



NEW ZEALAND (Tier 1)

New Zealand is a source country for underage girls trafficked internally for the purpose of commercial sexual exploitation. It is also reportedly a destination country for women from Hong Kong, Thailand, Taiwan, the People's Republic of China, Eastern Europe, and other Asian countries trafficked into forced prostitution. Very few minors are found in prostitution in legal or illegal brothels. Some underage girls engage in prostitution occasionally on the street without the obvious control of a third party, while other girls engaging in prostitution are tightly controlled by local gangs. A number of Asian women migrate voluntarily to New Zealand to work in the legal sex trade, although it is illegal for them to do so. Reports indicate that traffickers subsequently coerce them to work against their will in exploitive situations or by threatening them with abuses of the law like deportation or jail. Unskilled Asians and Pacific Islanders migrate to New Zealand voluntarily to work legally or illegally in the agricultural sector, and women from the Philippines migrate legally to work as nurses. Some of these workers report that manpower agencies placed them in positions of involuntary servitude or debt bondage by charging them escalating and unlimited recruiting fees, imposing unjustified salary deductions on them, restricting their travel by confiscating their passports, and significantly altering contracts or working conditions without their agreement. Relative to the population of New Zealand, the estimated number of trafficking victims is modest, although no research has been conducted to determine

the full extent of the trafficking problem in New Zealand.

The Government of New Zealand fully complies with the minimum standards for the elimination of trafficking. New Zealand's laws prohibit all forms of human trafficking, and the government funds and participates in international anti-trafficking initiatives. It offers an extensive network of protective services to internal and transnational trafficking victims, regardless of whether they are recognized as trafficking victims. It is likely, however, that foreigners in New Zealand exploited in forced labor and the commercial sex trade have not been identified by the government as trafficking victims.

Recommendations for New Zealand: Consider amending relevant laws to provide for minimum sentences for trafficking crimes, including the internal trafficking of children for commercial sexual exploitation; develop and implement a visible anti-trafficking awareness campaign directed at clients of the legal sex trade; and institute more effective formal procedures for law enforcement officials to proactively identify trafficking victims in vulnerable populations, such as women and children engaged in prostitution and migrant laborers.

deportation, three left voluntarily, and two were allowed to remain in New Zealand. Law enforcement officers who interviewed the women did not uncover evidence of labor exploitation, and could not determine whether they were victims of sex trafficking. In July, a brothel owner from Christchurch became the first person charged under a law from 2006 banning sexual slavery. Two girls, ages 16 and 17, were found exploited in his brothel for more than a year. The prosecution is pending. Authorities charged a New Plymouth brothel owner in December with several offenses related to "employing" a 15-year-old girl as a prostitute for six months in 2005. Also in December, the Tauranga District Court sentenced a Bay of Plenty man to 27 months' imprisonment for assisting and receiving earnings from the prostitution of his 15-year-old girlfriend in 2006 and 2007. Police charged a 47-year old Auckland man with facilitating and profiting from the prostitution of underage children in February 2009. The government conducted 264 agricultural labor compliance checks in 2008. Although they received complaints of labor exploitation in agricultural work over several years, labor officials did not believe the situations indicated trafficking and opened no investigations or prosecutions in relation to the complaints.

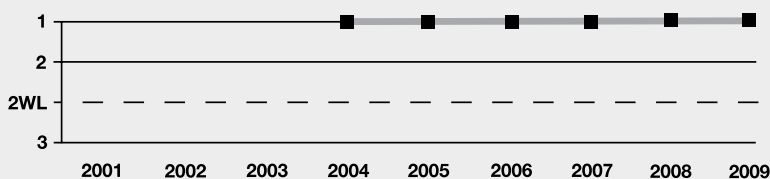
Protection

The Government of New Zealand provides strong support and social services for victims of all crimes, including trafficking, through the New Zealand Council of Victim Support Groups. Under the Victim's Rights Act of 2002 police attend to victims' immediate welfare needs, such as food and shelter. The law currently allows foreign victims temporary legal residence and relief from prosecution for immigration offenses, and the Interagency Working Group (IWG) is considering a specific immigration status for trafficking victims and longer-term support services in the national plan of action. The government offers support services for children involved in, or at risk of, commercial sexual exploitation. No identified victims were jailed, fined, or deported. It is possible, however, that foreigners were not identified by police and immigration officials as possible trafficking victims. New Zealand significantly contributed to victim protection programs in the Mekong Sub-Region and the Pacific Island region. No victims of trafficking were proactively identified by the government during the reporting period, besides the aforementioned children found exploited in New Zealand's commercial sex trade.

Prevention

The Government of New Zealand demonstrated inconsistent efforts to prevent human trafficking. During the year, it did not run campaigns to raise public awareness of trafficking risks, nor did it take steps to reduce demand for commercial sex acts. It did make efforts, however, to educate officials on trafficking and their obligations under the laws and included funding for anti-trafficking awareness campaigns in next year's budget. The IWG, as part of the national plan of action process,

NEW ZEALAND TIER RANKING BY YEAR



Prosecution

The Government of New Zealand made uneven progress in law enforcement efforts against trafficking during the past year. New Zealand prohibits transnational sex and labor trafficking under Part 5 and various amendments of the Crimes Act of 1961, yet it has prosecuted no offenses under this law. Laws against rape, abduction, assault, kidnapping, child sexual abuse, sexual slavery, the receipt of financial gain from exploiting children in prostitution, and labor exploitation prohibit forms of internal trafficking, but such crimes are not specifically included within the anti-trafficking provisions of the Crimes Act. Sufficiently stringent maximum penalties of 20 years' imprisonment and/or a fine of \$250,000 under the above statutes are commensurate with those prescribed for other serious crimes. Although the mandatory minimum sentence prescribed as punishment for rape is eight years, New Zealand law has no such minimum penalties prescribed for either transnational trafficking offenses or the commercial sexual exploitation of a child domestically. During 2008, law enforcement officers made 21 compliance visits to brothels, homes, and premises used for the sex industry and found nine foreigners in prostitution. Four of the women were processed for

worked with NGOs and civil society, and published its activities on a ministry website. An assumption that all women engaging in prostitution in New Zealand do so willingly appears to underpin official policy and programs, and has inhibited public discussion and examination of indications that trafficking exists within both the decriminalized and illegal sex industries. New Zealand remained active in international efforts to monitor and prevent trafficking. Its foreign assistance agency provided substantial funding to countries and organizations to build countries' anti-trafficking capacity, to prevent trafficking, and to provide services to victims. New Zealand emphasized its laws on child sex tourism, which apply extraterritorially, on its travel webpage. The government provided anti-trafficking training to military personnel assigned to international peacekeeping missions prior to their deployment. There were no reports of New Zealand peacekeeping personnel involved in trafficking or exploiting trafficking victims during the year.

NICARAGUA (Tier 2 Watch List)

Nicaragua is principally a source and transit country for women and children trafficked for the purposes of commercial sexual exploitation and forced labor. Women and children are trafficked within the country and to neighboring countries, most often to El Salvador, Costa Rica, Guatemala, Honduras, Mexico, and the United States, for commercial sexual exploitation. The most prevalent form of internal trafficking is the exploitation of children, both boys and girls, in prostitution. NGOs identify Managua, Granada, Esteli, and San Juan del Sur as destinations for foreign child sex tourists. NGOs report instances of forced child marriages between young girls and older foreign men, particularly in San Juan del Sur. Children are trafficked within the country for forced labor in construction, agriculture, the fishing industry, and for domestic servitude. Young Nicaraguan men and boys are trafficked from southern border areas to Costa Rica for forced labor in agriculture and construction. To a lesser extent, Nicaragua is a destination country for women and children trafficked from Colombia, Guatemala, and Honduras for the purpose of commercial sexual exploitation. All forms of human trafficking appear to be growing in Nicaragua, which NGOs indicate is underreported to authorities.

The Government of Nicaragua does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite such efforts, the government did not show evidence of progress in combating human trafficking, particularly in terms of providing adequate assistance to victims and confronting trafficking-related complicity; therefore, Nicaragua is placed on Tier 2 Watch List.

Recommendations for Nicaragua: Increase efforts to investigate and prosecute trafficking offenses, and convict and punish trafficking offenders, including

government officials who may be suspected of complicity with trafficking activity; increase law enforcement efforts against forced labor; dedicate additional resources for victim assistance; provide adequate care for adult trafficking victims; and raise public awareness about human trafficking, particularly among young Nicaraguans seeking gainful employment.

Prosecution

The Government of Nicaragua demonstrated inadequate efforts to combat human trafficking through law enforcement during the reporting period. Nicaragua criminalizes all forms of human trafficking. A penal code reform law, which was passed by the Nicaraguan National Assembly in November 2007, came into force in July 2008. Article 182 of the new code prohibits trafficking in persons for the purposes of slavery, sexual exploitation, and adoption, prescribing penalties of from seven to 10 years' imprisonment. A separate statute, Article 315, prohibits the submission, maintenance, or forced recruitment of another person into slavery, forced labor, servitude, or participation in an armed conflict; this offense carries penalties of from five to eight years' imprisonment. These prescribed punishments are sufficiently stringent and commensurate with penalties prescribed for other serious crimes such as rape. During the reporting period, the government investigated 13 trafficking cases and filed 10 prosecutions but achieved no convictions. Such results represent diminished efforts compared to the previous year, when the government investigated 17 cases, filed two prosecutions, and achieved two convictions, securing sentences of more than four years' imprisonment for each trafficking offender. The government opened no investigations of suspected official complicity with human trafficking, despite credible reports of trafficking-related corruption in the judiciary, in addition to police and immigration officials accepting bribes, sexually exploiting victims, or turning a blind eye to such activity, particularly at the nation's borders.

Protection

The Nicaraguan government made inadequate efforts to protect trafficking victims during the last year, and NGOs and international organizations continued to provide the bulk of assistance to victims. The government provided basic shelter and services to child trafficking victims, but such assistance was not readily accessible in all parts of the country, nor was it generally available for adult trafficking victims. Last year, the government's donor-funded anti-trafficking telephone hotline was reported as not working regularly. With assistance from IOM and OAS, the government trained diplomatic and consular personnel in identifying trafficking victims abroad. Consular officials assisted six Nicaraguan trafficking victims last year, aiding repatriation efforts from El Salvador, Costa Rica, Panama, Mexico, Guatemala, and France. The government encouraged victims to participate in trafficking investigations and prosecutions, though many were reluctant to do so due to social stigma, fear of

retribution from traffickers, and long court delays. The government provided a temporary legal alternative to the removal of foreign victims to countries where they may face hardship or retribution.

Prevention

The Nicaraguan government made inadequate efforts to prevent trafficking, such as through awareness-raising campaigns, during the last year. The government conducted no anti-trafficking outreach or education campaigns in 2008, relying on NGOs and international organizations to sponsor such activities. The government maintained an interagency anti-trafficking committee to direct anti-trafficking efforts, but it conducted few activities during the reporting period. Government collaboration with NGOs on anti-trafficking activities is reported to be better on the local level. The government reported no efforts to reduce demand for commercial sexual acts, such as enforcement of Article 177 – its penal code provision against child sex tourism – or awareness-raising campaigns on child prostitution; nor did it undertake efforts to reduce demand for forced labor.

The Government of Niger does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The Nigerien government demonstrated marginal efforts to combat human trafficking, including traditional slavery, during the last year.

Recommendations for Niger: Pass and enact draft 2006 legislation against trafficking; strengthen efforts to prosecute and punish trafficking offenders, particularly those guilty of slavery offenses; increase efforts to rescue victims of traditional slavery practices; and increase efforts to educate the public about the law criminalizing traditional slavery practices.

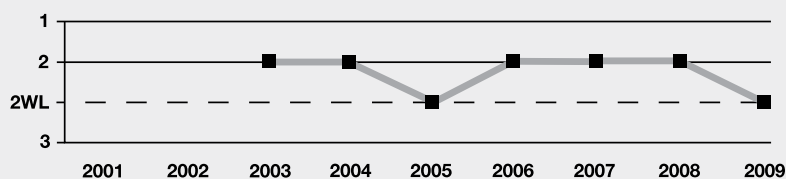
Prosecution

The Government of Niger demonstrated weak law enforcement efforts to address child trafficking and traditional slavery. Niger prohibits slavery through a 2003 amendment to Article 270 of its Penal Code and prohibits forced and compulsory labor through Article 4 of its Labor Code. Penal Code Articles 292 and 293 prohibit procurement of a child for prostitution. Niger does not, however, prohibit other forms of trafficking. The government's 2006 draft law against trafficking still awaits adoption by the Council of Ministers. The prescribed penalty of 10 to 30 years' imprisonment for slavery offenses is sufficiently stringent. The penalty prescribed for forced labor, a fine ranging from \$48 to \$598 and from six days to one month's imprisonment, is not sufficiently stringent.

In the last year, law enforcement authorities arrested 11 individuals suspected of trafficking 81 children. Six suspects were released without being charged, while five were charged with the abduction of minors and remain in preventative detention pending investigation. The government cooperated with Malian and Togolese officials to investigate and arrest three suspected traffickers from Mali and one trafficker from Togo. Border officials cooperated with their Beninese counterparts to monitor the border of Niger and Benin for human trafficking activity. In December 2008, the Niamey Court of Appeals held hearings on the 2006 enslavement case *Timidria and Assibit Wanagoda vs. Tafane Abouzeidi*, found no grounds for prosecution, and dismissed the case. An additional 2006 enslavement case, *Midi Ajinalther vs. Hamad Alamine and three brothers* is still pending before the same court. In June 2008, senior Ministry of Labor officials delivered presentations on labor laws and core labor standards at an ILO-funded forced labor training event.

