

trafficking victims, but are limited to coverage in the nation's capital. The government also provides medical attention and funding for the repatriation of foreign trafficking victims. Government officials have worked with IOM on victim identification, and additional anti-trafficking training would assist the government's efforts, particularly with respect to identifying minors in prostitution as trafficking victims. There were no reports of victims being penalized for unlawful acts committed as a direct result of being trafficked. Guyanese authorities encourage victims to assist in the investigation and prosecution of their traffickers, but some victims did not testify due to long delays in the judicial system and for fear of reprisal from their traffickers. The Guyanese government did not provide legal alternatives to the removal of foreign victims to countries where they face hardship or retribution.

### Prevention

The government increased prevention efforts during the reporting period. Senior government officials publicly condemned human trafficking, and the government conducted a widespread educational and awareness-raising campaign, which reached more than 50 communities and 5,000 citizens across the country. The government also established an interagency anti-trafficking task force, and increased advertising for an anti-trafficking call line to assist potential victims. It did not, however, carry out any efforts to reduce demand for commercial sex acts during the reporting period.

## HONDURAS (Tier 2)

Honduras is principally a source and transit country for women, girls, and boys trafficked for the purpose of commercial sexual exploitation. Honduran children are typically trafficked from rural areas to urban and tourist centers such as San Pedro Sula, the North Caribbean coast, and the Bay Islands. Honduran women and children are trafficked to Guatemala, El Salvador, Mexico, and the United States for sexual exploitation. Most foreign victims of commercial sexual exploitation in Honduras are from neighboring countries; some are economic migrants en route to the United States who are victimized by traffickers. Internal child labor and forced child labor for violent criminal gangs are serious concerns.

The Government of Honduras does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, Honduras made strong efforts to increase law enforcement efforts against trafficking offenders and to increase collaboration with NGOs, but

government services for trafficking victims, particularly adults, remained inadequate.

**Recommendations for Honduras:** Increase shelter aid and victim services, or fund NGOs with protection capacity; commence criminal investigations of corrupt officials suspected of trafficking activity; amend anti-trafficking laws to prohibit labor trafficking; and increase collaboration with other countries to bring foreign tourists who sexually exploit children in Honduras to justice.

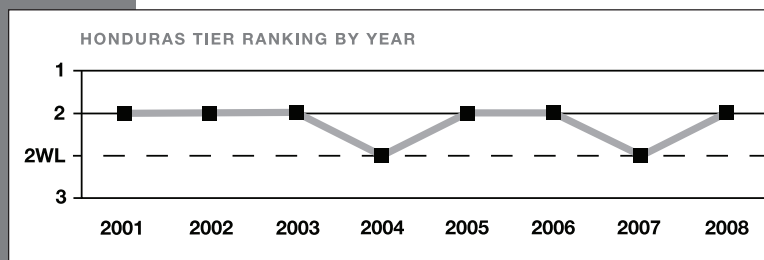
### Prosecution

The Honduran government took significant steps to investigate and punish human trafficking crimes during the reporting year. Honduras prohibits trafficking for the purpose of commercial sexual exploitation through Article 149 of its penal code and an anti-trafficking statute enacted in February 2006, but does not prohibit trafficking for the purpose of labor exploitation. Honduran laws against sex trafficking prescribe penalties of up to 13 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other grave crimes such as rape. Last year, the government significantly increased efforts to investigate trafficking crimes by opening 74 investigations, initiating 13 prosecutions, and obtaining eight convictions, with sentences ranging from 5 to 27 years' imprisonment. This compares with 24 trafficking-related investigations, 17 prosecutions, eight convictions, and four significant prison terms obtained in 2006. The government also dedicated more prosecutors and police personnel to combat human trafficking activity. Of particular note was a joint effort by the police, NGO Casa Alianza, and the Tegucigalpa mayor's office to utilize proactive strategies such as raids and stakeouts to catch human traffickers and remove victims from trafficking situations. However, anti-trafficking law enforcement efforts outside the capital and San Pedro Sula were few. The government expanded anti-trafficking training for law enforcement officials in 2007, training thousands of personnel with the assistance of IOM. Law enforcement authorities regularly work with neighboring countries and the United States on anti-trafficking efforts, as well as investigations of child sex tourism. However, defendants over the age of 60 are subject to house arrest in Honduras while awaiting trial; many of these accused offenders,

including American citizens, flee or bribe their way out of the country and avoid prosecution. Some acts of complicity with human trafficking have been reported among lower-level immigration officials and in other sectors. However, no investigations or prosecutions of such corrupt activity have been opened by the government.

### Protection

The Honduran government made limited progress in its efforts to assist trafficking victims during the reporting year. The government operated no dedicated shelters or services for trafficking victims, although it referred child trafficking victims to NGOs, which could only serve a small percentage of those in need. Honduran NGOs shouldered a heavy burden to provide victim care, and received no direct funding from the government. While the government increased training on referring trafficking victims for care, NGOs report that referrals in practice are unorganized and uneven. Moreover, few resources, public or private, are available for adult trafficking victims. During the reporting period, the government worked closely with IOM to repatriate more than a dozen young Hondurans who had been trafficked to neighboring countries for sexual exploitation, and Honduran consular officials are trained to identify trafficking victims. Victims are encouraged to assist in the investigation and prosecution of their traffickers, and the government collaborated with NGOs to identify victim witnesses. There were no reports of victims being penalized for unlawful acts committed as a result of their being trafficked. Honduras does not provide legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution. There is no formal system for proactively identifying trafficking victims among vulnerable populations such as prostituted women or criminal detainees. In collaboration with an NGO, law enforcement officials in Tegucigalpa undertook a number of victim rescue efforts; fifteen minors were rescued in Tegucigalpa in seven separate cases in 2007.



### Prevention

The government made solid progress in prevention activities during the reporting period. The government's inter-institutional committee against human trafficking hosted more than 50 training sessions for government officials, civil society members, students,

and journalists, reaching more than 3,000 people. The government worked closely with NGOs and international organizations on additional TV and radio awareness-raising campaigns. In February 2008, the National Chamber of Tourism of Honduras and UNICEF launched a Code of Conduct campaign to encourage its tourism industry to prevent child sex tourism. No other government efforts to reduce demand for commercial sex acts were reported, although public awareness of the dangers of human trafficking appeared to be growing.

## HONG KONG (Tier 1)

The Hong Kong Special Administrative Region (HKSAR) of the People's Republic of China is a destination and transit territory for men and women trafficked for the purposes of commercial sexual exploitation and forced labor. Hong Kong is primarily a transit point for illegal migrants, some of whom are subject to conditions of debt bondage, sexual exploitation, and forced labor. To a lesser extent, Hong Kong is a destination for women from the Chinese mainland and Southeast Asia who travel to Hong Kong voluntarily for legal employment in restaurants, bars, and hotels, but upon arrival are coerced into prostitution under conditions of debt bondage. Some of the women in Hong Kong's commercial sex trade are believed to be trafficking victims. Although Hong Kong continues efforts to regulate the thousands of foreign domestic workers from the Philippines and Indonesia currently working in Hong Kong, there appears to be a growing number of Indonesian workers who are subject to exploitation and conditions of involuntary servitude. Many Indonesian domestic workers earning the minimum wage are required to repay to their Indonesian recruitment agency \$2,700 within their first seven months of employment, amounting to roughly 90 percent of a worker's monthly salary. Such high levels of indebtedness assumed as part of the terms of employment can lead to situations of debt bondage, when unlawfully exploited by recruiters or employers. Additionally, the confiscation of passports by some Hong Kong employment agencies restricts the ability of migrant workers to leave their employer in cases of abuse, and places them under further control of their employment agency, leaving them vulnerable to trafficking.

The Government of Hong Kong fully complies with the minimum standards for the elimination of trafficking. The government continued to implement strong anti-trafficking measures. The government trains front-line law enforcement officials to identify trafficking victims, collect information on suspected cases of trafficking, and conduct undercover operations in establishments thought to be centers for trafficking in women.

**Recommendations for Hong Kong:** Make efforts to prevent the trafficking of Indonesian domestic workers by recruitment agencies and employers; vigorously investigate and prosecute violations of labor laws related to foreign domestic workers; and conduct a public awareness campaign aimed at customers of the commercial sex trade.

### Prosecution

The Government of Hong Kong sustained law enforcement efforts over the reporting period. Hong Kong does not have specific anti-trafficking laws, but uses its Immigration Ordinance, the Crimes Ordinance, and other relevant laws, to adequately prohibit trafficking offenses and prosecute traffickers. Labor trafficking is criminalized through the Employment Ordinance. Penalties for commercial sexual exploitation are commensurate with those for rape, and penalties for all forms of trafficking are sufficiently stringent. During the year, the government reported two trafficking convictions, and two other reports of trafficking for the purposes of prostitution with insufficient evidence to warrant prosecution. The convictions involved six Filipina victims who were told that they would work as Hong Kong club entertainers. Upon arrival in Hong Kong, they were forced into prostitution. The victims sought assistance from the Philippines Consulate, and the Hong Kong Police worked closely with the Philippines Government to investigate, prosecute, and convict two Filipina traffickers, who were sentenced to three years' imprisonment. Hong Kong law stipulates that the commission a domestic worker recruitment agency deducts from a domestic worker's pay cannot exceed 10 percent of the first month's wages and prohibits agencies from charging additional fees or rewards.

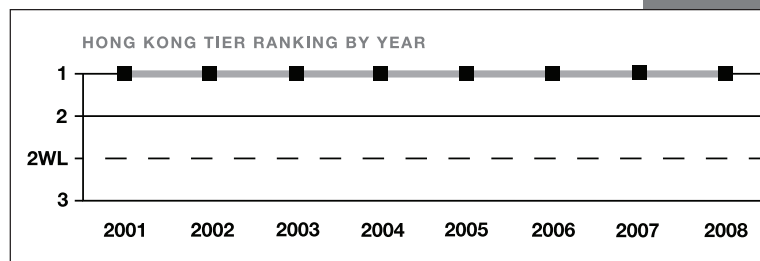
### Protection

The Hong Kong government continued to protect and assist victims of trafficking in 2007. The government encourages victim participation in the investigation of traffickers, although in practice many are reluctant to do so. Women who agree to act as witnesses for the prosecution are granted immunity and allowed to return to their home country without being charged for illegal entry or breach of condition of stay. The Hong Kong Police has special units to provide protection for victims and witnesses. Given the low number of documented trafficking victims, Hong Kong authorities refer adult victims to existing social service programs at six government subsidized NGO shelters. Under the Protection of Children and Juveniles Ordinance, child victims of trafficking may be admitted to three refuge centers, one of which is operated by an NGO, with the other two operated by the Social Welfare Department. While at the shelters, victims are provided with government-sponsored assistance that includes financial and legal assistance and counseling and psychological support.

Hong Kong authorities offer legal alternatives to the removal of foreign victims to countries where they face hardship and retribution.

### Prevention

Hong Kong continued to demonstrate efforts to prevent trafficking in persons in 2007 through widespread publicity and awareness-raising. To prevent trafficking among foreign domestic workers, the Labor Department continued to publish "guidebooks" in several languages that explain workers' rights, the role of employment agencies, and services provided by the government. These guidebooks are handed out when workers apply for identity documents, and are distributed at



strategic locations around the city, including the airport, district offices, consulates, offices of labor and migrant groups, post offices, and banks. Short "publicity messages" promoting the employment rights and benefits of foreign domestic workers are advertised in local newspapers (in various languages) and on television. The Immigration Department also delivered a talk for over 100 employment agencies of foreign domestic workers to discuss relevant provisions of the Immigration Ordinance and related offenses, as well as cautionary notes for arranging foreign domestic helper employment in Hong Kong. The Hong Kong government did not take any specific measures to reduce the demand for commercial sex acts during the reporting period.