In October 2008, the ECOWAS Court of Justice ruled that the Government of Niger's administrative and legal services failed to protect a Nigerien woman sold into slavery in the case *Timidria and Hadidjatou Mani Koraou vs. the Government of Niger*. When the victim, who was sold into slavery at the age of 12 for \$500, originally brought her case to a Nigerien court, the judge found

NICARAGUA TIER RANKING BY YEAR



NIGER (Tier 3)

Niger is a source, transit, and destination country for children and women trafficked for forced labor and commercial sexual exploitation. Caste-based slavery practices, rooted in ancestral master-slave relationships, continue primarily in the northern part of the country. An estimated 8,800 to 43,000 Nigeriens live under conditions of traditional hereditary slavery. Children within Niger are trafficked for forced begging by religious instructors, forced labor in gold mines, domestic servitude, sexual exploitation, and possibly for forced labor in agriculture and stone quarries. Nigerien children, primarily girls, are also subjected to commercial sexual exploitation along the border with Nigeria, particularly in the towns of Birni N'Konni and Zinder, and boys are trafficked to Nigeria and Mali for forced begging and manual labor. Women and children from Benin, Burkina Faso, Gabon, Ghana, Mali, Nigeria, and Togo are trafficked to and through Niger for domestic servitude, sexual exploitation, forced labor in mines and on farms, and as mechanics and welders. Nigerien women and children are trafficked from Niger to North Africa, the Middle East, and Europe for domestic servitude and sexual exploitation.

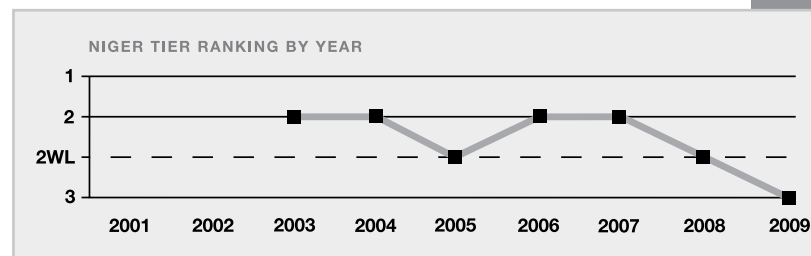
that no slavery existed. He then sentenced the victim to six months' imprisonment for bigamy for entering into a marriage by choice after she fled her forced marriage to her master. The ECOWAS court ordered the government to pay \$20,000 in damages to the victim. In March 2009, the government paid the victim the ordered restitution and secured the conviction of the victim's former master, Naroua, who was given a sentence of one year in prison and a fine of \$1,000. Naroua, however, has yet to be located and detained. The status of seven women who reportedly remained enslaved by Naroua after the victim's escape is unknown. The whereabouts of the victim's two children, who were enslaved by Naroua as well, is also unknown. NGOs reported to officials that in 2008, four Nigerien girls were sold to Nigerian businessmen in Zaria, on the border of Nigeria and Niger, but the government has failed to respond to these reports. The government reported that it was dismantling trafficking networks in the Konni region.

Protection

The Government of Niger demonstrated slightly decreased efforts to provide care to child trafficking victims and some increased efforts to assist victims of traditional slavery practices. Due to lack of resources, the government did not operate its own victim shelter, but refers child trafficking victims to NGOs for assistance. While the government lacked a formal system for identification and referral of trafficking victims, authorities referred trafficking victims to NGOs for care on an *ad hoc* basis. In Agadez, local authorities assisted UNICEF in rescuing 37 child trafficking victims and referring them to NGOs for care. At a government-operated but donor-funded victim transit center in Makalondi, police assisted with the rescue, rehabilitation, and return of 44 child victims. In February 2009, Nigerien and Togolese law enforcement officials conducted a joint investigation resulting in the rescue of a Nigerien female who had been abducted and trafficked to Togo in 1998, when she was 14 years old.

A 2007 government plan to combat child exploitation by religious instructors in Islamic schools has not been implemented due to lack of funding. During the year, government officials assisted a local NGO in rescuing 40 individuals subjected to traditional slavery practices by assisting with the purchase of land and animals for the former slaves. The officials also housed the NGO delegation and educated the community about slavery. During the year, the Ministry of Education paid the salaries for five teachers working at NGO-funded schools for children of former slaves. The government encouraged victims to report their traffickers to law enforcement officials and interviewed them for evidence for investigations and prosecutions. The Ministry of the Interior continued to operate a program to welcome and provide temporary shelter – for about one week – to repatriated Nigeriens, some of whom may be trafficking victims. While ministry officials interviewed these citizens to assist with their reintegration, they did not

attempt to identify trafficking victims among them. The government did not provide legal alternatives to the removal of foreign victims to countries where they face hardship or retribution. Victims were not inappropriately incarcerated or fined for unlawful acts committed as a direct result of being trafficked.



Prevention

The Government of Niger made solid prevention efforts through campaigns to educate the public about child trafficking during the reporting period. State television broadcast a donor-funded anti-trafficking skit repeatedly in French and local languages. Niger's First Lady and the Minister of Justice made public appearances denouncing traditional slavery and child trafficking. In July 2008, the Minister of Women's Promotion and Children's Protection chaired a regional training workshop for journalists from nine countries on child trafficking and labor. In December 2008, Niger's Youth Parliament held its second ordinary session which focused on child rights, including child trafficking. In July 2008, the National Commission on Human Rights and Fundamental Liberties released a six-month study on forced labor, child labor, and slavery. In cooperation with UNICEF, the Nigerien government helped establish regional committees to prevent child trafficking. The government identified committee members and leaders and provided them with education and training. A 2006 draft anti-trafficking agreement between Niger and Nigeria remained unsigned. Niger's 2006 draft national action plan to combat trafficking and draft plan to combat forced labor linked to slavery has yet to be adopted. The Nigerien government did not take measures to reduce demand for commercial sex acts during the year. Nigerien troops deployed abroad as part of international peacekeeping missions did not receive human trafficking awareness training prior to deployment. In February 2009, however, the government revised the bylaws of its armed forces to prohibit such troops from engaging in or facilitating trafficking.

NIGERIA (Tier 1)

Nigeria is a source, transit, and destination country for women and children trafficked for the purposes of forced labor and commercial sexual exploitation. Within Nigeria, women and girls are trafficked primarily for domestic servitude and commercial sexual exploitation. Boys are trafficked for forced labor in street vending,

agriculture, mining, stone quarries, and as domestic servants. Religious teachers also traffic boys, called *almajiri*, for forced begging. Women, girls, and boys are trafficked from Nigeria to other West and Central African countries, primarily Gabon, Cameroon, Ghana, Chad, Benin, Togo, Niger, Burkina Faso, and The Gambia, for the same purposes listed above. Benin is a primary source country for boys and girls trafficked for forced labor in Nigeria's granite quarries. Nigerian women and girls are trafficked through Libya, Morocco, and Algeria to Europe, primarily for the purpose of commercial sexual exploitation, and to the Middle East, particularly Saudi Arabia, for forced prostitution and forced labor. While Italy is the primary European destination country for Nigerian victims, other common destinations are Spain, the Netherlands, Belgium, Austria, Norway, Denmark, Finland, Germany, Switzerland, Ireland, France, and Greece. Children from Nigeria and other African countries are trafficked from Lagos to the UK's urban centers for domestic servitude and forced labor in restaurants and shops.

The Government of Nigeria fully complies with the minimum standards for the elimination of trafficking. Over the last year, the government more than doubled the number of trafficking offenders convicted, while it improved assistance given to victims, demonstrated strong awareness-raising efforts, and increased funding to its anti-human trafficking organization, the National Agency for the Prohibition of Trafficking in Persons (NAPTIP). Nigeria's strengthened anti-trafficking record over the last year reflects the cumulative impact of progressively increasing efforts made by NAPTIP over the last several years.

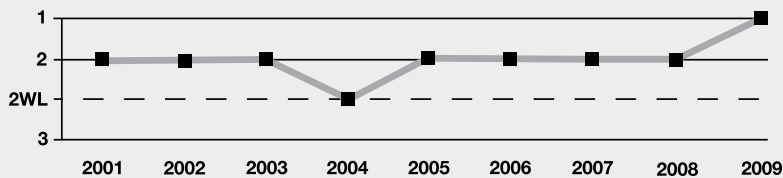
10 years' imprisonment for trafficking of children for forced begging or hawking, and a maximum of life imprisonment for sex trafficking are sufficiently stringent and commensurate with penalties prescribed for other grave crimes, such as rape. Nigeria's 2003 Child Rights Act also criminalizes child trafficking, though only 20 of the country's 36 states have enacted it.

During the year, NAPTIP reported that it investigated 209 trafficking cases, 37 of which were prosecuted, resulting in the conviction of 19 sex traffickers and four labor traffickers. Sentences imposed on convicted traffickers ranged from six months' to 40 years' imprisonment. One sex trafficking offender received a sentence of 40 years' imprisonment, two received sentences of 24 years' imprisonment, and others received two-, five-, and seven-year sentences. Six sex traffickers received sentences of one year's imprisonment or less. While one labor trafficker was sentenced to 20 years' imprisonment, one was sentenced to one year imprisonment and two were given the option of serving one to two years in prison or paying fines of between \$65 and \$600. Over the year, the government provided anti-trafficking training for 823 law enforcement officials and integrated a trafficking training course in the National Police Force's standard curriculum. For several months in 2008, NAPTIP cooperated with European law enforcement counterparts in Operation Koovis. This resulted in the arrest of 60 Nigerian trafficking suspects in Europe, where they will be prosecuted.

Protection

Nigeria intensified its efforts to protect trafficking victims during the last year. NAPTIP continued to operate seven shelters in Lagos, Abuja, Kano, Sokoto, Enugu, Uyo, and Benin City. The Ministry of Women's Affairs operates two additional shelters, one in Kano and one in Akwa Ibom. The government collaborated with NGOs and international organizations to provide victims with care. NAPTIP continued to provide care to victims with HIV/AIDS through agreements with hospitals whereby the government pays portions of this care and hospitals agree to provide care at lower cost or sometimes for free. The government reported that between October 2007 and September 2008 it identified 887 trafficking victims, of whom NAPTIP rescued 291, the Immigration Service rescued 215, the Nigerian Police intercepted 304, the Civil Defense Corps intercepted 56, the Federal Road Safety rescued 18, the State Security Service intercepted two, and a Nigerian Embassy rescued one. NAPTIP reported that from February 2008 to February 2009 932 victims – 387 of whom were children – received care at its seven shelters. The agency's largest shelter in Lagos, with a capacity for 120 victims, housed an average of 35 to 40 victims at any given period during the year. This shelter offers victims vocational training and has 12 full-time counselors trained to treat trauma. NAPTIP detains suspected traffickers for questioning in the same building containing the Lagos shelter, a practice that threatened to jeopardize the safety of victims and contribute to their psychological distress. The government also reported

NIGERIA TIER RANKING BY YEAR



Recommendations for Nigeria: Continue strong efforts to prosecute and convict trafficking offenders; reconsider the practice of interrogating suspected traffickers in Lagos in the same building where trafficking victims are sheltered; and ensure that victims' rights are respected and that they are not detained involuntarily in shelters.

Prosecution

The Government of Nigeria demonstrated increased law enforcement efforts to combat trafficking during the last year. Nigeria prohibits all forms of trafficking through its 2003 Trafficking in Persons Law Enforcement and Administration Act, which was amended in 2005 to increase penalties for traffickers. This law's prescribed penalties of five years' imprisonment for labor trafficking,

that some of its shelters lack adequate vocational training facilities. NAPTIP repatriated 45 victims back to Nigeria with some assistance from IOM and repatriated 54 foreign victims back to their African countries of origin. In August 2008, NAPTIP launched the Victims' Trust Fund, which accepts donations to provide restitution to victims on a case-by-case basis. In November 2008, Nigeria approved a National Policy on Protection and Assistance to Trafficked Persons to increase protection and rehabilitation efforts, though implementation has not begun. The government also operated hotlines for assistance to victims in each of NAPTIP's zonal areas. The government encouraged victims to participate in investigations and prosecutions of trafficking crimes, as victim testimony is usually required to prosecute traffickers. Because cases take so long to go to trial, victims often returned to their home communities before they could give testimony in court.

Nigeria provided a limited legal alternative to the removal of foreign victims to countries where they face hardship or retribution – short-term residency that cannot be extended. The government also placed foreign victims in shelters under guard until they were repatriated. Although there were no reports of victims inappropriately incarcerated, fined, or penalized for unlawful acts committed as a result of being trafficked, police and immigration officers did not always follow procedures to identify trafficking victims among females arrested for prostitution. While NAPTIP investigators follow formal procedures to identify sex trafficking victims, such procedures have not been formalized within the National Police Force or the National Immigration Service. In March 2009, NAPTIP dismissed two officers for attempting to extort bribes from trafficking victims during investigations.

Prevention

The Government of Nigeria demonstrated strong efforts to raise awareness about trafficking over the last year. In August 2008, on its five-year anniversary, NAPTIP organized the First Trafficking Awareness week, a series of anti-trafficking, awareness-raising events, including the launch of the "Red Card," a leaflet distributed to the public with information on the human trafficking phenomenon, including hotline numbers. In November 2008, Nigeria and Benin hosted a four-day, anti-trafficking forum attended by representatives from Togo, Gabon, and Congo. During the year, NAPTIP provided guidance to counterparts in Ghana on establishing a similar anti-trafficking agency. In August 2008, Nigeria adopted a new National Plan of Action on Trafficking in Persons, though implementation has not yet begun. In 2008, the government provided NAPTIP with \$9.3 million in funding, up from \$7.2 million in 2007. NAPTIP hosted two national stakeholders' forums during the year attended by government, NGO, and international organization representatives. Nigerian troops receive anti-trafficking awareness training through a donor-

funded program before being deployed abroad as part of international peacekeeping missions. The government took steps to reduce the demand for commercial sex acts within Nigeria by closing down two commercial establishments for trafficking activities in July 2008.

NORTH KOREA (Tier 3)

The Democratic People's Republic of Korea (DPRK or North Korea) is a source country for men, women, and children trafficked for the purposes of forced labor and commercial sexual exploitation. The most common form of trafficking involves North Korean women and girls subjected to involuntary servitude after willingly crossing the border into the People's Republic of China (PRC). Many of them are from North Hamgyong province, one of the poorest provinces in the country, located near the Chinese border. Once in China, they are picked up by traffickers and sold as brides to PRC nationals, often of Korean ethnicity. In other cases, North Korean women and girls are lured out of North Korea to escape poor economic, social, and political conditions by the promise of food, jobs, and freedom, only to be forced into prostitution, marriage, or exploitative labor arrangements once in China. North Koreans trafficked into or within the PRC are often passed from one trafficker to the next until they reach their ultimate destinations. In some cases, women and girls may be sold to traffickers by their families or acquaintances. Women sold as brides are sometimes re-abducted by the traffickers or are sold by husbands who no longer want them. In some cases, North Korean women are sold multiple times to different men by the same trafficker. Trafficking networks of Korean-Chinese and North Korean men operate in Northeast China and along the China-DPRK border, where they seek out North Korean women and girls. There are some reports that businessmen who operate along the China-DPRK border use their trade routes along the Yalu River to traffic North Korean women into China. While many women trafficked into China are sold as brides, some North Korean women in China are forced to work in the highly exploitative sex industry, including as prostitutes in brothels and in internet sex operations. Many victims of trafficking, unable to speak Chinese, are held as virtual prisoners. The illegal status of North Koreans in the PRC and other Southeast Asian countries increases their vulnerability to trafficking for purposes of forced labor and sexual exploitation. NGOs estimate that tens of thousands of North Koreans presently live in China, more than half of whom are women; according to some estimates, over 80 percent of North Korean refugees are victims of human trafficking.

The North Korean regime continues to use forced labor as part of an established system of political repression. North Koreans do not have a choice in the jobs they work and are not free to change jobs at will; the DPRK regime determines what work each citizen will have. Hundreds of thousands of men, women, and children in political

prison camps are subjected to reeducation through labor, a common punishment in which prisoners, including children, are forced to participate in logging, mining, and crop tending. Reports indicated that conditions in camps for political prisoners are extremely harsh. Prisoners receive little food, little if any medical care, and many are not expected to survive.

While exact figures are unknown, estimates of the number of North Korean contract workers recruited by the DPRK regime to work overseas for DPRK entities and firms vary widely, ranging from 10,000 to as high as 70,000. There continue to be credible reports that North Koreans sent abroad are subjected to harsh conditions, with their movements and communications restricted by DPRK government 'minders' and facing threats of government reprisals against them or their relatives in North Korea if they attempt to complain to outside parties. Worker salaries are deposited into accounts controlled by the North Korean government, which keeps most of the money for itself, claiming fees for various "voluntary" contributions to government endeavors. Workers only receive a fraction of the money paid to the North Korean government for their work. Countries in which North Koreans reportedly work through such arrangements include Poland, Bulgaria, Romania, Russia, Qatar, Saudi Arabia, Iraq, Kuwait, Yemen, the United Arab Emirates, Libya, Angola, China, Mongolia, Malaysia, Cambodia, Thailand, and Laos. Approximately 10,000 to 20,000 North Koreans have worked in the logging industry each year in the Russian Far East since 1967. Wages of some North Korean workers employed in Russia reportedly were withheld until the laborers returned home, making them vulnerable to deception by North Korean authorities, who promised relatively high payments. North Korean workers at joint ventures with foreign investors within the DPRK are employed under arrangements similar to those that apply to overseas contract workers.

trafficked. Furthermore, the government contributes to the problem of trafficking through its forced labor prison camps, where North Koreans live in conditions of servitude, receiving little food and little if any medical care.

Recommendations for North Korea: Recognize human trafficking as a problem in North Korea distinct from people smuggling; institute a systematic victim identification procedure to identify and protect victims of trafficking; cease the punishment of trafficking victims for acts committed as a direct result of being trafficked; and support NGO presence in North Korea to assist victims of trafficking.

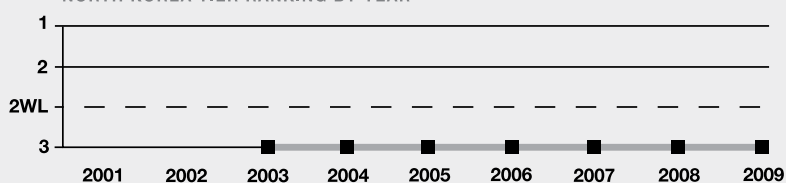
Prosecution

The DPRK regime made no effort to combat trafficking in persons through law enforcement efforts over the last year. The government denied that human trafficking is a problem, claiming it is not allowed and therefore does not exist in the country. Little information is available on North Korea's internal legal system. It is doubtful that North Korean laws are adequate to address the trafficking problem; there are no known laws that specifically address trafficking. Trials in the DPRK are neither fair nor transparent, so it is unclear under what provisions of the law, if any, traffickers are prosecuted. Article 150 of the Penal Code criminalizes *inter alia* the abduction, sale, or trafficking of children, but there are no known laws that address the trafficking of adults for labor or sexual exploitation. The penal code criminalizes crossing the border without permission and defection. However, the question of how laws are applied in North Korea is usually more important than their terms. The laws used to prosecute traffickers are those that seek to limit all cross-border migration, including refugee outflows, and often wind up harming trafficking victims. Without due process in criminal proceedings, the government sends political prisoners and some criminals to prison camps where they are forced to engage in harsh labor. The regime's claimed crackdowns on "trafficking networks" are a result of its desire to control all activity within its borders, particularly illegal emigration, rather than to combat trafficking in persons. There were no reported trafficking prosecutions or convictions during the reporting period.

Protection

The North Korean regime does not recognize or make any attempt to identify trafficking victims, nor does it provide any protection for, or assistance to, trafficking victims. In fact, victims often undergo severe punishment by the regime if caught in an attempt to cross the border or if deported back to the DPRK through invocation of the same cross-border migration laws used to punish the traffickers themselves. No distinction is made between trafficking victims and transnational migrants. North Koreans forcibly repatriated from China, including a significant number of women believed to be trafficking victims, are often jailed and forced into prison camps,

NORTH KOREA TIER RANKING BY YEAR



The North Korean government does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The government does not acknowledge the existence of human trafficking, either within the country or transnationally. The DPRK government does not differentiate between trafficking and other forms of illegal border crossing, such as illegal economic migration or defection. The regime actively punishes trafficking victims for acts they commit that are the direct result of being

where they may undergo torture, forced labor, sexual abuse by prison guards, and other severe punishment. Repatriated victims who are suspected of having become pregnant in China are reportedly subject to forced abortions, and prison authorities kill some babies born to repatriated victims while in detention. The North Korean government places a priority on controlling all activities within its borders; protecting individuals from mistreatment, exploitation, and retribution are not government priorities. The government did not ensure that trafficking victims are not penalized for unlawful acts committed as a direct result of their being trafficked.

Prevention

The North Korean government made no significant efforts to prevent human trafficking. It did not acknowledge the existence of human rights problems, including trafficking in persons. The DPRK does not allow indigenous NGOs to exist, and the few international NGOs permitted to operate in the country work under intense government scrutiny. North Korea has not ratified the 2000 UN TIP Protocol.

NORWAY (Tier 1)

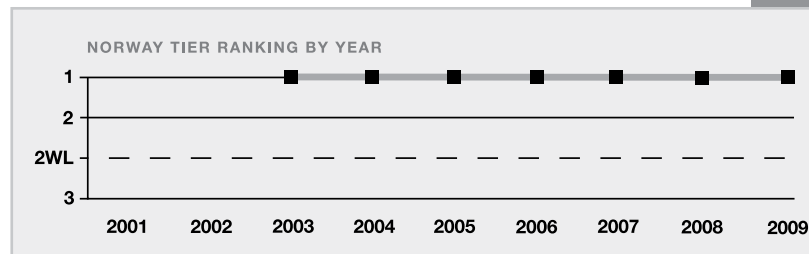
Norway is a destination country for women and girls trafficked from Nigeria, Bulgaria, Brazil, Estonia, Ghana, Eritrea, Cameroon, Kenya, and the Democratic Republic of Congo for the purpose of commercial sexual exploitation. Victims from Africa and Brazil are frequently trafficked through Italy, Spain, Morocco, and the Balkans. Men and children are trafficked from Thailand, the United Kingdom, India, Sri Lanka, Romania, and Bulgaria to Norway for the purposes of domestic servitude and forced labor in the construction industry. Children in Norwegian refugee centers are vulnerable to human trafficking.

The Government of Norway fully complies with the minimum standards for the elimination of trafficking. During the reporting period, Norway continued to fund anti-trafficking programs in key source countries with grants totaling \$7.4 million, including \$600,000 to anti-trafficking programs in Nigeria. The government also improved its victim identification system by publishing new victim identification guidelines in May 2008 and distributing them to all government agencies that may come in contact with potential victims of trafficking; this effort may have led to a 26 percent increase in the number of victims identified. In November 2008, the government amended its immigration law to prohibit the deportation of any victim who testifies in court against a trafficker.

Recommendations for Norway: Continue efforts to vigorously prosecute and convict both sex and labor trafficking offenders; continue to seek appropriate prison sentences for convicted trafficking offenders; and maintain efforts to reduce the domestic demand for commercial sexual exploitation in Norway.

Prosecution

The Norwegian government increased its anti-trafficking law enforcement efforts during the reporting period. Norway prohibits all forms of trafficking in persons through its Crimes Against Personal Freedom Law of 2004, which prescribes a maximum penalty of five years' imprisonment – a penalty that is sufficiently stringent and commensurate with punishments for other grave offenses, such as rape. In 2008, police significantly increased the number of trafficking investigations from 19 in 2007 to 45 in 2008—including 41 sex trafficking and four labor trafficking investigations. Norwegian authorities prosecuted five people for sex trafficking and one person for labor trafficking in 2008, compared to a total of six prosecutions in 2007. Six people were convicted of trafficking during the reporting period, compared to six convictions in 2007. All six traffickers were sentenced to some time in prison; no traffickers were given suspended sentences. Sentences imposed on the five convicted sex traffickers ranged from 18 to 36 months' imprisonment. One person convicted of labor trafficking was sentenced to 18 months' imprisonment. In 2007, six traffickers were sentenced to 18 to 30 months' imprisonment. Throughout the year, Norwegian law enforcement personnel collaborated on trafficking investigations with counterparts from numerous countries including the Czech Republic, Albania, Italy, Nigeria, Spain, the United Kingdom, Bulgaria, Romania, Germany, the Netherlands, Switzerland, Brazil, and all of the Nordic-Baltic countries.



Protection

The government continued to improve its impressive efforts to identify and protect victims of trafficking during the year. The government identified 256 victims in 2008, an increase from 190 victims identified in 2007. Law enforcement and other government officials referred at least 118 victims for assistance in 2008. Forty-four victims were assisted in 2008, up from 37 victims in 2007. The government provided direct social assistance services to victims as well as funding for assistance provided by anti-trafficking NGOs. In 2008, trafficking victims in Norway had access to shelter, medical care, vocational training, and legal assistance; however, many female victims of forced prostitution were provided shelter in domestic violence shelters rather than in trafficking-specific shelters. Victims are permitted to stay in Norway without conditions during a six-month reflection period in order to receive assistance; 40 victims benefited from the

reflection period in 2008 compared to 30 in 2007. After the reflection period, victims can apply for one-year residency permits; in 2008, 15 victims received one-year residency permits. The government encouraged victims to participate in trafficking investigations and prosecutions. Trafficking victims were not penalized during the reporting period for unlawful acts committed as a direct result of their being trafficked.

Prevention

The government continued its trafficking prevention outreach in key source countries while improving awareness efforts in Norway during the reporting period. The government conducted two campaigns aimed at reducing the demand for commercial sex acts; these campaigns were advertised on the internet and in Norwegian airports. Norway criminalized the purchase of sexual services in January 2009, which may have an impact on the demand for commercial sex within Norway. The government briefed all Norwegian troops on human trafficking prior to deployment overseas on international peacekeeping missions and monitored immigration patterns for evidence of trafficking.