## HUNGARY (Tier 1)

Hungary is primarily a transit and, to a lesser extent, a source and destination country for women and girls trafficked from Slovakia, Romania, Ukraine, Moldova, Poland, the Balkans, and China for the purpose of commercial sexual exploitation. While some of these trafficking victims are exploited in Hungary, most are trafficked on to Austria, Slovenia, Germany, Spain, the Netherlands, Italy, France, Scandinavian countries, the United Kingdom, Japan, and Mexico. Roma women and girls remain highly vulnerable to internal sex trafficking. Trafficking experts report that the average age of victims in Hungary is decreasing.

The Government of Hungary fully complies with the minimum standards for the elimination of trafficking. In 2007, the government demonstrated

improved law enforcement efforts by increasing the number of trafficking investigations and ensuring a majority of traffickers serve time in prison—a significant improvement from 2006. Hungary also improved efforts to combat labor trafficking and significantly increased government funding for victim assistance during the reporting period. In March 2008, the government passed its national strategy, creating a national coordinator to manage all anti-trafficking efforts.

**Recommendations for Hungary:** Continue to ensure the majority of convicted traffickers serve time in prison; continue sensitivity training for patrol officers to ensure proactive victim identification and appropriate, humane treatment of identified victims; increase the number of victims referred by police for social assistance; and conduct a campaign to reduce domestic demand for commercial sex acts.

**Prosecution**

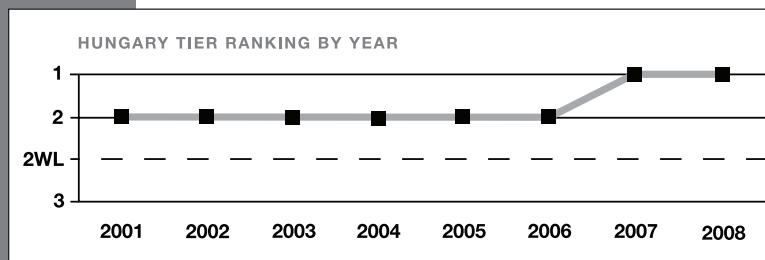
The Hungarian government demonstrated improved law enforcement efforts during the reporting period. Hungary prohibits all forms of trafficking through Paragraph 175/b of its criminal code, though prosecutors rely on trafficking-related statutes to prosecute most trafficking cases. Penalties prescribed in Paragraph 175/b range from one to 15 years’ imprisonment, which are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. In 2007, police and border guards conducted 48 trafficking investigations, up from 22 trafficking investigations in 2006. Authorities prosecuted 20 traffickers in 2007, compared with 23 in 2006. Convictions were obtained against 17 traffickers in 2007—14 for sex trafficking and three for labor trafficking—compared with 21 convictions in 2006. Sixteen traffickers were sentenced to some time in prison, a significant improvement from 2006 when only nine out of 21 convicted traffickers served time in prison. During the reporting period, six traffickers were sentenced to 18 to 20 months’ imprisonment, three traffickers were sentenced to two years’ imprisonment, four traffickers were sentenced to three to four years’ imprisonment, and three traffickers were sentenced to five years’ imprisonment.

**Protection**

Hungary enhanced its victim assistance efforts during the reporting period. The government provided \$132,000 in funding for NGOs providing victim assistance including shelter, medical care, legal assistance, and psychological counseling; in 2006, the government provided more than \$50,000 for victim assistance. In 2007, NGOs assisted 45 trafficking victims, 37 of whom were referred by government officials, compared to 23 victims referred and assisted in 2006. NGOs reported continued improvement of law enforcement to identify and assist victims; historically, poor victim treatment or failure to identify potential victims of trafficking has been an issue among street and low-level police. Victims were not penalized for acts committed as a direct result of being trafficked. There were no reported cases of mistreatment of trafficking victims by authorities. The government encouraged victims to assist with trafficking investigations and prosecutions; however, few victims chose to participate due to lack of information provided to them, language barriers, and fear of retribution by traffickers. In July 2007, the government formally enacted a law granting foreign victims a 30-day reflection period to decide whether to assist law enforcement. Victims may apply for a six-month temporary residency permit if they choose to cooperate with law enforcement; there were no data available on the number of permits granted to trafficking victims during the reporting period.

**Prevention**

Hungary demonstrated mixed progress in its efforts to prevent incidents of human trafficking throughout the year. The government did not take measures to reduce the demand for commercial sex acts. Instead, it took steps—with EU assistance—to incorporate adult prostitution into the legal economy by requiring women in prostitution to pay taxes and make social security contributions. The government provided approximately \$28,000 to IOM to conduct an anti-trafficking awareness campaign targeted at vulnerable populations; the campaign was advertised on animation flash screens installed on the sides of public buses and on approximately 70,000 pocket-sized information cards and postcards distributed in bars, restaurants, cinemas, clubs, and entertainment establishments. Hungary actively monitors immigration and emigration patterns for evidence of trafficking. Hungarian troops received trafficking awareness training prior to their deployment for international peacekeeping missions. Hungarian law permits the extraterritorial prosecution of Hungarian nationals who travel abroad to engage in child sex tourism. There is no evidence that Hungary is a source or destination for child sex tourism.





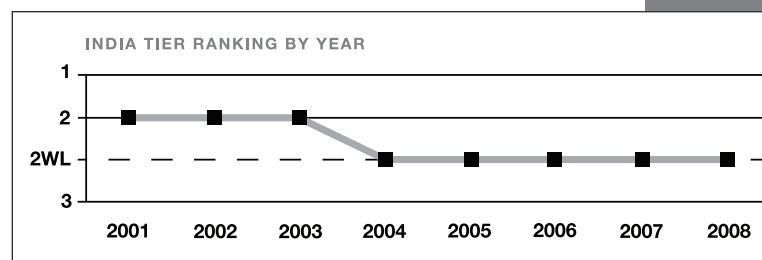
## INDIA (Tier 2 Watch List)

India is a source, destination, and transit country for men, women, and children trafficked for the purposes of forced labor and commercial sexual exploitation. Internal forced labor may constitute India's largest trafficking problem; men, women, and children are held in debt bondage and face forced labor working in brick kilns, rice mills, agriculture, and embroidery factories. While no comprehensive study of forced and bonded labor has been completed, NGOs estimate this problem affects 20 to 65 million Indians. Women and girls are trafficked within the country for the purposes of commercial sexual exploitation and forced marriage. Children are subjected to forced labor as factory workers, domestic servants, beggars, and agriculture workers, and have been used as armed combatants by some terrorist and insurgent groups. India is also a destination for women and girls from Nepal and Bangladesh trafficked for the purpose of commercial sexual exploitation. Nepali children are also trafficked to India for forced labor in circus shows. Indian women are trafficked to the Middle East for commercial sexual exploitation. There are also victims of labor trafficking among the thousands of Indians who migrate willingly every year to the Middle East, Europe, and the United States for work as domestic servants and low-skilled laborers. In some cases, such workers are the victims of fraudulent recruitment practices that lead them directly into situations of forced labor, including debt bondage; in other cases, high debts incurred to pay recruitment fees leave them vulnerable to exploitation by unscrupulous employers in the destination countries, where some are subjected to conditions of involuntary servitude, including non-payment of wages, restrictions on movement, unlawful withholding of passports, and physical or sexual abuse. Men and women from Bangladesh and Nepal are trafficked through India for forced labor and commercial sexual exploitation in the Middle East. Indian nationals travel to Nepal and within the country for child sex tourism.

The Government of India does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. India is placed on Tier 2 Watch List for a fifth consecutive year for its failure to provide evidence of increasing efforts to combat trafficking in persons over the last year. Despite the reported extent of the trafficking crisis in India, government authorities made uneven efforts to prosecute traffickers and protect trafficking victims. During the reporting period, government authorities continued to rescue victims of trafficking for commercial sexual exploitation and forced child labor and child armed combatants, and began to show progress in law enforcement against these

forms of trafficking. Overall, the lack of significant federal government action to address bonded labor, the reported complicity of some law enforcement officials in trafficking and related criminal activity, and the critical need for an effective national-level law enforcement authority impeded India's ability to effectively combat its trafficking in persons problem. A critical challenge overall is the lack of punishment of traffickers, effectively resulting in impunity for acts of human trafficking.

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



### Prosecution

Government authorities made no progress in addressing one of India's largest human trafficking problems – bonded labor – during the year, but made some improvements in law enforcement efforts against sex trafficking and forced child labor. The government prohibits some forms of trafficking for commercial sexual exploitation through the Immoral Trafficking Prevention Act (ITPA). Prescribed penalties under the ITPA — ranging from seven years' to life imprisonment — are sufficiently stringent and commensurate with those for other grave crimes. India also prohibits bonded and forced labor through the Bonded Labor Abolition Act, the

Child Labor Act, and the Juvenile Justice Act. These laws are ineffectually enforced, however, and their prescribed penalties — a maximum of three years in prison — are not sufficiently stringent. Indian authorities also use Sections 366(A) and 372 of the Indian Penal Code, prohibiting kidnapping and selling minors into prostitution respectively, to arrest traffickers. Penalties under these provisions are a maximum of ten years' imprisonment and a fine.

During the reporting period, the government did not make significant efforts to investigate, prosecute, convict, and sentence labor trafficking offenders. Despite the estimated millions of bonded laborers in India, only 19 suspects were arrested for trafficking for bonded labor during the reporting period. In the past several years, the State of Tamil Nadu reported convicting 803 employers, but those convicted did not receive significant punishments. In addition, despite widespread reports of fraudulent recruitment practices, the Indian government did not report any arrests, investigations, prosecutions, convictions, or punishments of labor recruiters who participate in or facilitate the trafficking of Indian workers into situations of forced labor abroad.

In addition, the government largely continued to ignore the pervasive problem of government complicity in trafficking. Corrupt officers reportedly continued to facilitate the movement of sex trafficking victims, protect brothels that exploit victims, and protect traffickers and brothel keepers from arrest and other threats of enforcement. There were no efforts to tackle the problem of government officials' complicity in trafficking workers for overseas employment. Despite the extent of the problem, authorities only made five arrests for complicity. India reported no prosecutions, convictions, or sentences of public officials for complicity in trafficking during the reporting period.

State governments continued to make efforts to address forced child labor, but failed to punish traffickers. In January, the government sponsored 22 state and federal officials to attend an ILO training program on child migration and trafficking. Since 2005, the Government of Maharashtra, through its task force against child labor, rescued 2,058 children and arrested 358 suspects. The State of Andhra Pradesh also reported rescuing over 9,000 children in a door-to-door campaign and prosecuting 17 suspected traffickers in the same time period. During the reporting period, raids throughout the country yielded 333 children rescued and five individuals arrested. Nonetheless, government authorities did not report convicting or sentencing any individual for trafficking children for forced labor. In addition, although the government enacted a ban on children working as domestic servants

and in hotels or tea stalls, the government did not demonstrate efforts to enforce this law.