OMAN (Tier 2)

Oman is a transit and destination country for men and women, primarily from India, Pakistan, Bangladesh, Sri Lanka, the Philippines, and Indonesia, most of whom migrate willingly to Oman as domestic servants or low-skilled workers in the country's construction, agriculture, and service sectors. Some of them subsequently face conditions indicative of involuntary servitude, such as withholding of passports and other restrictions on movement, non-payment of wages, long working hours without food or rest, threats, and physical or sexual abuse. Unscrupulous labor recruitment agencies and their sub-agents at the community level in South Asia and the United Arab Emirates (UAE) may coerce or defraud workers into accepting work in Oman that turns out to be exploitative and, in some instances, constitutes involuntary servitude. Oman is also a destination and transit country for women from China, India, Morocco, Eastern Europe, and South Asia who may be trafficked for commercial sexual exploitation. Male Pakistani laborers, as well as others from India, Bangladesh, Sri Lanka, and East Asia, transit Oman en route to the UAE; some of these migrant workers are exploited in situations of forced labor upon reaching their destination.

The Government of Oman does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government's enactment of anti-trafficking legislation and completion of its first prosecution under these provisions demonstrated increased commitment to combating trafficking during the reporting period. The government, however, continued to lack systematic procedures to identify trafficking victims among women in prostitution

and illegal migrants, comprehensive victim protection services, and programming to raise general public awareness of all forms of human trafficking.

Recommendations for Oman: Increase investigations and prosecutions of trafficking crimes and convictions and punishment of trafficking offenders; continue training government officials in all relevant departments to recognize and respond appropriately to human trafficking crimes; institute formal procedures for identifying trafficking victims among women in prostitution and illegal migrants and transferring them to care facilities; complete construction and begin operation of a shelter that provides appropriate protection services to both labor and sex trafficking victims, including shelter and medical, psychological, and legal assistance; and enact and enforce penalties for employers who withhold their employees' passports as a measure to prevent labor trafficking.

Prosecution

The government's anti-trafficking law enforcement efforts increased during the reporting period, evidenced by its passage of a comprehensive human trafficking statute and prosecution of its first specific trafficking case. In November 2008, the government enacted Royal Decree No. 126/2008, the Law Combating Human Trafficking, which prohibits all forms of trafficking and prescribes punishments of three to 15 years' imprisonment, in addition to financial penalties. These punishments are sufficiently stringent and commensurate with penalties prescribed for other grave crimes. The law became effective in early December 2008 after publication in the official gazette. Articles 260 and 261 of the penal code prohibit slavery and prescribe penalties of three to 15 years' imprisonment. Article 220 prohibits coerced prostitution and prescribes penalties of three to five years' imprisonment. A legally enforceable circular prohibits employers' withholding of migrant workers' passports, which often contributes to forced labor; the circular, however, does not specify penalties for noncompliance, and this trafficking-related practice continues to be widespread. In March 2009, the government charged 13 male suspects, of whom 11 were convicted (five Omanis and six expatriates) with bringing 13 foreign women into Oman as their wives and then transiting them to another Gulf country to engage in prostitution. This is the first trafficking case investigated and prosecuted under the recently enacted anti-trafficking law. The case concluded in May 2009, with the conviction and sentencing of 11 defendants to seven years' imprisonment and a fine of \$26,000; two defendants were acquitted for lack of evidence. The government confiscated the Omani defendants' commercial establishments and forbade them from sponsoring additional expatriate workers.

Protection

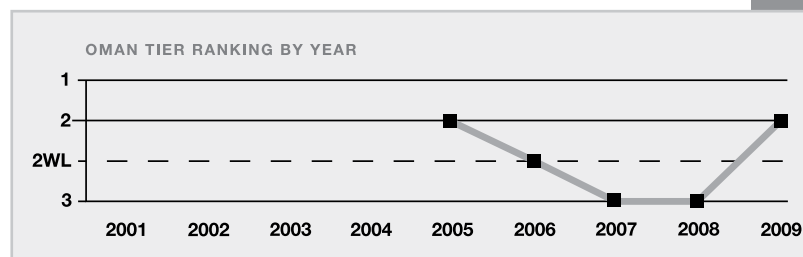
The government made efforts to improve protection services for victims of trafficking during the reporting

period. The government did not provide shelter services, counseling, or legal aid to trafficking victims in 2008. Beginning in March 2009, however, the government provided 13 female victims shelter at a Royal Oman Police “accommodation center.” In December 2008, the Ministry of Manpower instituted a mechanism for identifying trafficking victims among migrant workers employed by private companies that involved reviewing bank statements, employment contracts, and salary slips, and speaking privately with randomly selected workers at each site. The government, however, lacked systematic procedures to identify victims of trafficking among other vulnerable groups, such as migrants detained for immigration violations and women arrested for prostitution, or to refer victims for assistance; there are limited NGO-run facilities for trafficking victims in Oman. The government advocates a policy of encouraging victims to participate in the investigation and prosecution of their traffickers. The government’s new human trafficking statute enables the Public Prosecution or court to permit a victim to remain in Oman if an investigation or trial finds cause. Trafficking victims who have fled abusive employers without obtaining new employment sponsorship are allowed to remain in country one month in order to locate a new sponsor.

Prevention

The Omani government made efforts to prevent trafficking of migrant laborers during the reporting period, such as the launch of a public campaign to educate workers, employers, and the general public on laws and potential abuses, but did not take measures to raise awareness of sex trafficking or educate the general population about the nature of human trafficking as both a local and global phenomenon. In April 2009, the government’s National Committee for Combating Trafficking in Persons convened its first meeting. To strengthen enforcement of labor laws that prohibit certain acts related to human trafficking, the government hired 94 additional male and female labor inspectors in September 2008, bringing the total to 160. The government funded the travel of ILO trainers to Oman, as well as provided venues for ILO-conducted anti-trafficking training of the labor inspectorate and other Ministry of Manpower officials. In November 2008, the government signed a memorandum of understanding with the Government of India strengthening cooperation in regard to the employment of Indian workers in Oman; the memorandum commits the countries to share information regarding illegal recruitment and trafficking of Indian workers. During the reporting period, Ministry of Manpower officials conducted seminars on workers’ rights throughout the country for workers employed by private companies. The ministry also distributed 180,000 brochures in 11 languages highlighting the rights and services to which workers are legally entitled to source country embassies and to new migrant laborers at airports, recruitment agencies, and in their places of work. The government also launched a broad public campaign

on labor issues, which included weekly television and radio spots, the placement of articles weekly in government-owned newspapers, and presentations by government officials at schools, colleges, chambers of commerce, and women’s associations in all major towns. The government did not take any known measures during the reporting period to reduce the demand for commercial sex acts.



PAKISTAN (Tier 2 Watch List)

Pakistan is a source, transit, and destination country for men, women, and children trafficked for the purposes of forced labor and sexual exploitation. The country’s largest human trafficking problem is that of bonded labor, which is concentrated in Sindh and Punjab provinces, particularly in brick kilns, carpet-making, agriculture, fishing, mining, leather tanning, and production of glass bangles; estimates of Pakistani victims of bonded labor, including men, women, and children, vary widely but are likely over one million. Parents sell their daughters into domestic servitude, prostitution, or forced marriages, and women are traded between tribal groups to settle disputes or as payment for debts. Pakistani women and men migrate voluntarily to Gulf states, Iran, and Greece for low-skilled work as domestic servants or in the construction industry. As a result of fraudulent job offers made and high fees charged during recruitment, however, some find themselves in conditions of involuntary servitude or debt bondage once abroad, including restrictions on movement, non-payment of wages, threats, and physical or sexual abuse. Moreover, NGOs contend that Pakistani girls are trafficked to the Middle East for sexual exploitation. Pakistan is also a destination for women and children from Afghanistan, Azerbaijan, Bangladesh, India, Iran, and Nepal trafficked primarily for forced labor. Women from Bangladesh and Nepal are trafficked through Pakistan to the Gulf states.

The Government of Pakistan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these significant overall efforts, including the prosecution of some trafficking offenses and the launch of public awareness programming, the government did not show evidence of progress in addressing the serious issues of bonded labor, forced child labor, and the trafficking of migrant workers by fraudulent labor recruiters; therefore, Pakistan is placed on Tier 2 Watch List. Convictions of

trafficking offenders decreased during the reporting period. The government continued to punish victims of sex trafficking and did not provide protection services for victims of forced labor, including bonded labor.

Recommendations for Pakistan: Significantly increase law enforcement activities, including adequate criminal punishment, against bonded labor, forced child labor, and fraudulent labor recruiting for purposes of trafficking; continue to vigorously investigate, prosecute, and punish acts of government complicity in trafficking at all levels; and expand victim protection services for victims of forced labor and sex trafficking.

of law enforcement officials that received such training. Government officials at all levels have been implicated in human trafficking; there were reports of bribery of government and law enforcement officials during the reporting period. Pakistani authorities disciplined 147 law enforcement officers for complicity with human trafficking under the Government Service Rules and Regulations; 12 were permanently removed, four were compulsorily retired, and seven were reduced in rank. The remaining cases resulted in administrative actions.

Protection

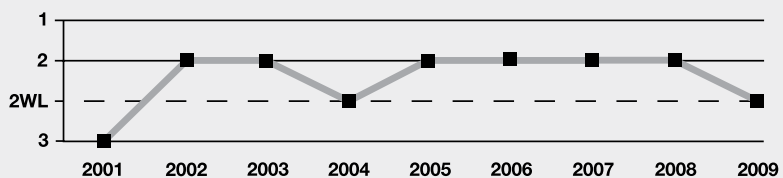
The government's efforts to protect victims of trafficking were inadequate during the reporting period. Pakistan did not report any programs to identify and protect victims of forced labor – the largest sectors of Pakistan's trafficking victims – particularly bonded labor and forced child labor in informal industries such as domestic work. Foreign victims of trafficking also did not receive government protection services. Protection for victims of commercial sexual exploitation remained limited; internally trafficked women could access 25 federal government-run "Women's Centers" or 276 provincial government-run "Darul Aman" centers offering medical treatment, vocational training, and legal assistance to abused women and children.

Pakistani sex trafficking victims were sometimes arrested and incarcerated for prostitution without screening for evidence of trafficking, and some were subjected to punishment under Islamic law for fornication and adultery. During the year, the Punjab Government's Child Protection Bureaus in Lahore, Rawalpindi, Rahim Yar Khan, Multan, and Faisalabad sustained efforts begun in 2005 to rescue child beggars from the streets and provide rehabilitative services; at the time of this writing, Lahore's facility housed 219 boys. In past years, the government encouraged foreign victims to participate in investigations against their traffickers by permitting them to seek employment while awaiting trial; there is no evidence of the government providing assistance to foreign trafficking victims in 2008 or encouraging their participation in investigations. Foreign victims reportedly were not prosecuted or deported for unlawful acts committed as a direct result of being trafficked, but some foreign victims may have been subject to punishment for fornication, even as victims of sex trafficking. The government did not provide foreign victims with legal alternatives to their removal to countries where they may face hardship or retribution. The Ministry of Overseas Pakistanis provided assistance to repatriated Pakistani trafficking victims, such as medical, legal, and financial assistance.

Prevention

Pakistan made a number of efforts to prevent trafficking in persons during the reporting period, though lack of public awareness continued to be a problem. In 2008, the FIA sponsored anti-trafficking advertisements in major Urdu- and English-language newspapers, and its officers visited the five Punjab districts identified as major source areas to convene discussions with

PAKISTAN TIER RANKING BY YEAR



Prosecution

The Government of Pakistan made insufficient law enforcement efforts to address trafficking in 2008, particularly in regard to labor trafficking. Pakistan prohibits all forms of transnational trafficking in persons through its Prevention and Control of Human Trafficking Ordinance (PACHTO); the ordinance's prescribed penalties range from seven to 14 years' imprisonment. The government uses Sections 17 through 23 of the Emigration Ordinance to prosecute internal cases of trafficking. In addition, the Bonded Labor System Abolition Act prohibits bonded labor, with prescribed penalties ranging from two to five years' imprisonment or a fine, or both. Prescribed penalties for all above offenses are sufficiently stringent and commensurate with those for other grave crimes, such as rape.

Pakistan did not provide data to demonstrate any significant law enforcement efforts against labor trafficking. Though Pakistan has a substantial problem of bonded labor, neither the federal nor the provincial governments provided evidence of criminal prosecutions, convictions, or punishments for perpetrators of bonded labor, or for other acts of forced labor, including fraudulent recruitment for the purpose of forced labor, and forced child labor. With respect to sex trafficking, primarily prosecuted as a transnational crime under PACHTO, during the reporting period, the government secured the convictions of 28 trafficking offenders – 24 fewer than last year; unlike in past years, the Federal Investigation Agency (FIA) did not make available the specifics of the punishments given to trafficking offenders. During the reporting period, FIA, with assistance from IOM and NGOs, continued to offer training on investigating trafficking cases and sensitively treating victims; FIA did not provide data on the number

typical source communities. The FIA launched a hotline for reporting cases of trafficking and smuggling that received 811 complaints, but did not specify the number of trafficking-specific calls. In addition, the Ministry of Interior produced and distributed a film about the dangers of trafficking on state television and to vulnerable populations along the border with India. The government, however, did not take any reported measures during the reporting period to reduce the country's considerable demand for bonded labor, nor did it address demand for commercial sex acts. The government did not provide anti-trafficking training to its nationals deployed abroad for international peacekeeping missions. Pakistan has not ratified the 2000 UN TIP Protocol.