State governments sustained efforts in combating trafficking for commercial sexual exploitation, but convictions and punishments of traffickers were extremely infrequent, especially given the extent of the problem. During the reporting period, state governments arrested 1,289 suspects for sex trafficking. Nonetheless, only four traffickers were convicted and received prison sentences. In June, the State Government of West Bengal established a police Anti-Human Trafficking Unit, specializing in fighting sex trafficking, in Kolkata. The State Government of Bihar established three similar units in November. India's Central Bureau of Investigation incorporated anti-trafficking training into its standard curriculum. In November, the State of Maharashtra developed an action plan to combat trafficking; it did not, however, allocate appropriate funding to accomplish the objectives of this plan.

During the reporting period, the Ministry of Home Affairs developed a system to track ITPA arrests, prosecutions, and convictions at the national level in order to develop a baseline from which the government could measure progress. The government does not break down these statistics by sections of the law, meaning that law enforcement data regarding trafficking offenses may be conflated with data regarding arrests of women in prostitution pursuant to Section 8 of the ITPA.

### Protection

India's efforts to protect victims of trafficking varied from state to state, but remained inadequate in many places during the year. Victims of bonded labor are entitled to 10,000 rupees (\$225) from the central government for rehabilitation, but this program is unevenly executed across the country. Government authorities do not proactively identify and rescue bonded laborers, so few victims receive this assistance. Although children trafficked for forced labor may be housed in government shelters and are entitled to 20,000 rupees (\$450), the quality of many of these homes remains poor and the disbursement of rehabilitation funds is sporadic. Some states provide services to victims of bonded labor, but NGOs provide the majority of protection services to these victims. The central government does not provide protection services to Indian victims trafficked abroad for forced labor or commercial sexual exploitation. Indian diplomatic missions in destination countries may offer temporary shelter to nationals who have been trafficked; once repatriated, however, neither the central government nor most state governments offer any medical, psychological, legal, or reintegration assistance for these victims.

Section 8 of the ITPA permits the arrest of women in prostitution. Although statistics on arrests under Section 8 are not kept, the government and some NGOs report that, through sensitization and training, police officers no longer use this provision of the law; it is unclear whether arrests of women in prostitution under Section 8 have actually decreased. Because most law enforcement authorities lack formal procedures to identify trafficking victims among women arrested for prostitution; some victims may be arrested and punished for acts committed as a result of being trafficked. Despite instructions that law enforcement authorities should protect minors who are exploited in prostitution, in at least two instances during the reporting period, police officers released minors into the custody of their traffickers. Some foreign victims trafficked to India are not subject to removal. Those who are subject to removal are not offered legal alternatives to removal to countries in which they may face hardship or retribution. NGOs report that some Bangladeshi victims of commercial sexual exploitation are pushed back across the border without protection services. The government also does not repatriate Nepali victims; NGOs primarily perform this function. Many victims decline to testify against their traffickers due to the length of proceedings and fear of retribution by traffickers. The government does not actively encourage victims to participate in investigations of their traffickers.

The central government continued to give grants to NGOs for the provision of services to sex trafficking victims with funding available through its Swadhar Scheme and the recently developed Ujjawala Scheme. No such efforts were made to assist victims of labor trafficking. Government shelters for sex trafficking victims are found in all major cities, but the quality of care varies widely. In Maharashtra, state authorities operated a home exclusively for minor victims of sex trafficking this year. The Governments of West Bengal, Tamil Nadu, and Andhra Pradesh also operated similar homes. Though states have made some improvements to their shelter care, victims sheltered in these facilities still do not receive comprehensive protection services, such as psychological assistance from trained counselors.

### Prevention

India made inadequate efforts this year aimed at the prevention of trafficking in persons. Several times during the year, the Ministry of Labor and Employment displayed full-page advertisements against child labor in national newspapers. The government also instituted pre-departure information sessions for domestic workers migrating abroad on the risks of exploitation. Nonetheless, the government did not report new or significant prevention efforts addressing the prominent domestic problems of trafficking of adults for purposes of forced labor and commercial sexual exploitation. The government

also did not report any efforts to reduce the demand for commercial sex acts. Similarly, the government failed to take any steps to raise awareness of trafficking for nationals traveling to known child sex tourism destinations within the country. India has not ratified the 2000 UN TIP Protocol.

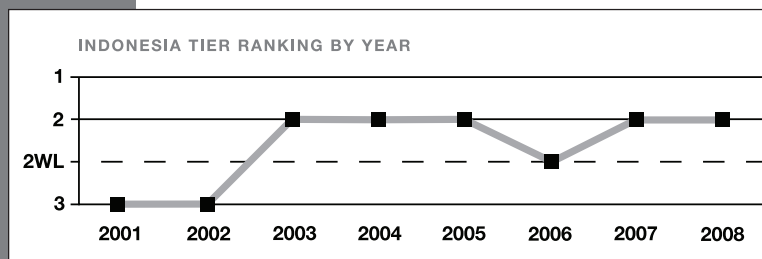
## INDONESIA (Tier 2)

Indonesia is a source, transit, and destination country for women, children, and men trafficked for the purposes of commercial sexual exploitation and forced labor. The greatest threat of trafficking facing Indonesian men and women is that posed by conditions of forced labor and debt bondage in more developed Asian countries and the Middle East. The government stopped permitting Indonesian women to travel to Japan and South Korea as “cultural performers,” to curtail a practice that led to victims being trafficked for commercial sexual exploitation. However, in 2007 traffickers increasingly used false documents, including passports, to obtain tourist visas for women and girls who are subsequently forced into prostitution in Japan, through the unlawful exploitation of recruitment debts as high as \$20,000 each. Trafficking of young girls to Taiwan as brides, mainly from West Kalimantan, persisted. Traffickers use false marriage licenses and other false documentation in order to obtain visas and subsequently force the women and girls into prostitution. Women from the People’s Republic of China, Thailand, and Eastern Europe are trafficked to Indonesia for commercial sexual exploitation, although the numbers are small compared with the number of Indonesians trafficked for this purpose.

A significant number of Indonesian men and women who migrate overseas each year to work in the construction, agriculture, manufacturing, and domestic service sectors are subjected to conditions of forced labor or debt bondage in Malaysia, Japan, Saudi Arabia, Iraq, Singapore, Taiwan, Hong Kong, United Arab Emirates, Jordan, Kuwait, Qatar, Syria, France, Belgium, Germany, and the Netherlands. Malaysia and Saudi Arabia are the top destinations for legal and illegal Indonesian migrant workers who are trafficked for domestic servitude, commercial sexual exploitation, and forced labor. Some labor recruitment companies, known as PJTKIs, operated similarly to trafficking rings, luring both male and female workers into debt bondage, involuntary servitude, and other trafficking situations. Some workers, often women intending to migrate, entered trafficking and trafficking-like situations during their attempt to find work abroad through licensed and unlicensed PJTKIs. These labor recruiters charged workers high commission fees—up to \$3,000—which are not regulated under Indonesian law and often require workers to incur debt to

pay, leaving them vulnerable in some instances to situations of debt bondage. PJTKIs also reportedly withheld the documents of some workers, and confined them in holding centers, sometimes for periods of many months. Some PJTKIs also used threats of violence to maintain control over prospective migrant workers. Recruitment agencies routinely falsified birth dates, including for children, in order to apply for passports and migrant worker documents.

Internal trafficking is a significant problem in Indonesia with women and children exploited in domestic servitude, commercial sexual exploitation, rural agriculture, mining, fishing, and cottage industries. Women and girls are trafficked into commercial sexual exploitation in Malaysia, Singapore, and throughout Indonesia. Indonesians are recruited with offers of jobs in restaurants, factories, or as domestics and then forced into the sex trade. Young women and girls are trafficked throughout Indonesia and via the Riau Islands, Kalimantan, and Sulawesi to Malaysia and Singapore. Malaysians and Singaporeans constitute the largest number of sex tourists, and the Riau Islands and surrounding areas operate a “prostitution economy,” according to local officials. Sex tourism is rampant in most urban areas and tourist destinations.



A 2006 bilateral MOU between the Indonesian and Malaysian governments, governing the employment of an estimated one million Indonesian domestic workers in Malaysia, failed to provide adequate protection to Indonesian migrant workers and explicitly endorsed a practice that is widely seen as a potential facilitator of forced labor—the right of Malaysian employers to hold the passports of Indonesian workers. This agreement has not been amended to offer protections from forced labor conditions. The Government of Indonesia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. While the government made clear progress in bringing sex trafficking offenders to justice, in part through use of its new anti-trafficking law, a pronounced weakness shown was the failure to curb the large-scale trafficking practices of licensed and unlicensed Indonesian labor agencies. Indonesia has the region’s largest trafficking problem, with hundreds of thousands of traffick-

ing victims, and has a largely unchecked problem of trafficking-related complicity by public officials.

**Recommendations for Indonesia:** Significantly improve record of prosecutions, convictions, and sentences for labor trafficking—including against labor recruitment agencies; prohibit labor recruitment agencies from charging excessive recruitment fees; re-examine existing MOUs with destination countries to incorporate victim protection; increase efforts to prosecute and convict public officials who profit from or are involved in trafficking; and increase efforts to combat internal trafficking.

### Prosecution

The Indonesian government demonstrated increased efforts to combat trafficking in persons for commercial sexual exploitation in 2007 and implement its April 2007 comprehensive anti-trafficking law. Through that new law, Indonesia prohibits all forms of trafficking in persons, prescribing penalties of three to 15 years’ imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. Police and prosecutors began using the new anti-trafficking law during the reporting period; however, other laws were still used in cases pending widespread implementation of the new law. For the second year in a row, law enforcement efforts against traffickers increased in 2007 over 2006: arrests increased 77 percent from 142 to 252, prosecutions increased 94 percent from 56 to 109, and convictions increased 27 percent from 36 to 46. These law enforcement actions were mainly against traffickers for commercial sexual exploitation. The average sentence given to convicted trafficking offenders was 45 months.

Police in late 2007 cooperated with the Manpower Ministry to shut down a manpower company that was trafficking workers, rescuing over a hundred persons, including children, and arresting staff on charges of document falsification. The 21-man national police anti-trafficking task force worked with local police, the Ministry of Manpower, the Migrant Workers Protection Agency, Immigration, Ministry of Foreign Affairs, and NGOs to shut down several large trafficking syndicates. The ongoing two-part “Operation Flower,” which began in March 2007, targeted trafficked children, primarily in commercial sexual exploitation. This operation shut down large operations in red-light districts of Jakarta, the Riau Islands, Central and West Java, and elsewhere, arresting dozens of pimps and rescuing dozens of children. Separately, local police in North Sumatra, South Sulawesi, Bali, Lombok, and West Kalimantan broke up trafficking syndicates.

Some individual members of the security forces reportedly engaged in or facilitated trafficking, particularly by providing protection to brothels



and prostitution fronts in discos, karaoke bars, and hotels, or by receiving bribes to turn a blind eye. In Sorong, Papua, local police reportedly honored the debt bondage of underage girls prostituted in local brothels as legitimate work contracts, and they pledged to enforce these terms. Although police in other areas of the country were often aware of children in commercial sexual exploitation or other trafficking situations, they frequently did not intervene to protect victims or arrest probable traffickers without specific complaints submitted by third parties. In 2007, several senior law enforcement officials complicit in trafficking were investigated for corruption, reprimanded, or transferred to less sensitive positions. There were no reports of Indonesian security forces prosecuting or disciplining their own members for involvement in prostitution or other activities related to trafficking. National Police reported arresting and prosecuting at least three immigration officials at key transit points. In May 2007, a former consul general in Johor Bahru, Malaysia, was found guilty of graft for overcharging for passport fees and sentenced to two years in prison. In January 2008, a former Indonesian ambassador to Malaysia was sentenced to 30 months in jail for corruption in the collection of migration document fees. The Corruption Eradication Commission's prosecution team indicted a former senior Manpower Ministry official and a current Manpower official on corruption in relation to an audit of funds for foreign workers in Indonesia; both face 20-year jail terms.