PALAU (Tier 2)

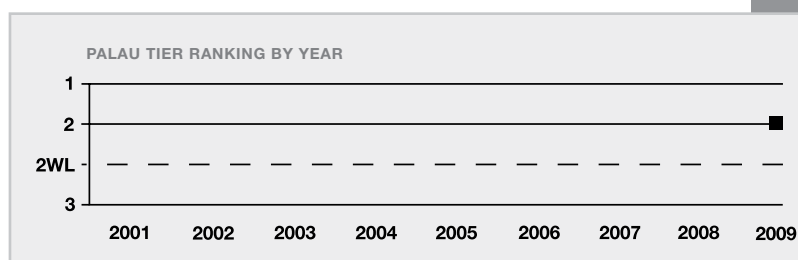
Palau is a transit and destination country for a small number of women trafficked from the Philippines and the People's Republic of China (PRC) for the purpose of commercial exploitation, and for a small number of men from the Philippines, the PRC, and Bangladesh for the purpose of forced labor. Some employers recruit foreign men and women to work in Palau through fraudulent representation of contract terms and conditions of employment. These foreign workers willingly migrate to Palau for jobs in domestic service, agriculture, or construction, but are subsequently coerced to work in situations significantly different than what their contracts stipulated – excessive hours without pay, confiscation of their travel documents, and the withholding of salary payments as a means of controlling their movement; these conditions may be indicative of involuntary servitude. Some workers are also threatened by their employers, and some women expecting to work as waitresses or clerks are forced into commercial sexual exploitation in karaoke bars and massage parlors. Since the late 1990s, the Philippines government banned its nationals from migrating to Palau to serve as domestic workers.

The Government of Palau 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 continued its law enforcement and prosecution efforts against trafficking offenders. Victim services and efforts to raise public awareness of human trafficking, however, remained limited.

Recommendations for Palau: Increase efforts to investigate, prosecute, and punish trafficking offenders; monitor employment agents recruiting foreign men and women for work in Palau to prevent trafficking for labor exploitation; establish formal procedures to identify and refer trafficking victims to protective services; work with NGOs or international organizations, as appropriate, to provide additional services to victims; and develop and conduct anti-trafficking information and education campaigns.

Prosecution

The Government of Palau made minor progress in its law enforcement and prosecution efforts against trafficking offenders during the reporting period. The Anti-Smuggling and Trafficking Act of 2005 prohibits all forms of trafficking in persons. Its sufficiently stringent penalties, ranging from 10 to 50 years' imprisonment and fines up to \$500,000, are commensurate with penalties prescribed for other serious crimes, such as rape. Despite limited resources and a relatively small number of victims, Palau prosecuted and convicted four trafficking offenders in 2007. These traffickers had forced 15 Filipinas and nine Chinese waitresses into commercial sexual exploitation and subjected them to food deprivation, confinement, and illegal salary deductions. One of the traffickers appealed his conviction in 2008. In February 2009, the conviction was reversed and the case against the trafficker was dismissed without prejudice, meaning it can be refiled. There were no other investigations, prosecutions, or convictions during the reporting period. The government did not train law enforcement officers to proactively identify victims or to identify trafficking victims among vulnerable populations, such as foreign women in prostitution.



Protection

The government of Palau offered minimal protective services to victims of trafficking over the reporting period. No long-term protective services were available to victims, and Palauan government agencies did not employ formal procedures to identify and refer trafficking victims for the services which were available. The government did not identify or assist any victims of trafficking during the year although it has done so in the past. A religious organization provided limited assistance to victims of any crime. In the past, its services were available to trafficking victims and would be made available again, as needed. Palauan law does not penalize victims for illegal acts committed as a direct result of being trafficked, and encourages victims to assist in the investigation and prosecution of trafficking offenders. The government does not remove victims to countries where they may face hardship or retribution. In 2007, Filipina and Chinese victims were offered the choice of remaining in Palau and seeking different employment or returning home.

Prevention

The government made no discernable efforts to prevent human trafficking through planned campaigns to

educate the public about its dangers, but publicized its anti-trafficking activities at least twice during the year. Government agencies cooperated with each other, with foreign governments, and with international organizations on trafficking matters. No detailed information about Palau's national plan to address trafficking was available at the time of this Report's drafting. Palau Customs, Immigration and Police have formed a four-person training team which has created an identity crime training program for government employees, to help them recognize false documents which might be used by traffickers. Palau also improved its immigration controls, in part to deter trafficking in persons, in accordance with its participation in the Pacific Regional Immigration Identity Project and the Pacific Immigration Directors Conference. The government made no discernable efforts to address the demand for commercial sex acts or the demand for forced labor during the reporting period. Palau has not ratified the 2000 UN TIP Protocol.

PANAMA (Tier 2)

Panama is a source, transit, and destination country for women and children trafficked for the purpose of commercial sexual exploitation. Some Panamanian women are trafficked to Jamaica, Europe, and Israel for commercial sexual exploitation, but most victims are trafficked to and within the country into Panama's sex trade. NGOs report that some Panamanian children, mostly young girls, are trafficked into domestic servitude. Government agencies indicate that indigenous girls may be trafficked by their parents into prostitution in Darien province. Most foreign sex trafficking victims are adult women from Colombia, the Dominican Republic, and neighboring Central American countries; some victims migrate voluntarily to Panama to work but are subsequently forced into prostitution. Weak controls along Panama's borders make the nation an easy transit point for trafficked persons.

foreign women, mostly Colombians, into Panama's sex trade. However, vigorous government efforts to prosecute human trafficking crimes and provide adequate shelter, particularly for adult victims, remained lacking.

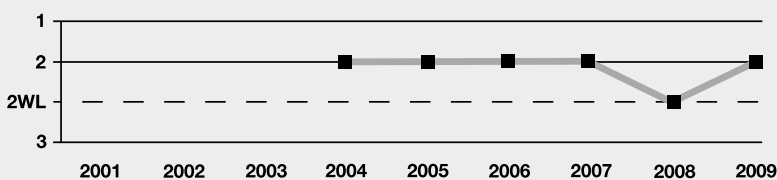
Recommendations for Panama: Amend anti-trafficking laws to prohibit forced labor, including involuntary domestic servitude; intensify law enforcement efforts to investigate and prosecute trafficking offenses and convict and sentence trafficking offenders, including any public officials complicit with trafficking activity; dedicate more resources for victim services; and develop a formal system for identifying trafficking victims among vulnerable populations, particularly women in prostitution.

Prosecution

The Government of Panama increased its ability to investigate and prosecute trafficking crimes during the reporting period. In June 2008, the government published Law 26, a penal code reform package, to strengthen Panama's anti-trafficking laws and prohibit the internal sex trafficking of adults, a gap which existed under previous law. The new law will enter into force in June 2009. Article 178 of the new code criminalizes internal and transnational trafficking of persons for the purpose of sexual slavery or unauthorized paid sexual activity, through means of deceit, coercion, or retention of identity documents and prescribes penalties ranging from six to nine years' imprisonment. Additionally, Article 180 of the new code prohibits the internal and transnational trafficking of minors for commercial sexual exploitation, prescribing prison terms of eight to 10 years' imprisonment. The above punishments are sufficiently stringent and commensurate with those prescribed for rape. Panamanian law, however, does not specifically prohibit human trafficking for the purpose of forced labor, including domestic servitude. In September 2008, the government began investigating a case of potential labor trafficking activity, in which 52 Panamanian laborers were transported to Laurel, Mississippi, for work in a transformer manufacturing facility. During the reporting period, the government investigated 11 sex trafficking cases, resulting in two criminal trafficking convictions with sentences of 60 months' imprisonment each. This compares to 13 sex trafficking cases investigated and one trafficking offender convicted during the previous year.

In March 2008, the Department of Judicial Investigations created a specialized unit to investigate trafficking cases. While a lack of coordination among police, prosecutors, and immigration authorities on anti-trafficking cases remains a concern, the Panamanian attorney general developed a computerized information network to promote the sharing of information between prosecutors and other agencies. The government maintained anti-trafficking training efforts, and the attorney general decreed that one prosecutor in each of Panama's 13 provinces should be trained to prosecute trafficking crimes. An NGO reported anecdotally that some police officers sexually exploited prostituted minors in

PANAMA TIER RANKING BY YEAR



The Government of Panama does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In 2008, the government showed some anti-trafficking progress by enacting a legislative reform package to strengthen Panama's anti-trafficking laws, and by increasing prevention efforts. The government also eliminated its *alternadora* visa category, which had been used to traffic

exchange for providing protection, but it was unclear whether higher-level officials were aware of such activity. The government opened no formal trafficking-related corruption investigations during the reporting period.

Protection

The Panamanian government sustained its efforts to assist trafficking victims during the reporting period, though overall victim services – particularly those for adults – remained inadequate. Child trafficking victims accessed basic care at 43 government-funded shelters across the country. Although the government did not provide dedicated services for trafficking victims, it funded an NGO-operated shelter with dedicated housing and social services for child trafficking victims. Services and shelter care for adult trafficking victims remained limited, though newly enacted Immigration Law 3 required that the government build a dedicated shelter for adult victims. The government housed victims in hotels on an *ad hoc* basis. In one case, several foreign trafficking victims were housed at a police station because there was no place to take them. The government did not employ systematic procedures for identifying trafficking victims among vulnerable populations, but did require that women entering the country under entertainment visas attend a seminar on trafficking in persons. The high number of women in prostitution in the country may warrant the development of more thorough victim identification procedures. Panamanian authorities encouraged victims to assist with the investigation and prosecution of their traffickers. The government allowed foreign victims to remain in Panama during investigation of their cases by judicial order, but did not provide other legal alternatives to their return to countries where they may face hardship or retribution. Moreover, prosecutors indicated that some foreign victims were repatriated involuntarily before they could fully assist with legal efforts against their traffickers. Victims were not penalized for unlawful acts committed as a direct result of being trafficked. Panamanian consular officials were trained to aid Panamanians trafficked abroad, and provided repatriation assistance, including airfare, housing, and medical care.

Prevention

The government increased efforts to prevent human trafficking during the reporting period. In response to past reports of sex trafficking of foreign women holding *alternadora* visas, the government terminated this visa category as part of an immigration reform package that came into force in August 2008. While foreign women in the nation's sex trade may still apply for "entertainer" visas, the government increased efforts to prevent human trafficking by creating a registry of businesses requesting such visas and instituting tougher conditions for their issuance. No entertainer visas were issued under the new law during the reporting period. In 2008, the government conducted awareness-raising efforts and collaborated with NGOs and international organizations on other anti-trafficking prevention projects. Official

recognition of human trafficking crimes appears to be increasing, though government officials tend to view Panama as principally a transit country. In June 2008, the government released a three-year national plan to combat the commercial sexual exploitation of minors, and a small office was established to implement the plan. In an effort to reduce demand for commercial sex acts, the government conducted media campaigns warning that commercial sexual exploitation is a prosecutable crime. The government's overall anti-trafficking efforts continued to suffer from limited resources, and a measure to dedicate one dollar from the tax imposed on each visiting tourist to anti-trafficking projects remained mired in an interagency process after five years.

PAPUA NEW GUINEA (Tier 3)

Papua New Guinea is a source, destination, and transit country for men, women, and children trafficked for the purposes of commercial sexual exploitation and forced labor. Women and children are trafficked within the country for the purposes of commercial sexual exploitation and domestic servitude; men are trafficked to logging and mining camps for the purpose of forced labor. Women and children from Malaysia, Thailand, the People's Republic of China (PRC), and the Philippines are trafficked to Papua New Guinea for forced prostitution and PRC men are trafficked to the country for forced labor. Chinese organized crime groups still may traffic some Asian women and girls through Papua New Guinea to Australia, Indonesia, New Zealand, and other countries for forced prostitution and forced labor, though less frequently than in the past. Unique and enduring cultural practices in Papua New Guinea reinforce the perception of females and children as commodities - families often sell minor girls into marriages to settle their debts; tribes trade females for guns and political advantage; men compensate the relatives of a girl they have raped with a payment of pigs. Young girls sold into marriage are often also forced into domestic servitude for the husband's extended family. The majority of foreign victims voluntarily migrate to Papua New Guinea with valid passports and visas, lured by Chinese organized crime units, foreign logging companies, and Papuan businessmen with false offers to work as engineers, secretaries, cooks, and guards. After arrival in Papua New Guinea, most of the female victims are coerced into prostitution and domestic servitude at logging and mining camps. Foreign and Papuan men are more often exploited for labor at the camps. They work excessive hours in dangerous conditions, frequently with little or no safety gear. Many of these men are also compelled to continue working for the company indefinitely through induced debt bondage. Employers escalate the victims' indebtedness to the company by cutting workers' agreed-upon wages, taking unjustifiable payroll deductions, and artificially inflating prices at the only place in the region employees can buy food, the company store. Government officials facilitate trafficking by accepting bribes to allow illegal migrants to enter the country or to ignore victims

forced into prostitution or labor, by receiving female trafficking victims in return for political favors, and by providing female victims in return for votes.

The Government of Papua New Guinea does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The government acknowledges the existence of forced labor in Papua New Guinea, but denies the widespread sex trafficking of women and children. Some corrupt government and law enforcement officials accept bribes to ignore trafficking-related activity. Despite evidence of a trafficking problem, to date no suspected trafficking offender has been arrested, prosecuted, or convicted of a human trafficking offense. The government lacks a systematic procedure to identify victims of trafficking in vulnerable populations, such as foreign women or children in prostitution, and has done little to prevent trafficking in Papua New Guinea.

Recommendations for Papua New Guinea: Continue the process of drafting and enacting legislation that prohibits and punishes all forms of trafficking; increase collaboration with civil society, religious, and tribal leaders to raise awareness about trafficking, including the need to reduce demand for forced labor and commercial sex acts; investigate, prosecute and punish officials who facilitate or benefit from trafficking; develop and institute a formal procedure to identify victims of trafficking among vulnerable groups; ensure victims of trafficking are not arrested, deported, or otherwise punished for acts committed as a direct result of being trafficked; and train law enforcement officers on victim identification and protection.

work in prostitution at a Chinese restaurant; no charges were filed against their alleged trafficker as none of the women would cooperate with police investigators. Trafficking-related crimes in rural areas were referred to village courts which administered customary law, rather than criminal law, and resolved cases through restitution paid to the victim, rather than through criminal penalties assigned to the trafficking offender. Wealthy business people, politicians, and police officials who benefit financially from the operation of establishments profiting from sex trafficking were not investigated or prosecuted. Most government offices and law enforcement agencies remained weak as the result of corruption, cronyism, a lack of accountability, and a promotion system based on patronage. In 2008, the government arranged for expert assistance with the drafting of a comprehensive anti-trafficking law, and began coordinating multi-agency preparations and contributions to the process.

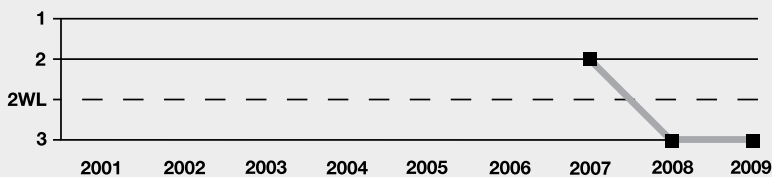
Protection

The Government of Papua New Guinea demonstrated increasing efforts to protect and assist victims of trafficking. Due to severe resource constraints, the government continued to rely on international organizations or NGOs to provide victim services. The government contributed funds to a shelter for victims of domestic violence in Port Moresby run by an NGO, which could provide shelter and some legal aid to trafficking victims, although it did not do so during the year. Women's shelters in Port Moresby and Lae could also house foreign and local victims. The Department of Health, with NGO assistance, set up support centers in hospitals throughout the country for victims of domestic violence which could provide trafficking victims with direct counseling and outpatient services, although not long-term care. The government did not proactively identify trafficking victims among vulnerable populations. When potential victims of trafficking sought assistance from the government, they were often jailed, and some were sexually abused by police officers. Immigration inspectors routinely refused entry to potential trafficking victims identified at the borders. Other government officials, however, would more likely refer identified victims to social groups, churches, or NGOs for assistance. Rescued victims of internal trafficking often received compensation payments of cash or pigs from the offender, which is culturally acceptable in Papua New Guinea, and were reluctant to then notify police and bring additional criminal charges against their traffickers.

Prevention

The government continued to rely on international organizations and NGOs for the bulk of its trafficking prevention activities, such as efforts to raise public awareness about trafficking combined with education campaigns on child prostitution, HIV/AIDS, and domestic violence. The government increased cooperation with Australian and New Zealand Federal Police, as well

PAPUA NEW GUINEA TIER RANKING BY YEAR



Prosecution

The Government of Papua New Guinea reported minimal progress in law enforcement efforts against trafficking offenders over the last year. The penal code of Papua New Guinea does not prohibit all forms of trafficking. Its criminal code, which does not prohibit the trafficking of adults, prohibits the trafficking of children for commercial sexual exploitation, slavery, and abduction. Labor laws prohibit fraudulent recruiting and employment practices, and prescribe weak penalties for offenders. Prostitution is prohibited in Papua New Guinea, but the relevant laws are either selectively or rarely enforced even in cases involving children. In August 2008, the Transnational Crime Unit rescued a group of about 20 women forced to

as other international law enforcement and customs agencies, to draft laws, and investigate and prevent transnational crimes including human trafficking. The government made some effort to reduce the demand for commercial sex acts as a way to halt the spread of HIV/AIDS. The government acknowledged that prostitution and child pornography are problems that need to be addressed. Papua New Guinea has not ratified the 2000 UN TIP Protocol.

PARAGUAY (Tier 2)

Paraguay is principally a source and transit country for women and children trafficked for the purpose of commercial sexual exploitation, as well as a source and transit country for men, women, and children trafficked into forced labor. Most Paraguayan victims are trafficked to Argentina and Spain; smaller numbers of victims are trafficked to Brazil, Chile, Italy, and Bolivia. In one case last year, two Paraguayan women were forced into arranged marriages with Korean men by a Brazilian-Korean trafficking syndicate in Sao Paulo. In another case, at least six children were trafficked to Japan for forced labor as domestic servants. The involuntary domestic servitude of adults and children within the country is a serious problem. Indigenous persons are vulnerable to forced labor exploitation, particularly in the Chaco region. Poor children are trafficked from rural areas to urban centers such as Asuncion, Ciudad del Este, and Encarnacion for commercial sexual exploitation and domestic servitude. Street children and working children are common targets for trafficking recruiters. According to the ILO, some traffickers coerce underage males, known as "taxi boys," into transgendered prostitution. Some of these boys are trafficked abroad, particularly to Italy. Trafficking of Paraguayan and Brazilian women, girls, and boys for commercial sexual exploitation commonly occurs in the Tri-Border Area of Paraguay, Argentina, and Brazil.

The Government of Paraguay does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Last year the government increased law enforcement efforts against trafficking offenders, but showed limited evidence of progress in providing adequate assistance to trafficking victims. The revised Penal Code, scheduled to come into force later this year, reinforces the existing legal framework available to prosecute trafficking offenses and strengthens penalties against trafficking crimes. However, the government did not make sufficient progress in confronting acts of official complicity.

Recommendations for Paraguay: Intensify efforts to identify and prosecute trafficking offenses, including domestic forced labor crimes, as well as efforts to convict and punish trafficking offenders; launch criminal investigations of public officials who may have facilitated trafficking activity; dedicate more resources for victim assistance; and increase efforts to raise public awareness

about human trafficking, particularly among those seeking work abroad.

Prosecution

The Paraguayan government increased law enforcement actions against trafficking offenders during the past year, but made insufficient progress against official complicity in human trafficking. In October 2008, the Paraguayan Attorney General's office established an anti-trafficking prosecutorial unit with three attorneys and six assistants, which has increased the government's investigation of human trafficking crimes. However, during the past year, some government officials, including police, border guards, judges, and elected officials, reportedly facilitated trafficking crimes by accepting payments from traffickers; other officials reportedly undermined investigations or alerted suspected traffickers of impending arrests. Despite the serious nature of such allegations, Paraguayan authorities took only limited steps to investigate acts of trafficking-related corruption and there were no prosecutions related to official complicity in trafficking offenses.

Article 129 of the 1997 Paraguayan Penal Code prohibits transnational trafficking for the purpose of prostitution, prescribing penalties of six years' imprisonment. Articles 129(b) and (c) of a new code, which is scheduled to come into force in July 2009, will prohibit trafficking for the purposes of prostitution and forced labor through means of force, threats, deception, or trickery, prescribing penalties up to 12 years' imprisonment. All the above penalties are sufficiently stringent and commensurate with penalties prescribed for serious crimes, such as rape. To prosecute internal cases of human trafficking, including forced labor, prosecutors may also draw on deprivation of liberty and kidnapping statutes (articles 124 and 125), as well as other Penal Code provisions. During the reporting period, Paraguayan authorities opened investigations into 43 trafficking cases. Authorities indicted 11 traffickers and secured the convictions of four trafficking offenders in one case, who each received six years in prison. These results represent an increase in the government's investigative efforts compared to the previous year, when the government opened nine cases and obtained the convictions of five trafficking offenders in two cases. Cross-border cases investigated last year include two Paraguayan women who were trafficked to Chile for commercial sexual exploitation; the victims helped to identify nine other potential sex trafficking victims. In another case, a 15-year-old Paraguayan girl escaped from a brothel in Buenos Aires and filed a complaint with Paraguayan prosecutors; 25 women were subsequently rescued from the brothel with the assistance of Argentine law enforcement.

Protection

The government modestly increased efforts to protect victims of trafficking, but assistance in Paraguay remained inadequate overall. The government provides

short-term services such as medical, psychological, and legal assistance, in addition to temporary shelter care for adult women and girls. Paraguay does not have shelter facilities for men, and boys are typically placed with families or in foster care. Foreign trafficking victims generally do not have access to government-operated shelters. The government provides limited legal, medical, psychological, and shelter assistance to Paraguayans trafficked abroad and later repatriated to the country through the Secretariat of the Repatriated and Co-National Refugees (SEDERREC); however, follow-up with victims was inadequate. The government provides a small amount of funding to anti-trafficking NGOs, but relies on larger NGOs and international donors to furnish additional victim assistance. During the reporting period, prosecutors identified 67 trafficking victims, including 20 children, and referred 51 victims for care, compared to 14 victims assisted in the previous year. Paraguayan authorities encourage victims to assist with the investigation and prosecution of their traffickers, though some victims avoided the court system due to social stigma or fear of retaliation. Victims typically are not jailed, deported, or otherwise penalized for acts committed as a direct result of being trafficked. Paraguay does not have a formal system for proactively identifying trafficking victims among vulnerable populations such as prostituted women. Paraguay provides temporary or permanent residency status for foreign trafficking victims on a case-by-case basis.

sectors, agriculture, the brick-making sector, and as domestic servants. Many trafficking victims are women and girls from impoverished rural regions of the Amazon, recruited and coerced into prostitution in urban nightclubs, bars, and brothels, often through false employment offers or promises of education. Indigenous persons are particularly vulnerable to being subjected to debt bondage by Amazon landowners. Forced child labor remains a problem, particularly in informal gold mines and coca production. To a lesser extent, Peruvians are trafficked to Ecuador, Spain, Italy, Japan, and the United States for commercial sexual exploitation, and to Argentina, Chile, and Brazil for forced labor. Peru also is a destination country for some Ecuadorian and Bolivian females trafficked for commercial sexual exploitation, and the trafficking of Bolivians for forced labor. The Peruvian government recognizes child sex tourism to be a problem, particularly in Iquitos, Madre de Dios, and Cuzco.

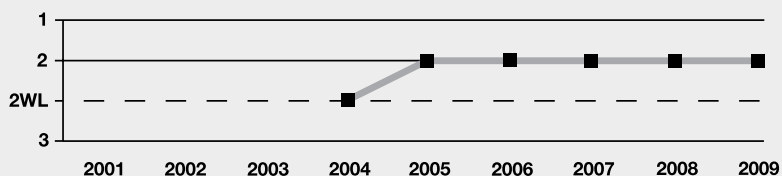
The Government of Peru does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Last year, the government increased law enforcement efforts against sex trafficking crimes. Nonetheless, the government's efforts to combat forced labor crimes and provide victim assistance were inadequate. While Peruvian officials recognize human trafficking as a serious problem, and have taken concrete steps to address it, a stronger and more coordinated response by the government is required, especially in light of the estimated number of victims present in the country.

Recommendations for Peru: Increase efforts to investigate and prosecute trafficking offenses, and convict and punish trafficking offenders, including corrupt officials who may facilitate trafficking activity; increase investigations of forced labor crimes; increase protection services for victims or funding to NGOs with capacity to provide trafficking victims, including adult males, with specialized care; increase anti-trafficking training for prosecutors and judges and sustain training for police and other government personnel, including labor inspectors; increase public awareness of the dangers of human trafficking; improve data collection; and increase victim participation in their own cases.

Prosecution

The Government of Peru improved efforts to combat human trafficking through law enforcement last year. Peru prohibits all forms of trafficking in persons pursuant to Article 153 of its penal code, which prescribes penalties of eight to 15 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Peru's anti-trafficking law was enacted in January 2007, and the law's implementing regulations were approved in November 2008, assigning anti-trafficking responsibilities to different government entities; the regulations also cite a strong need for increased anti-trafficking training. During the reporting period, the government opened 54 sex trafficking prosecutions and secured the convictions

PARAGUAY TIER RANKING BY YEAR



Prevention

The government conducted prevention activities last year. The government's interagency anti-trafficking roundtable and the Women's Secretariat sponsored educational seminars for 663 government officials, and the government works closely with NGOs and international organizations on additional anti-trafficking efforts. The government reported no efforts to reduce consumer demand for commercial sex acts or forced labor.

PERU (Tier 2)

Peru is a source, transit, and destination country for men, women, and children trafficked for the purposes of forced labor and commercial sexual exploitation. The majority of human trafficking occurs within the country. The ILO and IOM estimate that more than 20,000 persons are trafficked into conditions of forced labor within Peru, mainly in the mining and logging

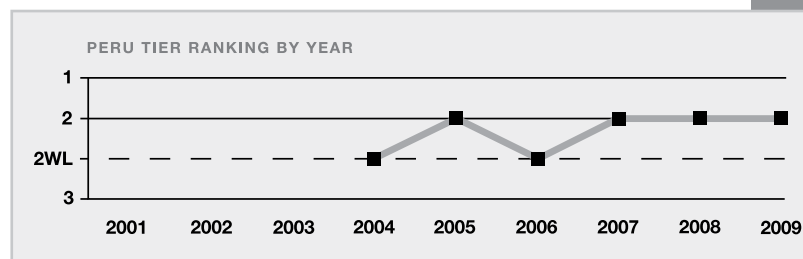
of five sex trafficking offenders, who received sentences ranging from eight to 12 years' imprisonment. Such results represent a significant increase from the previous year, when the government opened 15 prosecutions and achieved no convictions. Most defendants were convicted on charges involving the commercial sexual exploitation of minors, particularly in Iquitos. However, there were very few prosecutions or convictions reported for forced labor offenses, despite an estimated high incidence of forced labor in the country. In March 2008, the government established a dedicated anti-trafficking police unit, and it conducted raids of brothels that resulted in the rescue of 56 sex trafficking victims. Numerous barriers to effective police investigations of trafficking crimes remained, however, including an inadequate flow of information and coordination among police units at the local, metropolitan, and national levels, and with prosecutors and other actors in the criminal justice system, including social service providers. NGOs reported that many police still lacked sensitive interviewing techniques, and had limited knowledge of human trafficking crimes. Corruption among low-level officials enabled trafficking in certain instances, and individual police officers tolerated the operation of unlicensed brothels. No investigations of official complicity with trafficking activity were reported last year.