### Protection

Indonesia demonstrated measured improvement at national and local levels to protect victims of trafficking in Indonesia and abroad; however, available victim services remain overwhelmed by the large number of victims. Indonesia's policy is not to detain or imprison trafficking victims. Police implementation of this policy varies in practice. Local police often arrested women and children in prostitution, including trafficking victims, who operated outside of recognized prostitution zones on charges of violating public order. The Government encourages victims to assist in the investigation and prosecution of trafficking cases. Authorities continued to round up and deport a small number of foreign women in prostitution without determining whether they were victims of trafficking. The Foreign Ministry operated shelters for trafficking victims and migrant workers at its embassies and consulates abroad. In 2007, these diplomatic establishments sheltered thousands of Indonesian citizens, including trafficking victims. The Social Affairs Ministry Directorate of Social Assistance for Victims of Violence and Migrant Workers assisted victims returning from overseas by providing medical care, return and rehabilitation services. The Government provides some assistance, including limited medical aid, shelter, and

financial help to its repatriated nationals who were trafficking victims. The Indonesian government provided some funding to domestic NGOs and civil society groups that supported services for trafficking victims. Work on finishing national guidelines for services to trafficked persons, through another revision of the Standard Operating Procedures for Return, Recovery and Reintegration of Trafficking Victims and a new regulation on standard minimum services met with little progress following passage of the anti-trafficking law.

### Prevention

The Indonesian government continued efforts to promote awareness and prevent trafficking in persons. The government continued collaboration with numerous NGO and international organization efforts to raise awareness and prevent trafficking in persons. In 2007, the East Java provincial government collaborated with NGOs to formulate guidance on how to deal with trafficking cases. The Nusa Tenggara Barat province's Legal Aid Association provided legal assistance to five villages in East Lombok to help formulate village regulations regarding the recruitment of migrant workers. The North Sulawesi Department of Religious Affairs established a counseling center in 2007 to provide religious counseling to victims of trafficking and those at risk. Media coverage of trafficking, both domestic and international, expanded with national television, radio and print media, and local newspapers routinely covering trafficking cases. The Government of Indonesia had not yet formed a national task force on trafficking, although this is mandated. The Government also failed to develop a second National Plan of Action to combat trafficking in persons, despite the fact that Indonesia's first National Plan of Action expired at the end of December 2007. Apart from occasional raids on brothels or fronts for prostitution, there were no reported activities to reduce demand for commercial sex acts. There were no public awareness campaigns on reducing demand for commercial sex acts or sex tourism. However, Indonesia cooperated with Australia in the investigations of Australian nationals victimizing children for child sex tourism in Bali. Indonesian police similarly cooperated actively with U.S. law enforcement to arrest and expel American pedophiles sexually abusing children. Indonesian security forces participating in peacekeeping initiatives abroad received training on sexual exploitation and trafficking in persons prior to deployment. Indonesia has not ratified the 2000 UN TIP Protocol.

## IRAN (Tier 3)

Iran is a source, transit, and destination for women trafficked for the purposes of sexual exploitation and involuntary servitude. Iranian women are trafficked internally for the purpose of forced prostitu-

tion and for forced marriages to settle debts. Iranian children are trafficked internally and Afghan children are trafficked to Iran for the purpose of forced marriages, commercial sexual exploitation and involuntary servitude as beggars or laborers. According to non-governmental sources, Iranian women and girls are also trafficked to Pakistan, Turkey, Qatar, Kuwait, the United Arab Emirates, France, Germany, and the United Kingdom for commercial sexual exploitation.

The Government of Iran does not fully comply with the minimum standards for the elimination of trafficking, and is not making significant efforts to do so. Lack of access to Iran by U.S. Government officials prohibits the collection of full data on the country's human trafficking problem and the government's efforts to curb it. Iran did not provide evidence of law enforcement activities against trafficking, and credible reports indicate that Iranian authorities punish victims of trafficking with beatings, imprisonment, and execution.

**Recommendations for Iran:** Significantly increase law enforcement against traffickers; institute a victim identification procedure to systematically identify and protect victims of trafficking, particularly among groups such as women arrested for prostitution; and cease punishing victims of trafficking.

#### Prosecution

There is no evidence to indicate that Iran made significant progress in prosecuting and punishing trafficking crimes this year. The government reportedly prohibits all forms of trafficking in persons through its 2004 Law on Combating Human Trafficking, which appears to prescribe severe penalties, often including death sentences for convicted traffickers. Nonetheless, the government did not publicize evidence of enforcing this law during the reporting year through arrests, prosecutions, convictions, or sentences. Previous reports have indicated that border officials may be complicit in trafficking offenses; however, Iran did not report any disciplinary action taken against government officials believed to facilitate trafficking.

#### Protection

There were no reported efforts by the Government of Iran to improve its protection of trafficking victims

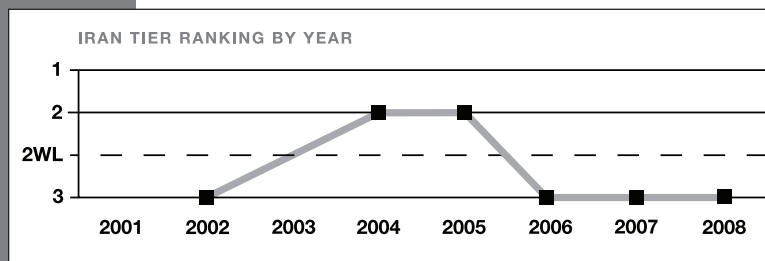
this year. The government reportedly punishes victims for unlawful acts committed as a direct result of being trafficked; for instance, victims reportedly are arrested and punished for violations of morality standards such as adultery, defined as sexual relations outside of marriage. It is unknown how many victims may have been subjected to punishment during the reporting period for such acts committed as a result of their trafficking experience. Foreign victims of trafficking do not have a legal alternative to removal to countries in which they may face hardship or retribution. Previous reports indicate that the government does not encourage victims to assist law enforcement authorities as they investigate and prosecute their trafficking cases.

#### Prevention

There were no reports of any advances in trafficking prevention measures by the Government of Iran during the reporting year. There were similarly no reports of measures taken by the government during the reporting period to reduce the demand for commercial sex acts, or of any public awareness campaigns targeting citizens traveling to known child sex tourism destinations abroad. It is recommended that Iran improve its efforts to prevent trafficking in persons by monitoring travel of Iranian women and girls to Middle Eastern countries where they are commonly trafficked for commercial sexual exploitation. Iran has not ratified the 2000 UN TIP Protocol.

## IRELAND (Tier 2)

Ireland is a destination country for women, men, and children trafficked for the purposes of commercial sexual exploitation and forced labor. An academic study by the National University of Ireland Galway and Trinity College concluded that a minimum of 76 victims were trafficked into Ireland for sexual exploitation between 2000 and 2006, and an NGO working with immigrants reported 46 cases of suspected labor trafficking from July 2005 to December 2007. Women from Eastern Europe, Nigeria, other parts of Africa, as well as smaller numbers from South America and Asia, have reportedly been trafficked to Ireland for forced prostitution. Labor trafficking victims reportedly consist of men and women from Bangladesh, Pakistan, Egypt, and the Philippines, although there may also be some victims from South America, Eastern Europe, and other parts of Asia and Africa. An Irish NGO reported that most forced labor victims are found in domestic labor, and restaurant and agricultural work. Unaccompanied minors from various source countries, particularly in Africa, represent a vulnerable group in Ireland that may be susceptible to trafficking and exploitation.



The Government of Ireland does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Irish officials have shown considerable political will in combating human trafficking through the drafting of new anti-trafficking legislation, but key deficiencies in the areas of prosecution, protection, and prevention remain.

**Recommendations for Ireland:** Enact comprehensive anti-trafficking legislation; establish formal policies and procedures to ensure victims are provided with access to protection and assistance in coordination with anti-trafficking NGOs; and implement a visible trafficking demand-reduction campaign in Ireland.

### Prosecution

Ireland's prosecution efforts were hampered by a lack of comprehensive anti-trafficking legislation during the rating period. The government introduced a bill in 2007 that specifically defines and outlaws all forms of human trafficking. Irish officials anticipate the bill's enactment in June 2008. The Government of Ireland did not report any prosecutions of trafficking offenses or convictions of trafficking offenders in 2007. The Irish police launched Operation Snow in 2007, which was dedicated to investigating the possible trafficking of unaccompanied children into Ireland; it also cooperated with the United Kingdom on anti-trafficking investigations. The Irish police instituted a new training module on human trafficking as part of basic training for new police recruits and continuing education for police personnel throughout Ireland.

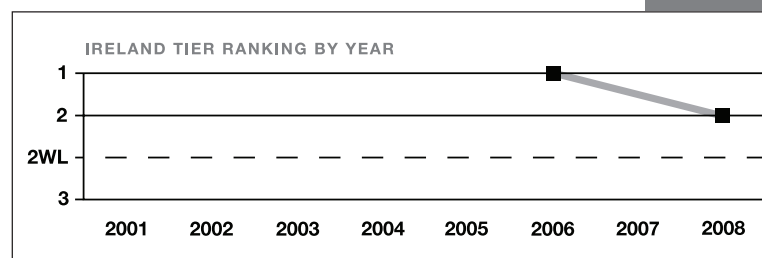
### Protection

Lacking a formal mechanism for referring victims to service providers, the Irish government referred victims on a case-by-case basis to NGOs providing food, shelter, health care, and legal assistance. The government employed some formal immigration procedures that proactively identify victims among vulnerable groups and guide law enforcement in the process of victim identification. Irish NGOs reported that the government generally treated victims well, but there have been instances in rural areas where police have detained suspected victims to verify identity and for unlawful acts committed as a result of their being trafficked. Immigration authorities can provide victims with permission to remain in Ireland. The government funded IOM to assist with return and reintegration of victims. The government and NGOs reported that the police encourage victims to assist in investigations but do not pressure them to do so. The government did not allocate specific funds for victims of trafficking in Ireland but provided funds for one NGO that works with trafficking

victims as part of its broader mission to assist women involved in commercial sexual exploitation. The Immigration, Residence, and Protection Bill, currently in the first stages of Parliamentary approval, includes provisions for the protection of trafficking victims.

### Prevention

Ireland has taken steps to improve prevention efforts. In December 2007, the Justice Ministry created an anti-trafficking unit headed by an executive director who reports directly to the Justice Minister. This unit leads and coordinates overall anti-trafficking efforts for the Government of Ireland. The government has a positive working relationship with NGOs combating trafficking. Government officials distributed and displayed NGO-funded and -developed posters aimed at assisting victims in airports, bus and rail stations, ports, hospitals, and police stations, and a partially government-funded NGO runs a hotline that offers victims and potential victims assistance. Ireland's Department of Defense includes training modules for peacekeepers that address human trafficking and sexual exploitation. While the government has not implemented a visible trafficking demand-reduction campaign in Ireland, it has contributed approximately \$438,000 over three years beginning in 2006 to the worldwide ECPAT mission, an NGO combating international child trafficking and child sex tourism worldwide. Ireland has not ratified the 2000 UN TIP Protocol.



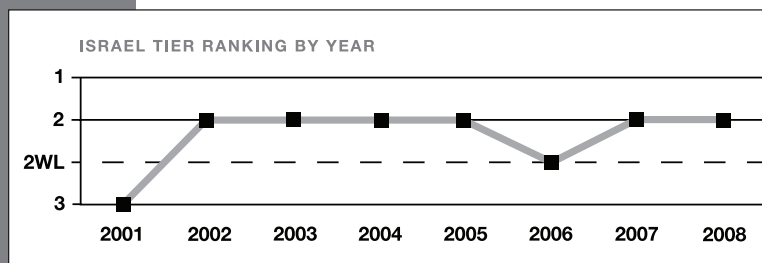
## ISRAEL (Tier 2)

Israel is a destination country for men and women trafficked for forced labor and commercial sexual exploitation. Low-skilled workers from China, Romania, Jordan, Turkey, Thailand, the Philippines, Nepal, Sri Lanka, and India migrate voluntarily for contract labor in the construction, agriculture, and health care industries. Some, however, subsequently face conditions of forced labor, such as unlawful withholding of passports, restrictions on movement, non-payment of wages, threats, and physical intimidation. Many labor recruitment agencies in source countries and in Israel require workers to pay recruitment fees ranging from \$1,000 to \$10,000—a practice that makes workers highly vulnerable to trafficking once in Israel, and in some cases, situa-

tions of debt bondage. Israel is also a destination country for women trafficked from Russia, Ukraine, Moldova, Uzbekistan, Belarus, China, and possibly the Philippines for the purpose of sexual exploitation. In addition, NGOs note an increase in the internal trafficking of Israeli women for commercial sexual exploitation, and report new instances of trafficking of Israeli women abroad to Canada, Ireland, and England. African asylum seekers entering Israel illegally are also vulnerable to trafficking for forced labor or prostitution.

The Government of Israel does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. This year, the government increased the number of convictions for sex trafficking offenses, and conducted a campaign to prevent forced labor. Israel also continues to provide victims of sex trafficking with shelter and protection assistance. Nonetheless, though the government prepared some indictments for forced labor, it did not criminally prosecute or convict any employer or recruitment agent for labor trafficking. In addition, the government still does not provide forced labor victims with adequate protection services, such as appropriate shelter, or medical and psychological assistance.

**Recommendations for Israel:** Significantly increase criminal law enforcement efforts against forced labor, including prosecutions, convictions, and sentences for practices such as unlawful withholding of passports and charging fraudulent recruitment fees; significantly increase prosecutions and punishments of internal trafficking for commercial sexual exploitation; and extend comprehensive protection services to victims of forced labor.



### Prosecution

The Government of Israel made uneven progress in prosecuting and punishing trafficking offenses during the reporting period. Israel prohibits all forms of trafficking in persons through its Anti-Trafficking Law that came into force on October 29, 2006, which prescribes penalties of up to 16 years' imprisonment for sex trafficking of an adult, up to 20 years' imprisonment for sex trafficking of a minor, up to 16 years' imprisonment for slavery, and up to 7 years' imprisonment for forced labor. These penalties are both sufficiently stringent and commensurate with

those for other grave crimes, such as rape. This year, the government convicted 38 individuals for sex trafficking—four more than last year—with sentences ranging from six months to 15 years' imprisonment and fines. In addition, 16 prosecutions for sex trafficking are in process, and another 15 cases are pending appeal. Israel made some efforts to investigate and punish acts of involuntary servitude; this reporting period, the government prepared three indictments for forced labor and one indictment for slavery. In addition, three criminal cases of fraud/deceit of foreign workers involving five defendants are pending prosecution or appeal. Nonetheless, it is important for Israel to increase criminal law enforcement efforts against forced labor and unlawful acts that contribute to forced labor, such as unlawful withholding of passports and charging illegal recruitment fees. Israel reported no prosecutions, convictions, or punishments of government officials complicit in trafficking this year.

### Protection

The Government of Israel continued to improve its protection of trafficking victims over the reporting period, but the protection of victims of forced labor remained relatively weak. The government operates a shelter largely for victims of sex trafficking with the support of a local NGO; this year, the shelter assisted 75 women and nine children. Notably, though Israel lacks a specific shelter for victims of labor trafficking, government authorities referred seven victims of forced labor to the shelter for sex trafficking during the reporting period. Victims in this shelter receive medical treatment, psychiatric and social services, stipends, and temporary residency and work permits. The government employs formal procedures to identify victims of sex trafficking and refer them to the shelter; these victims are not punished for acts directly related to being trafficked. While Israel lacks a formal procedure to identify victims of labor trafficking, immigration officers interview illegal migrant workers housed in deportation facilities on a daily basis for evidence of trafficking. According to one NGO, the tribunal that reviews immigration violation cases prior to deportation often misclassifies cases of trafficking for forced labor, resulting in the detention and automatic deportation of labor trafficking victims.

Foreign workers who file complaints regarding criminal offenses are not arrested, are generally placed in alternative employment, and are granted immigration relief. Victims of trafficking received legal alternatives to their removal to countries in which they may face hardship or retribution; the government issued temporary visa extensions for 99 trafficking victims, including six victims of forced labor. The government encourages victims of sex trafficking to assist in investigations against their traffickers, but it does not actively encourage victims of forced labor to do the same. Victims not



housed in the government shelter, including victims of internal trafficking, do not receive the same level of protection services from the government as victims located in shelters. Extending protection services to all victims of trafficking in Israel, including internally trafficked women, and improving identification and protection of victims of labor trafficking would enhance Israel's anti-trafficking response.

### Prevention

Israel made efforts to prevent trafficking in persons during the reporting period. The Immigration Police ran a radio campaign that warned employers not to exploit migrant workers. In December, the Ministry of Education and the Authority for the Advancement of the Status of Women conducted awareness campaigns in the school system that included seminars for administrators and teachers on sex trafficking. This program focused on the role of the school system in reducing demand for commercial sexual services. The government has not instituted a public awareness campaign targeting citizens traveling to known child sex tourism destinations abroad. The Government of Israel has not ratified the 2000 UN Protocol.

## ITALY (Tier 1)

Italy is a destination and transit country for women, children, and men trafficked transnationally for the purposes of commercial sexual exploitation and forced labor. Women and children are trafficked mainly from Nigeria, Romania, Bulgaria, Moldova, Albania, and Ukraine but also from Russia, South America, North and East Africa, the Middle East, China, and Uzbekistan. Chinese men and women are trafficked to Italy for the purpose of forced labor. Roma children continue to be trafficked for the purposes of sexual exploitation and forced begging. Reportedly, an increasing number of victims are trafficked for labor, mostly in the agricultural sector. According to one NGO, 90 percent of foreign seasonal workers are unregistered and two-thirds are in Italy illegally, rendering them vulnerable to trafficking. The top five source countries for agricultural workers are Poland, Romania, Pakistan, Albania, and Cote d'Ivoire. Traffickers reportedly are moving victims more frequently within Italy, often keeping victims in major cities for only a few months at a time, in an attempt to evade police detection.

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

**Recommendations for Italy:** Increase outreach to women and children in prostitution and those in detention centers to ensure that trafficking victims are identified, provided care, and not penalized for crimes committed as a result of being trafficked; continue to vigorously investigate allegations of trafficking-related complicity; and further expand public awareness campaigns aimed at reducing domestic demand for commercial sex acts and take steps to prevent Italian nationals from engaging in child sex tourism abroad.

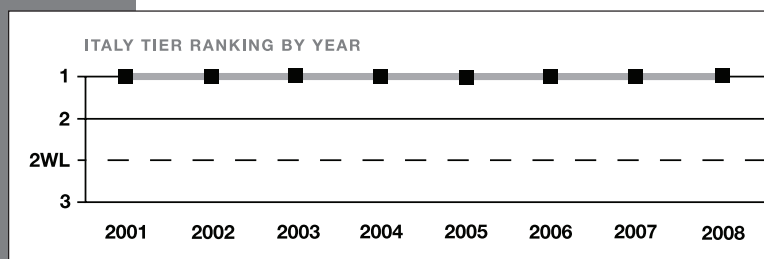
### Prosecution

The Government of Italy continued its strong law enforcement efforts in 2007. Italy prohibits all forms of trafficking in persons through its 2003 Measures Against Trafficking in Persons law, which prescribes penalties of eight to 20 years' imprisonment. These penalties are sufficiently stringent and commensurate with penalties prescribed for forcible sexual assault. The government's 2006 legislation to expand its labor trafficking law to introduce new penalties for job recruiters remains in draft form. In a major prosecution in April 2007, the government sentenced four Italians and three Romanian traffickers to between three and 12 years' imprisonment after they were convicted for the forced prostitution and exploitation of 200 Roma children between 2004 and 2006. In June 2007, the government prosecuted eight other perpetrators on charges of sexually exploiting children for coercing them into performing sexual acts in exchange for small gifts. Government investigations resulting from the previously reported large-scale anti-trafficking crackdown, "Operation Spartacus," between October 2006 and January 2007 are reportedly still ongoing. Italian prosecutors launched trafficking investigations against 1,202 individuals, prosecuted 80 trafficking cases, and courts convicted 163 traffickers in 2007. The average sentence was four years. The government reported that most traffickers remain in detention during the criminal proceedings. For sentences of more than two years, defendants are not eligible for suspended sentences.

The government continued its prosecution of 19 traffickers from a 2006 case involving the trafficking of 113 Polish tomato pickers in Puglia who were exploited in forced labor conditions, and will begin to prosecute an additional four perpetrators in early 2008. After local Italian police were initially slow to respond, prosecutors and Carabinieri vigorously investigated allegations of official complicity when notified and found no evidence to support the allegations. According to an NGO based in Genoa working with Nigerian victims of trafficking, some government officials have been imprisoned for facilitating trafficking.

## Protection

The Italian government sustained strong efforts to protect trafficking victims during the reporting period. Article 18 of the anti-trafficking law allows authorities to grant residence permits and provide protection and job training services to victims of trafficking, and during the reporting period the government expanded Article 18 benefits to labor trafficking victims. The government allocated \$3.75 million in 2007 for an additional emergency assistance plan and approved 23 projects implemented by NGOs. During the reporting period, it earmarked approximately \$9.75 million for 65 victim assistance projects, although the government did not provide data on the number of trafficking victims who benefited from these projects or the number who entered social protection programs. In 2007, NGOs, with government funding, provided literacy courses for 588 victims and vocational training for 313, helped 436 find temporary jobs and 907 find permanent jobs. In 2007, the Ministry of Interior issued 1,009 residence permits to victims who assisted in a law enforcement investigation. The government also



ensured the responsible return of 62 foreign trafficking victims in 2007 by funding their repatriation and reintegration and providing money for resettlement in their home countries. During the reporting period, the government implemented systematic procedures for victim identification among vulnerable populations in Italy. Despite the government's efforts to identify all victims of trafficking, some, such as Nigerian women in commercial sexual exploitation, are still deported. Based on a 2006 independent commission report that its victim identification measures for immigrants arriving in boats from North Africa are not fully effective, the government reportedly improved its process for identifying trafficking victims and it now allows international organizations and NGOs to inspect detention facilities and to interview migrants. Victims who file complaints against traffickers usually do not face penalties for unlawful acts committed as a direct result of their being trafficked. In 2007, the government enacted guidelines for the identification of victims of forced labor and promoted four regional studies on victims of labor exploitation.