Protection

The government provided limited assistance to trafficking victims last year. Child victims of trafficking were referred to government institutions for basic shelter and care. Similarly, the government operated generalized shelters accessible to adult female victims of abuse, including trafficking victims. However, specialized services and shelter for trafficking victims remained largely unavailable. While the government provided some assistance to anti-trafficking NGOs, adequate victim services remained unavailable in many parts of the country. Last year, Peruvian authorities identified 153 trafficking victims, though the number of victims in the country is thought to be much higher. The government did not employ a formal mechanism for identifying trafficking victims among vulnerable populations, such as adult women in prostitution. Police made efforts to contact parents of identified child trafficking victims. Trafficking victims, however, often lacked personal identification documents and many police released them without classifying them as trafficking victims or referring them to shelters. Many minors exploited in prostitution ended up returning to brothels in search of shelter and food. Lack of victim participation in the investigation or prosecution of traffickers remained a problem. The government did not penalize victims for unlawful acts committed as a direct result of being trafficked. The government provided legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution, and the government assisted foreign victims with voluntary repatriation.

Prevention

The government sustained anti-trafficking prevention efforts, and continued operation of a toll-free IOM-assisted hotline for the reporting of trafficking crimes. The government aired anti-trafficking videos in transportation hubs, warning travelers of the legal consequences of engaging in trafficking activity or consuming services from trafficked persons. The government involved the private sector in its education campaigns and worked to gain public commitment from businesses not to participate in trafficking activity. The labor ministry and NGOs provided awareness campaigns to inform indigenous people of their rights and prevent debt bondage situations. The government provided specialized training on forced labor for a small number of labor inspectors last year. No additional efforts to reduce demand for commercial sex acts or forced labor were reported. Peruvian peacekeepers deployed to Haiti received standards of conduct training through the United Nations last year.



PHILIPPINES (Tier 2 Watch List)

The Philippines is a source, transit, and destination country for men, women, and children trafficked for commercial sexual exploitation and forced labor. A significant number of Filipino men and women who migrate abroad for work are subjected to conditions of involuntary servitude in Bahrain, Brunei, Canada, Cote d'Ivoire, Cyprus, Hong Kong, Japan, Kuwait, Lebanon, Malaysia, Palau, Qatar, Saudi Arabia, Singapore, South Africa, Taiwan, Turkey, and the United Arab Emirates. Muslim Filipina girls from Mindanao were trafficked to the Middle East by other Muslims.

Filipinas are also trafficked abroad for commercial sexual exploitation, primarily to Hong Kong, Japan, Malaysia, Singapore, South Korea, and countries in Africa, the Middle East, and Western Europe. Internally, women and children are trafficked from poor farming communities in the Visayas and Mindanao to urban areas such as Manila and Cebu City, but also increasingly to cities in Mindanao, for commercial sexual exploitation or for forced labor as domestic servants or factory workers. An increasing number of women and children from Mindanao were trafficked internally and transnationally for domestic work. Traffickers used land and sea transportation to transfer victims from island provinces to major cities. A growing trend continued to be the use

of budget airline carriers to transport victims out of the country. Traffickers used fake travel documents, falsified permits, and altered birth certificates. Migrant workers were often subject to violence, threats, inhumane living conditions, non-payment of salaries, and withholding of travel and identity documents. A small number of women are occasionally trafficked from the People's Republic of China, Russia, South Korea, and Eastern Europe to the Philippines for commercial sexual exploitation. NGOs suggested that organized crime syndicates, including syndicates from Japan, were heavily involved in Manila's commercial sex industry, where there are many domestic and some foreign victims of trafficking. International organized crime syndicates also transited trafficked persons from mainland China through the Philippines to third country destinations. Child sex tourism continues to be a serious problem for the Philippines, with sex tourists coming from Northeast Asia, Australia, Europe, and North America to engage in sexual activity with minors.

The Government of the Philippines does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these overall efforts, the government did not show evidence of progress in convicting trafficking offenders, particularly those responsible for labor trafficking; therefore, the Philippines is placed on Tier 2 Watch List. Although there was an increase in the number of trafficking cases filed in court, only four trafficking convictions were obtained under the 2003 anti-trafficking law during the reporting period, and there were no reported labor trafficking convictions, despite widespread reports of Filipinos trafficked for forced labor within the country and abroad. The number of convictions for sex trafficking offenders is low given the significant scope and magnitude of sex trafficking within the country and to destinations abroad. Achieving more tangible results in convicting trafficking offenders, and in investigating and prosecuting officials complicit in trafficking is essential for the Government of the Philippines to make more progress toward compliance with the minimum standards for the elimination of trafficking.

Recommendations for the Philippines: Significantly improve efforts to prosecute, convict, and punish trafficking offenders, including officials complicit in trafficking; dedicate more resources to efforts to prosecute trafficking cases; assess methods to measure and address domestic labor trafficking; implement anti-trafficking awareness campaigns directed at domestic and foreign clients of the sex trade in the Philippines; dedicate increased funding for the Inter-Agency Council Against Trafficking (IACAT) and improve anti-trafficking coordination between government agencies; disseminate information on the 2003 law throughout the country; and train law enforcement officers and prosecutors on the use of the 2003 law.

Prosecution

The Philippine government demonstrated sustained but inadequate efforts to convict trafficking offenders during

the reporting period. The Philippines criminally prohibits trafficking for both sexual and labor exploitation through its 2003 Anti-Trafficking Persons Act, which prescribes penalties that are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government has convicted 12 individuals of trafficking since the passage of this act, all for sex trafficking offenses. During the reporting period, four individuals in three cases of sex trafficking were convicted in Philippine courts; three of the convictions were a result of cases filed and prosecuted by an NGO on behalf of victims under an approach where the Philippines allows private attorneys to prosecute cases under the direction and control of public prosecutors. One convicted trafficker was sentenced to life imprisonment, and the remaining three were sentenced to 20 years' imprisonment, in addition to fines and damages. In December 2008, after a four-year trial, a judge acquitted an accused trafficker charged with transporting minors from Mindanao to Manila with the intent of forcing them into prostitution because the minors were rescued before they were actually forced into prostitution. The case is being appealed. NGOs report that an impediment to successful trafficking prosecutions is the lack of understanding of trafficking among judges, prosecutors, and especially law enforcement officers, some of whom have limited knowledge of using evidence to build cases. The government did not convict any offenders of labor trafficking during the reporting period. Philippine law enforcement agencies reported 168 alleged trafficking cases to the Department of Justice (DOJ) in 2008, of which prosecutors initiated prosecutions in 97 of the cases, an increase of more than 60 percent over the prior year. The remaining cases remain under preliminary investigation or were dismissed for lack of evidence or witnesses, or on other grounds. In November 2008, the Philippine government assisted Malaysian authorities in the case of a Singaporean recruiter who allegedly trafficked Filipina women to Malaysia for commercial sexual exploitation.

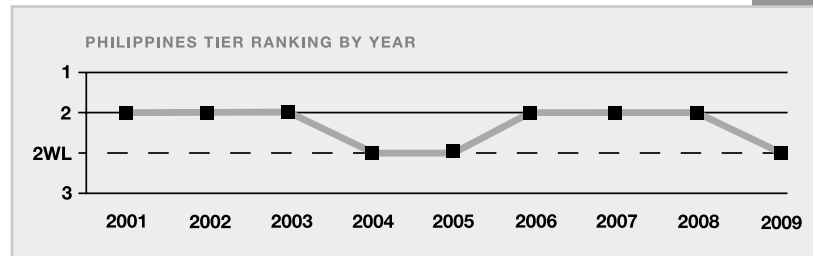
The government's ability to effectively prosecute trafficking crimes is severely limited by an inefficient judicial system and endemic corruption. Despite a 2005 Department of Justice circular instructing that all trafficking cases receive preferential attention, trials often take years to conclude because of a lack of judges and courtrooms, high judge turnover, and non-continuous trials, which cause some victims to withdraw their testimony. Prosecutors with the DOJ's Anti-Trafficking Task Force handle trafficking cases along with many other types of cases, but receive special training to handle trafficking cases. A high vacancy rate among judges significantly slowed trial times further. In 2008, the Philippine Overseas Employment Agency (POEA) filed 318 administrative cases against licensed labor recruiters who used fraudulent and deceptive offers to entice job seekers abroad or imposed inappropriately high or illegal fees on prospective employees. There were seven convictions under the illegal recruitment law in 2008.

Corruption among law enforcement agents remained pervasive, and some law enforcement and immigration officers were complicit in trafficking and permitted organized crime groups involved in trafficking to conduct their illegal activities. It is widely believed that some government officials were directly involved in or profited from trafficking operations within the country. Law enforcement officers often extracted protection money from illegitimate businesses, including brothels, in return for tolerating their operation. During the reporting period, there were several reports of immigration officials involved in the trafficking of Filipinos overseas. The government conducted investigations during the year into official complicity or involvement in trafficking, but cases were still pending. The government did not prosecute or convict any officials for trafficking-related corruption during the reporting period. In September 2008, an Immigration officer was apprehended for her alleged role in aiding the trafficking of 17 Mindanao children to Syria and Jordan, but charges against her were dropped due to insufficient evidence. The 2005 case of police officer Dennis Reci, charged for allegedly trafficking minors for commercial sexual exploitation at his night club in Manila, was still pending in early 2009.

Protection

The Philippine government continued to provide support services to victims of human trafficking, including through sustained partnerships with NGOs and international organizations. Police sometimes brought charges of vagrancy against victims, despite laws that seek to ensure that victims are not penalized for crimes related to acts of trafficking. The government actively encouraged victims to assist in the investigation and prosecution of trafficking and related crimes, but the financial and emotional costs of prolonged and delayed court proceedings, which may take place in other provinces, often deterred victims from doing so. Fear of retaliation by their traffickers sometimes led victims to recant their testimony. Although the government offered victims modest protection from reprisals and economic dislocation, a lack of funding and awareness prevented victims from being offered more effective incentives for assisting in prosecutions of trafficking offenders. The government provides temporary residency status, relief from deportation, shelter, and access to legal, medical, and psychological services to trafficking victims. The Department of Social Welfare and Development operated 42 temporary shelters for victims of all types of crimes throughout the country that were available to trafficking victims. The Philippine Ports Authority provided buildings and amenities at halfway houses for trafficking victims at seven ports, which were managed by an NGO. The Manila International Airport Authority and a partner NGO opened a halfway house at the Ninoy Aquino International Airport in 2008. The Department of Foreign Affairs (DFA) extended assistance to Philippine citizens trafficked abroad and managed repatriations. The Department of Labor and Employment (DOLE) deployed 40 labor attaches who served in embassies

around the world to help protect migrant workers. DOLE operated 20 Filipino Worker Resource Centers in 17 key labor destination countries, providing services and shelter to Filipinos who have suffered abuse or trafficking conditions. In addition, DOLE's Overseas Workers Welfare Administration (OWWA) continued to send welfare officers abroad to support the work of labor attaches. The IACAT released a manual on the recovery and reintegration of trafficking victims and developed national performance standards for government handling of cases of violence against women, including trafficking.



Prevention

The Philippine government demonstrated continued efforts to raise awareness and prevent trafficking in persons, mainly for migrant workers, during the reporting period. In 2008, POEA conducted 1,250 pre-employment orientation seminars for over 60,000 departing overseas Filipino workers and trained approximately 130 local government units on how to identify warning signs of illegal recruitment and human trafficking, representing a significant increase over the number of local government units trained in 2007. POEA also trained diplomatic staff and overseas labor and social welfare officers in methods for assisting trafficking victims abroad. Since its establishment in 2004, the government has not provided funding to IACAT. While lacking a substantial budget, the IACAT cooperated with NGO anti-trafficking initiatives, including a road-show campaign against human trafficking in Mindanao. IACAT continued to support the creation of local IACAT councils and created model anti-trafficking local ordinances. The government continued to turn over suspected U.S. citizen child sex tourists to the U.S. government for prosecution in the United States. The government did not make any efforts to reduce the demand for child sex tourism. Prior to deployment of troops for peacekeeping operations, the Department of National Defense and the Philippine National Police conducted seminars and training for peacekeepers, including a training module on trafficking. The government routinely provided training on anti-trafficking and victim protection to personnel bound for overseas assignments. In 2008, DFA, with support from an international NGO, developed a computer-based, anti-trafficking course that trained 350 foreign service officers. The government did not make any other efforts to reduce the demand for commercial sex acts in the Philippines, despite the country's thriving commercial sex industry;

nor did the government take discernable steps to address the demand for forced labor.