## Prevention

The Government of Italy continued to educate the Italian public about trafficking through its funding

of NGO awareness efforts, and it initiated a new ad campaign in 2007 that included TV spots, internet banners, and bumper stickers in various languages. In March 2007, the Ministry of Interior established a committee designed to improve oversight and prosecution of trafficking and invited NGOs into the policy making process by including their membership on this committee. The Ministry of Interior is in the planning stage of a public awareness campaign, with several other countries, to reduce demand for commercial sex acts and raise awareness about human trafficking called project Pentametro. The Italian Ministry of Defense reported regularly organizes training sessions on human rights and trafficking for both civilians and military personnel who serve in international peacekeeping missions abroad. The government contributed funding to the NGO ECPAT, which conducts child sex tourism prevention activities in Italy. In February 2007, police arrested a University professor in Naples for committing child sex tourism offenses while in Thailand.

## JAMAICA (Tier 2)

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

The Government of Jamaica does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government increased activities to prevent human trafficking, but its efforts to punish traffickers and assist victims remained inadequate.

**Recommendations for Jamaica:** Increase efforts to investigate and prosecute trafficking offenses, as well as convict and punish offenders; improve efforts to provide victims with access to assistance, particularly shelter services; increase prevention efforts to vulnerable populations, especially young people; and increase efforts to collaborate with

other countries to investigate and prosecute foreign nationals who travel to Jamaica for the purpose of child sex tourism.

### Prosecution

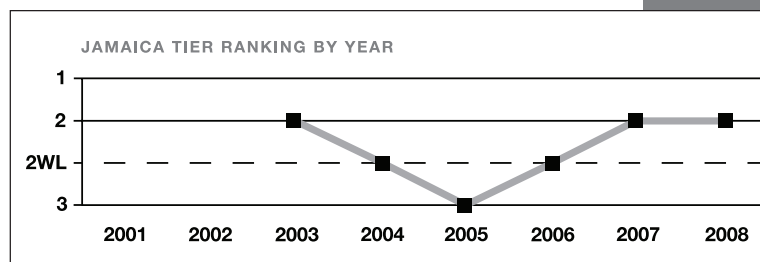
The Government of Jamaica maintained anti-trafficking law enforcement efforts during the reporting period, but did not punish any trafficking offenders. The government prohibits all forms of trafficking through its comprehensive Trafficking in Persons Act, which became effective on March 1, 2007, and which prescribes penalties of up to 10 years' imprisonment, penalties that are sufficiently stringent. This law also prohibits withholding a person's passport as a means of keeping an individual in labor or service. During the reporting period, the government charged four suspects with trafficking under its new law; these cases remain pending, in addition to six prosecutions from the previous year. The government did not convict or sentence any traffickers during the reporting period. The government also dedicated six police officers to the National Task Force against Trafficking in Persons, an interagency body that coordinates anti-trafficking activities, and reconstituted the organized-crime division of its police force to focus more attention on human trafficking crimes. A vetted police Airport Interdiction Task Force, created through a memorandum of understanding between Jamaica and the United States in 2005, investigates cases of drug trafficking and human trafficking at ports of entry. In conjunction with IOM, a large number of police, consular, and judicial officials received anti-trafficking training. No reports of official complicity with human trafficking were received in 2007.

### Protection

During the reporting period, the government showed limited efforts to provide victims with access to medical, psychological, legal, and witness-protection services. Specialized shelters for trafficking victims, especially for victims of commercial sexual exploitation, remain unavailable, although child trafficking victims have access to generalized government shelters for care. Shelter services for adult victims remain lacking, although adult victims are sometimes housed in hotels or other temporary facilities. Pursuant to its anti-trafficking statute, Jamaican authorities encourage victims to assist in the investigation and prosecution of their traffickers. Victims are not penalized for immigration violations or other unlawful acts committed as a direct result of being trafficked. Jamaica provides temporary residency for foreign trafficking victims and other legal alternatives to deportation to countries where victims would face hardship or retribution. In 2007, the government assisted IOM's repatriation of a trafficking victim from Burma who was exploited for five years as a domestic servant.

### Prevention

The government increased anti-trafficking prevention activities during the reporting period. Government officials condemned human trafficking in public statements and presentations, in addition to warning more than 250 students about the dangers of human trafficking. Anti-trafficking flyers and materials were disseminated widely. The government also tightened issuance of exotic dancer permits to Jamaican hotel establishments, and eliminated their use in night clubs. Efforts to identify victims of trafficking among holders of these permits were intensified during the reporting period, and the government reduced the total number of permits to eight. Increased government collaboration with Jamaica's hotel and tourism industry would assist efforts to prevent child sex tourism in resort areas; despite reported sexual exploitation of Jamaican children by foreign tourists, no investigations or prosecutions of such suspected criminal activity were reported by the government. The government made efforts to address demand for commercial sex acts by conducting high-profile raids on hotels and nightclubs.



## JAPAN (Tier 2)

Japan is a destination and transit country for men, women, and children trafficked for the purposes of commercial sexual exploitation and forced labor. Women and children trafficked to Japan for commercial sexual exploitation come from the People's Republic of China, South Korea, Southeast Asia, Eastern Europe, Russia, and, to a lesser extent, Latin America. Japan is a transit country for persons trafficked from East Asia to North America. The majority of identified trafficking victims are foreign women who migrate to Japan seeking work, but are subjected upon arrival to debt bondage and forced prostitution. Male and female migrant workers are subjected to conditions of forced labor. Traffickers use debt bondage to exploit women in Japan's large sex trade, imposing debts of up to \$50,000. In addition, trafficked women are subjected to coercive or violent physical and psychological methods to prevent them from seeking assistance or escaping. Traffickers also target Japanese women and girls for exploitation in pornography or prostitution. Many female victims, both foreign and Japanese, are reluctant to seek help

from authorities for fear of reprisals by their traffickers, who are often members or associates of Japanese organized crime syndicates (the Yakuza). Japanese men continue to be a significant source of demand for child sex tourism in Southeast Asia.

The Government of Japan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. While Japan continued to implement reforms through its Inter-Ministerial Liaison Committee on trafficking in persons, the government's efforts to identify and protect victims of trafficking remained inadequate. In addition, prosecutions decreased from the previous year. Law enforcement authorities and other officials did not systematically employ formal victim identification procedures, resulting in the government's failure to recognize many trafficking victims. The number of victims identified and assisted by Japanese authorities fell for the second year in a row, but based on calls to victim hotlines and interviews with victims, NGOs and researchers believe the number of actual victims exceeds government statistics. Some observers attribute the decline in identified victims to the difficulty of investigating sex businesses that are increasingly moving underground due to police crackdowns on red-light districts in major cities. This increased pressure from law enforcement has eliminated visible prostitution and forced many sex businesses to thinly disguise prostitution as "delivery health" (escort) services.

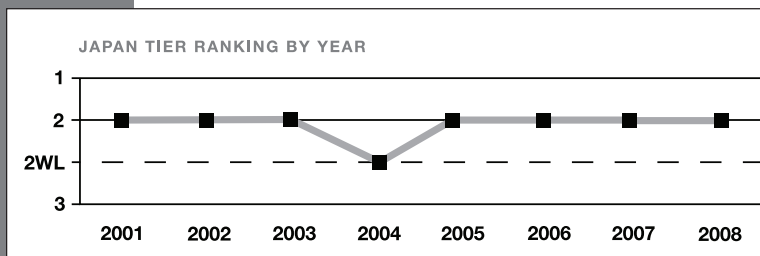
**Recommendations for Japan:** Expand proactive law enforcement efforts to investigate commercial sex businesses, especially in rural areas and including call-girl services, for possible sex trafficking; establish and implement formal victim identification procedures and train personnel who have contact with individuals arrested for prostitution, foreign trainees, or other laborers on the use of these procedures to identify a greater number of trafficking victims; criminalize recruitment through fraudulent or deceptive means for purposes of forced labor; criminally investigate and prosecute acts of labor trafficking; conduct a widespread campaign to raise public awareness of child sex tourism and warn potential Japanese offenders of prosecution under the extraterritorial provisions of the child prostitution law; send periodic formal

instructions to the National Police Agency and to Japanese Embassies and Consulates instructing officials to cooperate with foreign authorities in prosecuting possible child sexual exploitation cases against Japanese nationals; continue to increase the availability and use of translation services and psychological counselors with native language ability at shelters for victims; inform all identified victims of the availability of free legal assistance, as well as the option of extending their special-stay status as an alternative to repatriation; and revise the child pornography law to criminalize the possession of child pornography.

**Prosecution**

There was no improvement in the Government of Japan's efforts to address sex trafficking through law enforcement during the reporting period, and the government failed to address the problem of trafficking for labor exploitation. Prosecutions for sex trafficking decreased in 2007, as 11 sex trafficking cases were prosecuted, and 12 trafficking offenders were convicted, compared to 17 prosecutions and 15 convictions in 2006. Of the 12 convictions in 2007, seven offenders received prison sentences of two to four years with labor; five offenders received suspended sentences. The only labor trafficking convictions in 2007 were for two cases prosecuted under the Labor Standards Law. While Japan does not have a comprehensive anti-trafficking law, a variety of laws, including the 2005 amendment to the criminal code, the Labor Standards Law, the Employment Security Law, the Prostitution Prevention Law, the Child Welfare Law, and the Law for Punishing Acts related to Child Prostitution and Child Pornography, cover most, but not all forms of trafficking. Specifically, Japanese law does not prohibit recruitment of laborers using knowingly fraudulent or deceptive offers for purposes of forced labor.

Labor exploitation was widely reported by labor activists, NGOs, shelters, and the media. The Immigration Bureau and Labor Standard Inspection Bodies reported hundreds of abuses of the Industrial Trainee and Technical Internship Program (the "foreign trainee program"). Reported abuses included fraudulent terms of employment, debt bondage, restrictions on movement, and withholding of salary payments. While the majority of companies employ foreign trainees appropriately, participants in the first year of the three-year program were not protected by labor laws and were therefore vulnerable to trafficking. In addition, such exploitation was not limited to participants in the first year of the program. There were only two convictions for labor trafficking during the past two years despite Labor Standard Inspection Bodies having identified more than 1,209 violations of labor laws in 2006 alone, indicating a serious lack of will by the government to enforce these laws. The





government did make some efforts to address oversight of the foreign trainee program. The Ministry of Justice released a list of prohibited acts to govern the program, but there were no criminal penalties for companies found in violation of the regulations. The Cabinet approved provisions to reform the program, including applying the Labor Standards Law to the first year; but, these provisions had not yet taken effect or even been debated by the Diet during the reporting period. These measures are unlikely to have any effect on the problem without a significant increase in enforcement of labor laws.

### Protection

Despite the government's increased efforts, victim protection remained inadequate during the reporting period. The number of trafficking victims identified by the Japanese government declined for the second consecutive year. Law enforcement authorities identified 43 victims in 2007, down from 58 in 2006 and 116 in 2005. This number is disproportionately low relative to the suspected magnitude of Japan's trafficking problem. Although some observers speculate there are fewer victims identified because sex trafficking may have decreased in Japan, it is more likely the move of many sex businesses underground has made it more difficult for police to investigate and rescue potential victims. NGOs working with trafficking victims continue to assert the government is not proactive in searching for victims among vulnerable populations such as foreign women in the sex trade or migrant laborers. Of particular concern was the Japanese government's repatriation of 16 of the 43 identified trafficking victims without referring them to IOM for risk assessment and formal repatriation processing. Although police and immigration authorities take part in regular training programs, Japan has not adopted formal victim identification procedures, nor does it dedicate government law enforcement or social services personnel specifically to the human trafficking issue. During the reporting period, police and immigration authorities failed to consistently identify trafficking victims. Officials from third-country embassies reported Japanese police and immigration officers failed to recognize their citizens as trafficking victims, forcing the embassies to take charge of victim repatriation. In addition, the government did not recognize any victims of labor trafficking during the reporting period in spite of widespread reports of labor exploitation by both official and private entities.

Forty of the 43 identified trafficking victims in 2007 were provided services by government shelters—Women's Consulting Centers (WCCs)—located in each of Japan's 47 prefectures. The victims had access to subsidized medical care and some victims received psychological care while in the WCCs. However, the large majority of trafficking victims did not have

adequate access to trained psychological counselors with native language ability, a weakness the Japanese government is now beginning to address. The Ministry of Health, Labor, and Welfare surveyed the NGO community to identify interpreters with experience or training in providing counseling and psychological care to victims of trafficking, and has begun to make this information accessible to WCCs nationwide. Although the government asserts that legal assistance is available to all trafficking victims, a survey of WCC operators indicated that neither WCC staff nor victims were consistently aware free legal assistance was available. To date there have been no cases where the government actually provided legal assistance to a trafficking victim. Although victims were eligible for special stay status as a legal alternative to repatriation in cases where victims would face hardship or retribution, NGOs report most victims were unaware they could extend this status or apply for a change of status to one which permits employment. Moreover, there has never been a case of a victim staying in Japan for more than a few months. The lack of native language counseling, the isolation of victims from fellow nationals and other trafficking victims, and the lack of alternatives—particularly any option to work or generate income while in Japan—led most victims to choose an expeditious repatriation to their home country. Although the government encouraged victims to assist in the investigation and prosecution of trafficking crimes, it did not provide victims with an environment conducive to cooperation. Japan gave \$300,000 to IOM in 2007 for repatriation and reintegration assistance, and budgets about \$100,000 each year for subsidizing victims' care in private NGO shelters that specialize in assisting trafficking victims.

### Prevention

The Government of Japan demonstrated strong efforts to raise awareness about some forms of trafficking during the reporting period. The government took efforts to reduce the demand for commercial sexual exploitation through the distribution of 500,000 brochures on the trauma of trafficking, government anti-trafficking efforts, and how to receive victim assistance. The government also produced 25,000 trafficking awareness posters portraying the link between prostitution and trafficking in persons. The posters and brochures were distributed to immigration offices, police stations, and foreign embassies and consulates throughout Japan. The government donated \$79,000 to a Thai NGO to construct a dormitory for Thai students vulnerable to trafficking. A significant number of Japanese men continue to travel to other Asian countries, particularly the Philippines, Cambodia, and Thailand, to engage in sex with children. Although the Act on Punishment of Activities Relating to Child Prostitution and Child Pornography and the Protection of Children

provides Japanese courts with extraterritorial jurisdiction over Japanese nationals who have sexual intercourse with a minor in a foreign country, the government has not prosecuted a Japanese national for child sex tourism since 2005. During the reporting period, the government did not take any steps to specifically reduce the demand for child sex tourism by Japanese nationals. Japanese law does not criminalize the possession of child pornography, and this continues to contribute to the demand for commercial sexual exploitation of children and child sex tourism. According to National Police Agency statistics, 773 Japanese children were either prostituted or exploited in child pornography during the first half of 2007. Japan has not ratified the 2000 UN TIP Protocol.

## JORDAN (Tier 2 Watch List)

Jordan is a destination and transit country for women and men from South and Southeast Asia trafficked for the purpose of forced labor. Jordan is also a destination for women from Eastern Europe and Morocco for prostitution; there were no reports that any of these women were trafficked for sexual exploitation. Women from Bangladesh, Sri Lanka, Indonesia, and the Philippines migrate willingly to work as domestic servants, but some are subjected to conditions of forced labor, including unlawful withholding of passports, restrictions on movement, non-payment of wages, threats, and physical or sexual abuse. Trafficking of domestic workers is facilitated by the fact that the normal protections provided to workers under Jordanian labor law do not apply either to domestic or agricultural laborers, leaving them highly vulnerable to abuse by exploitative employers. In response to a high rate of abuse of Filipina domestic workers by employers in Jordan, the Government of the Philippines instituted a ban on additional Filipina workers migrating to Jordan for domestic work during the reporting period. In addition, some Chinese, Bangladeshi, Indian, Sri Lankan, and Vietnamese men and women have encountered conditions similar to forced labor in several factories in Jordan's Qualifying Industrial Zones (QIZs), including unlawful withholding of passports; non-payment of wages; and physical abuse. In past years, Jordan was a transit country for South and Southeast Asian men deceptively recruited with fraudulent job offers in Jordan, but instead trafficked to work involuntarily in Iraq. There have been no substantiated reports of this, however, during this reporting period.

The Government of Jordan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Nevertheless, Jordan is placed on Tier 2 Watch List for its failure to provide evidence of

increasing efforts to combat trafficking in persons over the previous year, particularly in the area of law enforcement against trafficking for forced labor. The government made minimal efforts to investigate or prosecute numerous allegations related to exploitation of foreign domestic workers employed in Jordanian homes throughout the year. National labor laws do not apply to domestic or agricultural workers, including allegations of physical and sexual abuse. There were continuing reports of abusive conditions in some QIZ factories, but the number decreased from the preceding year. Though the government made some efforts to improve enforcement of its labor laws through inspections and administrative means, Jordan failed for a second year to criminally prosecute and punish those who committed acts of forced labor. Moreover, domestic and agricultural workers remain exempt from the protections of Jordan's labor laws, facilitating the ability of unscrupulous employers to subject them to conditions of involuntary servitude. Jordan also continues to lack victim protection services, and its failure to distinguish between trafficking and illegal immigration creates vulnerability for punishment of victims of trafficking.

**Recommendations for Jordan:** Appropriately revise labor laws to cover domestic and agricultural workers; undertake legislative reforms to prohibit all forms of trafficking in persons; significantly increase criminal prosecutions, convictions, and punishments for offenses that constitute trafficking; institute and apply formal procedures to identify victims among vulnerable groups, such as foreigners arrested for illegal immigration or prostitution, and refer them to protective services; and ensure that victims are protected and not detained or otherwise punished for acts committed as a result of being trafficked, or for reporting a crime committed against them.

### Prosecution

The Government of Jordan continued to make inadequate efforts to criminally punish trafficking offenders during the reporting period. Jordan does not specifically prohibit all forms of trafficking in persons, but the government prohibits slavery through its Anti-Slavery Law of 1929; prescribed penalties of up to three years' imprisonment under this statute are not sufficiently stringent, but are commensurate with those penalties prescribed for grave crimes, such as rape. Neither labor nor sex trafficking is otherwise explicitly prohibited. However, the government can use statutes against kidnapping, assault, rape, withholding of passports, and physical restraint to prosecute trafficking-related offenses. In this reporting period, the government's Human Rights Center hotline received 2,479 complaints, including some for conditions of forced labor; although authorities reported resolving 77 percent of these cases, the government did

not provide evidence of any prosecutions, convictions, or jail sentences for forced labor of domestic workers. In addition, despite well-documented evidence of serious cases of forced labor in the QIZs from previous years, the government responded with primarily administrative penalties; courts convicted three individuals for physical abuse of foreign workers in a factory and sentenced them to fines rather than sufficient prison sentences that would create a deterrent against future forced labor crimes. The government shut down one factory in January 2008 after repeated violations of non-payment of wages, non-payment of overtime, physical abuse, and poor living conditions; no one has been prosecuted or criminally punished yet for these offenses. Through training of labor inspectors, almost all QIZ workers are reportedly in possession of their passports, and the number and severity of violations of workers' rights decreased substantially. Nonetheless, in March, an NGO reported that 176 Vietnamese workers complained, that their employer forced them to work 14-18 hours per day, withheld their passports, and did not give them their promised wages. The government returned their passports and assisted workers who wished to be repatriated to return home.

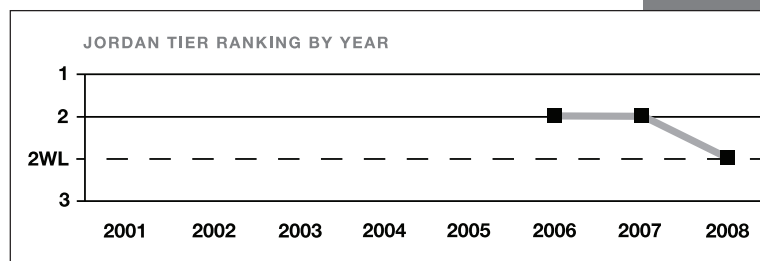
### Protection

The Government of Jordan made inadequate efforts to protect trafficking victims during the reporting period. Jordan does not operate a shelter for trafficking victims. The Government of Jordan provides non-financial support to international organizations that have anti-trafficking programs, such as UNIFEM and IOM. The government also lacks formal procedures to identify victims of trafficking among vulnerable groups, such as foreigners arrested for illegal migration or prostitution. As a result, some victims of trafficking are punished for acts committed as a result of being trafficked. In cases where foreign domestic workers run away from their employers or approach authorities to claim abuse, an employer will often accuse them of theft, for which they will be imprisoned. The government may put victims of sexual assault – including foreign workers assaulted by their employers – into jail. In February, the Ministry of Interior waived over-stay fines for 185 runaway Filipina domestic workers in order to allow them to be repatriated, but did not report helping them receive compensation for their abuses. Other workers who are unable to pay their overstay fines – including those who run away from abusive employers or who are out of legal status because their employers did not file necessary documents – may be imprisoned until their fines are paid and then deported. Victims are not encouraged to participate in investigations against their employers; sources allege that workers are discouraged from filing complaints or pressing charges and that some police dissuade workers from formally lodging claims for

sexual assault. The government does not provide foreign victims of trafficking with legal alternatives to removal to countries in which they may face hardship or retribution.

### Prevention

Jordan made limited efforts to prevent trafficking in persons this reporting period. The Ministry of Labor trained labor inspectors on anti-trafficking, and recruitment agencies on the rights of domestic workers. The government continued to publish a guidebook for domestic workers on their rights and offered hotline numbers that workers can call to report abuse. Although the Government did not financially sponsor anti-trafficking campaigns for workers in the QIZ factories, government officials participated in anti-trafficking seminars for QIZ factory management and workers organized by international and non-governmental organizations. Jordan made no discernible effort to reduce the demand for commercial sex acts. Similarly, the government did not institute a public awareness campaign or other measure targeting citizens traveling to known child sex tourism destinations abroad, although there is no indication that Jordan is a point of origin for child sex tourism. Jordan has not ratified the 2000 UN TIP Protocol.



## KAZAKHSTAN (Tier 2)

Kazakhstan is a source, transit, and destination country for men, women, and girls trafficked from Uzbekistan, Kyrgyzstan, Tajikistan, and Ukraine to Kazakhstan and on to Russia and the United Arab Emirates (U.A.E.) for purposes of commercial sexual exploitation and forced labor in the construction and agricultural industries. Kazakhstani men and women are trafficked internally and to the U.A.E., Azerbaijan, Turkey, Israel, Greece, Russia, and Germany and the United States for purposes of forced labor and sexual exploitation.

The Government of Kazakhstan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Kazakhstan demonstrated increasing efforts to combat trafficking over the previous year, specifically by improving efforts to convict and sentence traffickers to time in prison. The number of

traffickers convicted in 2007 significantly increased, and the majority of convicted traffickers served adequate sentences in prison. The government also took steps to address government officials' complicity in trafficking. Kazakhstan allocated nearly \$35,000 for victim assistance during 2007.