POLAND (Tier 1)

Poland is a source country for men and women trafficked to Italy, Austria, Germany, Belgium, France, Spain, Sweden, the Netherlands, and Israel for purposes of forced labor and sexual exploitation. It is also a transit and destination country for women trafficked from Moldova, Ukraine, Bulgaria, Romania, Belarus, Russia, Sudan, Senegal, Uganda, Kenya, Djibouti, China, and Vietnam for the purpose of commercial sexual exploitation. Women from Ukraine, Bulgaria, Mongolia, and Vietnam are trafficked to Poland for purposes of forced labor, forced begging, and debt bondage.

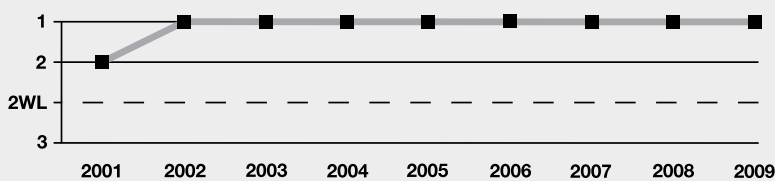
The Government of Poland fully complies with the minimum standards for the elimination of trafficking. The government increased its reflection period for foreign victims to 90 days. The government also significantly increased funding for victim assistance programs, by pledging additional support for the only specialized trafficking shelter in the country and expanded the capacity of non-specialized shelters and crisis intervention centers to provide assistance to trafficking victims. The government worked with NGOs and international organizations to raise awareness of trafficking in Poland and abroad, including a limited number of campaigns to reduce demand for commercial sex acts.

crime statutes are used to prosecute labor trafficking cases, though there are no provisions that specifically define and address trafficking for labor exploitation. Prosecutors rely on trafficking definitions in the 2000 UN TIP Protocol when pursuing cases against traffickers. Penalties prescribed under Article 253 range from three to 15 years' imprisonment, and Articles 203 and 204 prescribe from one to 10 years' imprisonment; these punishments are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. Law enforcement officials and NGOs continued to report that the lack of a clear legal definition of trafficking in Poland's criminal code limits effective prosecutions. Police investigated 119 alleged trafficking violations in 2008 under Articles 253, 203, and 204 (Sections 3 and 4), compared to 122 alleged trafficking violations in 2007. Authorities prosecuted 78 individuals in 2008, under Articles 253, 203, and 204 (Sections 3 and 4), an increase from 62 prosecutions in 2007. In 2008, 46 traffickers were convicted in Courts of First Instance under Articles 253 and 203, an increase from 43 convictions in 2007. Post-appeal sentences, which are considered final, are collected for Articles 253, 203, and 204 (Sections 3 and 4). In 2007, the most recent year for post-appeal sentencing data, 24 out of 42 convicted traffickers – or 57 percent – received suspended sentences; the remaining 18 convicted traffickers were given sentences ranging from one to five years' imprisonment. In 2006, 39 out of 86 – or 45 percent – of convicted traffickers were given suspended sentences. In 2008, the government continued to provide trafficking-related training to judges and prosecutors. There were also numerous training programs for law enforcement officials on victim identification. In March 2009, Poland's Central Anti-Trafficking Police Unit issued a new set of guidelines on identifying victims of forced begging to regional police units around the country.

Protection

The government demonstrated improved efforts to assist trafficking victims during the reporting period. Specifically, the government increased its direct assistance to the country's only specialized trafficking shelter by 40 percent (to \$70,000) and in January 2009 pledged an additional \$215,000 in emergency funding to keep the shelter open through December 2009. The promised grant was awarded in April 2009. In addition, the government expanded its network of specialized crisis intervention centers, which served both trafficking and domestic violence victims, from 33 in 2007 to 37 in 2008, and initiated a nationwide training program with the centers to improve provision of assistance to trafficking victims. The Law on Social Assistance provides that all foreign victims of trafficking are entitled to assistance. There are no specialized shelters for male victims of trafficking; as a result, male trafficking victims who require temporary housing are placed in facilities that provide social services and shelter for homeless people, as well as half-way houses for recently released prison inmates. Over the last year, 315 victims were identified by NGOs and authorities; most victims requested and received government-funded

POLAND TIER RANKING BY YEAR



Recommendations for Poland: Continue training for prosecutors and judges on the application of the existing trafficking law; ensure that a majority of trafficking offenders serve time in prison; expand sensitivity and awareness training for municipal and regional police and border guards; ensure that male trafficking victims are provided with adequate housing; continue to increase the shelter system's capacity to assist victims; and conduct additional awareness campaigns to reduce the demand for commercial sex acts.

Prosecution

The Government of Poland demonstrated progress in its overall law enforcement efforts during the reporting period. Poland prohibits all forms of trafficking through its criminal code. Article 203, Article 204, Sections 3 and 4, and Article 253 of the criminal code are used to prosecute sex trafficking cases. Article 253 and organized

assistance. In October 2008, the government extended the reflection period for foreign victims from two to three months; two victims used the reflection period in 2008. There were reports that police encouraged victims to cooperate immediately with law enforcement and to forego the reflection period. In 2008, 21 victims assisted law enforcement with trafficking investigations.

Prevention

The government demonstrated adequate efforts to prevent trafficking through awareness-raising activities in 2008. For example, the Ministry of Foreign Affairs (MFA) published a guidebook for Poles working abroad, warning them about the dangers of labor exploitation. A local government also conducted an awareness campaign through posters and leaflets targeting Polish labor migrants and provided information on methods of trafficking recruitment and offered practical advice on what to do if a person is trafficked. The MFA also distributed approximately 140,000 leaflets through Polish consulates in Eastern Europe and Central Asia for foreigners granted Polish work visas. The government carried out a limited number of law enforcement and public awareness campaigns to reduce demand for commercial sex acts over the year. The government provided anti-trafficking training for all military personnel and police being deployed abroad for international peacekeeping missions.

PORTUGAL (Tier 2)

Portugal is a destination, transit, and a source country for women, men, and children trafficked from Brazil and, to a lesser extent, from Ukraine, Moldova, Russia, Romania, and Africa for the purpose of commercial sexual exploitation and forced labor. The majority of trafficking victims identified in Portugal are Brazilian women trafficked for commercial sexual exploitation. Male victims from Eastern European countries are trafficked for forced labor into the farming and construction industries. According to a 2008 ILO Report, Portuguese men are also trafficked to Western Europe for forced labor. Trafficking victims also transit through Portugal to other European countries. There are an estimated 50-100 Roma children in Portugal, brought by family networks; some are trafficked for the purpose of forced begging.

The Government of Portugal 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 collection of national data on trafficking, more vigorously investigated and prosecuted trafficking offenses, and implemented proactive anti-trafficking prevention campaigns during the reporting period. The government did not provide, however, comprehensive data on the number of trafficking offenders convicted and sentenced in 2008. Although the government identified a significant number of trafficking victims during the year, it reported that very few accepted law enforcement's offers for protection and assistance

while detained; thus, many confirmed trafficking victims were not referred to NGOs for comprehensive care.

Recommendations for Portugal: Provide data on sentences given to convicted trafficking offenders; improve procedures for the proactive referral of potential trafficking victims to care and assistance; consider involving NGOs in the initial identification of potential trafficking victims; conduct awareness campaigns that educate clients about trafficking for sexual exploitation; and conduct specific anti-trafficking prevention training for military personnel being deployed abroad on international peacekeeping missions.

Prosecution

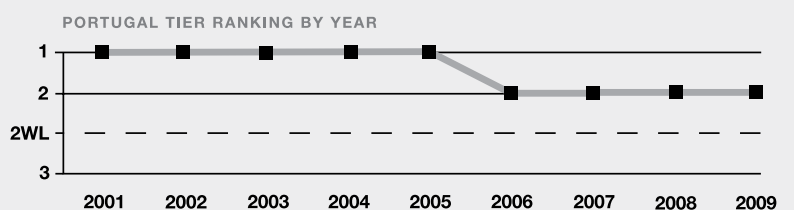
The Government of Portugal sustained its investigation and prosecution efforts in 2008 and improved its collection of national law enforcement data on trafficking. Portugal prohibits transnational and internal trafficking in persons for both labor and sexual exploitation through Article 160, which prescribes penalties of three to 12 years' imprisonment, which are sufficiently stringent and commensurate with those for other serious crimes. During 2008, the government investigated 55 suspected cases of trafficking, prosecuting 57 cases of sexual exploitation and forced labor, involving 190 charges. Some of these cases may include the prosecution of clients of prostitution. The government did not provide data on individuals convicted or sentenced. Law enforcement officials received periodic specialized anti-trafficking training during the reporting period. There were no reported cases of government officials complicit in trafficking.

Protection

The Government of Portugal continued to fund government and NGO shelters providing assistance to trafficking victims, and it provided protection to some identified victims in 2008. While authorities identified 138 trafficking victims during the reporting period, only 22 of these victims were permitted a 30- to 60-day reflection period during which to decide whether they wished to participate in a criminal investigation or prosecution against their traffickers. There continued to be a significant gap between the number of identified victims and those that accepted protection and assistance. Two victims were housed at the government shelter and eight were housed at an NGO shelter in 2008. The government employed a standardized method for collecting information on victims and informing those victims about available assistance while temporarily detaining them. However, gaps remain in the referral of victims for care, as questioning is done in a detention setting and NGOs are not involved in the initial identification process. In June 2008, the government signed a protocol guaranteeing the long-term funding for the safe house it opened for trafficking victims in January 2007. It continued to fund the majority of costs for an NGO-run shelter, provided an annual subsidy for another, and provided a fixed subsidy for each victim, including their children, for another. The government provided

foreign victims of trafficking with short-term legal alternatives to their removal; victims are given a limited time to legalize their residency status or are repatriated. Reportedly, the government worked with IOM to ensure that victims were returned responsibly to source countries; however, it did not provide data on repatriations for 2008. Victims reportedly did not face penalties for unlawful acts committed as a direct part of their being trafficked. The government encouraged victims to participate in investigations and prosecutions of trafficking offenders; eight victims testified against their traffickers during the reporting period. The government reported that police made proactive and systematic efforts to identify sex trafficking victims within its legal prostitution sectors.

conditions include threats of serious harm, including financial harm; job switching; withholding of pay; charging workers for benefits for which the employer is responsible; restrictions on freedom of movement, including the confiscation of passports and travel documents and the withholding of exit permits; arbitrary detention; threats of legal action and deportation; false charges; and physical, mental, and sexual abuse. One Nepali man was reportedly recruited for work in Qatar as a domestic servant, but was then coerced or forced into labor in Saudi Arabia as a farm worker. Qatar is also a destination for women from China, Indonesia, the Philippines, Morocco, Sri Lanka, Lebanon, India, Africa, and Eastern Europe for prostitution, but it is unknown how many are trafficked for the purpose of commercial sexual exploitation.



Prevention

The Government of Portugal continued its proactive efforts to prevent trafficking during the reporting period. In October 2008, the government launched and publicized a national level campaign to raise public awareness about trafficking and publicized its immigrant hotline. The theme of the campaign was "Wake up to Reality: Don't Ignore It – Report It." Also in October 2008, it promoted an awareness campaign in one town in northern Portugal, to prevent the exploitation of Romanian immigrant farm workers. It also distributed 200,000 brochures to front-line responders with the goal of reaching more potential victims of trafficking. Portuguese officials also launched a campaign in October 2008 to alert students all over the country to the issue of trafficking. The government did not conduct awareness campaigns that educate clients of prostitution about trafficking for sexual exploitation. Although the Government of Portugal contributes troops to international peacekeeping efforts abroad, it did not provide specific anti-trafficking prevention training for these troops before deployment.

QATAR (Tier 2 Watch List)

Qatar is a transit and destination country for men and women trafficked for the purposes of involuntary servitude and, to a lesser extent, commercial sexual exploitation. Men and women from India, Pakistan, Bangladesh, Nepal, the Philippines, Indonesia, Vietnam, Sri Lanka, Ethiopia, Sudan, Thailand, Egypt, Syria, Jordan, and China voluntarily travel to Qatar as laborers and domestic servants, but some subsequently face conditions indicative of involuntary servitude. These

The Government of Qatar does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In February 2009, Qatar enacted a new migrant worker sponsorship law that criminalizes some practices commonly used by trafficking offenders, and it announced plans to use that law effectively to prevent human trafficking. Senior members of the Qatari government have indicated their plans to finalize and enact a draft comprehensive law on human trafficking. These measures constitute significant efforts by the Qatari government; because they are steps that the government has indicated it will carry out over the coming year, Qatar is placed on Tier 2 Watch List. The Qatari government in early 2009 launched a month-long public outreach campaign that involved local imams advocating anti-trafficking norms and designed to heighten citizen awareness of trafficking in persons. However, punishment for offenses related to trafficking in persons remains lower than that for crimes such as rape and kidnapping, and the Qatari government has yet to take significant action to investigate, prosecute, and punish trafficking offenses. In addition, the government continues to lack formal victim identification procedures and, as a result, victims of trafficking are likely punished for acts committed as a direct result of being trafficked.

Recommendations for Qatar: Enact the draft comprehensive anti-trafficking legislation; significantly increase efforts to investigate and prosecute trafficking offenses, and convict and punish trafficking offenders; institute and consistently apply formal procedures to identify victims of trafficking among vulnerable groups, such as those arrested for immigration violations or prostitution; and abolish or significantly amend provisions of Qatar's sponsorship law – such as the provision requiring workers to obtain their sponsor's permission to leave Qatar – to prevent the forced labor of migrant workers.

Prosecution

The Government of Qatar made modest efforts to investigate and prosecute trafficking offenses during the reporting period. Qatar does not prohibit all acts