**Recommendations for Kazakhstan:** Continue efforts to investigate, prosecute, convict, and punish government officials complicit in trafficking; continue efforts to ensure that convicted trafficking offenders are punished adequately through time in prison; ensure that both sex and labor trafficking victims are identified and not punished; provide some financial assistance for existing trafficking shelters; consider funding a trafficking shelter in Southern Kazakhstan; increase the number of victims referred to NGOs for assistance by government officials; and ensure public awareness efforts are conducted in rural areas of the country.

### Prosecution

The Kazakhstan government made significant progress in its anti-trafficking law enforcement efforts over the reporting period. Kazakhstan prohibits trafficking in persons for both labor and sexual exploitation through Articles 128, 133, 125(3)(b), 126(3)(b), and 270 of its penal code, which prescribe penalties of up to 15 years' imprisonment – penalties sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. Police conducted 22 trafficking investigations and initiated 16 prosecution cases in 2007, compared to 13 investigations and seven prosecutions in 2006. Courts convicted 19 trafficking offenders in 2007, a significant improvement from one conviction in 2006. Of the 19 convicted trafficking offenders, one was sentenced to 12 years' imprisonment, four were sentenced to 10 years' imprisonment, five were sentenced to seven years' imprisonment, four were sentenced to six years' imprisonment, two were sentenced to five

imprisonment and two officers fled authorities and remained in hiding at the time of this report.

### Protection

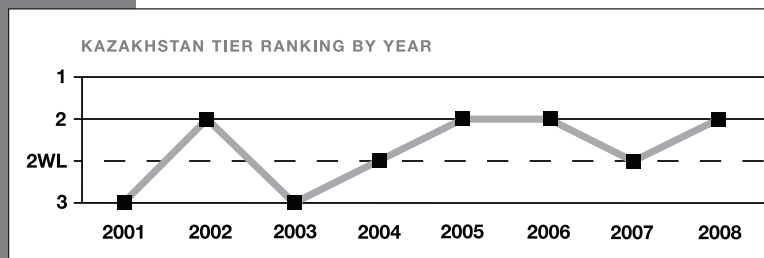
The government improved efforts to assist and protect victims during the year. The law provides that victims are not penalized for unlawful acts committed as a direct result of being trafficked; however, NGOs continued to report that some victims, as the result of not being identified by authorities, were detained in jail and prevented from leaving the country for periods ranging from a few days to several months. NGOs reported that while law enforcement officials have improved their use of formal procedures to identify victims among vulnerable populations, some labor trafficking victims remain unidentified. In 2007, the police formally identified 87 victims of labor trafficking and 25 victims of commercial sexual exploitation. The government permitted identified victims to remain in Kazakhstan for the duration of the criminal investigation. Many victims refuse to testify for fear of retribution and Kazakhstan has not devoted sufficient resources to address the physical safety of identified trafficking victims.

### Prevention

The government conducted active public awareness efforts. In 2007, the government funded the production of approximately 3,000 booklets that were distributed by NGOs among groups vulnerable to trafficking, including people in rural areas and school children. The government provided at least \$12,500 for anti-trafficking NGOs to conduct awareness campaigns during the reporting period. The government monitors formal migration patterns for evidence of trafficking. The government did not implement measures to reduce the demand for commercial sex acts during the reporting period. Kazakhstan has not ratified the 2000 UN TIP Protocol.

## KENYA (Tier 2)

Kenya is a source, transit, and destination country for men, women, and children trafficked for the purposes of forced labor and sexual exploitation. Kenyan children are trafficked within the country for domestic servitude, street vending, agricultural labor, herding, work as barmaids, and commercial sexual exploitation, including involvement in the coastal sex tourism industry. Kenyan men, women, and children are trafficked to the Middle East, other African nations, Europe, and North America for domestic servitude, enslavement in massage parlors and brothels, and forced manual labor, including in the construction industry. Employment agencies facilitate and profit from the trafficking of Kenyan nationals to Middle Eastern nations, notably Saudi Arabia, the U.A.E., and Lebanon, as well as Germany.



years' imprisonment, and three were sentenced to three years' imprisonment. During the year there were reports of trafficking complicity of some border guards, migration police, prosecutors, and police. The government prosecuted three corrupt police officials, including the former head of the Anti-Trafficking in Persons Unit in Almaty. One officer was sentenced to six years and six months'



Chinese, Indian, and Pakistani women reportedly transit Nairobi en route to exploitation in Europe's commercial sex trade. Brothels and massage parlors in Nairobi employ foreign women, some of whom are likely trafficked. Children are trafficked from Rwanda, the Democratic Republic of the Congo, Ethiopia, Uganda, and Somalia to Kenyan towns, including Kisumu, Nakuru, Nairobi, and Mombasa. Most trafficked girls are coerced to work as barmaids, where they are vulnerable to sexual exploitation, or are forced directly into prostitution.

The Government of Kenya does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Kenya's anti-trafficking efforts improved markedly over the reporting period, particularly through greater investigations of suspected trafficking cases.

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

### Prosecution

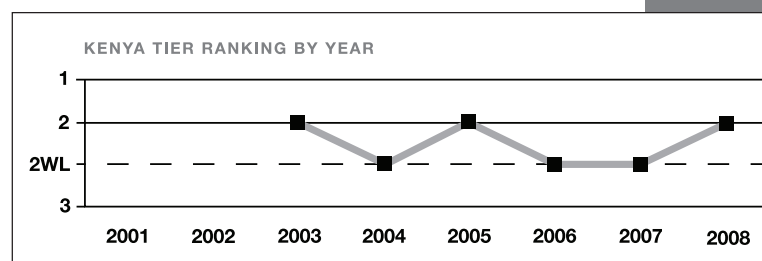
The government failed to punish acts of trafficking during the reporting period, but demonstrated significantly increased law enforcement activity throughout the reporting period. Kenya does not prohibit all forms of trafficking, though it criminalizes the trafficking of children and adults for sexual exploitation through its Sexual Offenses Act, enacted in July 2006, which prescribes penalties that are sufficiently stringent and commensurate with those for rape; however, the law is not yet widely used by prosecutors. The Employment Act of 2007 outlaws forced labor and contains additional statutes relevant to labor trafficking. In September 2007, relevant government agencies provided comments on a draft comprehensive human trafficking bill to the Attorney General's office, which continues to work with NGOs to further refine the bill.

Police opened investigations into a number of significant cases during the reporting period, including the suspected trafficking of children by two school teachers in Kirinyaga District. In October 2007, police in Malindi arrested an Italian national on suspicion of human trafficking, facilitating child prostitution, and drug trafficking. Upon the conclusion of a separate police investigation, two women were charged with child defilement and child prostitution after luring a 14-year old girl to their home and forcing her into prostitution. Two children trafficked to Tanzania for forced labor were

rescued by Kenyan officials and placed in a children's home; the investigation is ongoing as police believe the perpetrators are harboring an additional 40 children and six adults in forced labor. Six people in Bomet and Nandi Districts of Rift Valley Province were charged with the sale and trafficking of children. The Police Commissioner worked with Interpol to investigate the suspected trafficking of a Kenyan girl to The Netherlands and four children to Ireland. The Ministry of Home Affairs began, for the first time, collecting information on trafficking cases from the police, media, foreign governments, and UNODC. Corruption among law enforcement authorities and other public officials hampered efforts to bring traffickers to justice. Some anti-trafficking activists made credible claims that, in certain areas, police officials were complicit in trafficking activities.

### Protection

The government made efforts during the reporting period to improve protective services provided to trafficking victims. Kenyan officials removed 14 children from situations of trafficking in Nandi and placed them in a children's home. The government referred two additional trafficking victims to IOM for assistance during the reporting period, and ensured the well-being of a number of other victims. City Council Social Services Departments in Nairobi, Mombasa, and Kisumu operated shelters to rehabilitate street children vulnerable to forced labor and commercial sexual exploitation; the government provided services to children exploited in the commercial sex industry at these facilities. In partnership with an NGO, the Ministry of Home Affairs provided and refurbished a building to house a toll-free hotline that enables children and adults to report cases of child



trafficking, labor, and abuse. Staff members were hired and trained to serve as counselors and refer callers to government and NGO service providers. In June 2007, the Department of Home Affairs' Children's Services Unit hired an additional 180 Chief Children's Officers; during the reporting period, several children's officers posted throughout the country were involved in trafficking investigations and provided counseling and follow-up to child trafficking victims. Fifteen newly appointed Kenyan ambassadors received a first-ever briefing on human trafficking at Kenya's Foreign Service Institute; preparations are underway for

a comprehensive briefing from the Ministries of Labor and Home Affairs and IOM for mid-grade and junior officers on their responsibilities in assisting Kenyan victims abroad. The government encourages victims' assistance in the investigation and prosecution of trafficking crimes, and ensures that they are not inappropriately incarcerated or otherwise penalized for unlawful acts committed as a direct result of being trafficked. The government does not, however, provide legal alternatives to the removal of victims to countries where they would face hardship or retribution.

### Prevention

The Government of Kenya made significant progress in publicly highlighting the dangers of human trafficking and taking steps to combat it during the reporting period. On numerous occasions, senior government officials, including the Vice President, spoke publicly about trafficking and attended many awareness-raising events, including the Day of the African Child in June. The Kenyan media, especially the government-owned Kenya Broadcasting Corporation, regularly reported cases of suspected human trafficking. In July 2007, the government established the National Steering Committee to Combat Human Trafficking under the leadership of the Ministry of Home Affairs. Its Sub-Committee appointed to draft a national action plan received two days of training from IOM, after which it convened three drafting sessions and presented an initial outline of the plan in October. Officers from the Ministries of Youth and Labor received anti-trafficking training at IOM workshops in November and December 2007. In July 2007, the Malindi District Commission established and chaired a district-level committee on child sex tourism. In June 2007, a German national was arrested and charged with sexually exploiting two trafficked children from Nyanza at Likoni Children's Home. There were no reports of the Kenyan government's efforts to provide anti-trafficking training for its troops before deployment on international peacekeeping missions.

## KOREA, REPUBLIC OF (Tier 1)

The Republic of Korea (R.O.K.) is primarily a source for the trafficking of women and girls within the country and to the United States (often through Canada and Mexico), Japan, Hong Kong, Guam, Australia, New Zealand, Canada, and Western Europe for the purpose of commercial sexual exploitation. Women from Russia, Uzbekistan, Kazakhstan, Mongolia, the People's Republic of China (P.R.C.), North Korea, the Philippines, Thailand, Cambodia, and other Southeast Asian countries are recruited to work in South Korea, and a significant number of these women are trafficked for sexual exploitation and domestic servitude. An increasing challenge for the

ROK is the number of women from less developed Asian countries who are recruited for marriage to Korean men through international marriage brokers; a significant number are misled about living conditions, financial status, and expectations of their Korean husbands. Some, upon arrival in South Korea, are subjected to conditions of sexual exploitation, debt bondage, and involuntary servitude. Some employers continued to withhold the passports of foreign workers, a practice that can be used as a means to coerce forced labor. South Korean men continue to be a significant source of demand for child sex tourism in Southeast Asia and the Pacific Islands.

The Government of the Republic of Korea fully complies with the minimum standards for the elimination of trafficking. Over the last year, the government continued law enforcement efforts against sex trafficking, and signed MOUs for the Employment Placement System (EPS) with five additional countries and conducted numerous anti-trafficking awareness campaigns. The Korean National Police Agency cooperated with foreign law enforcement agencies to crack down on human smuggling networks that have been known to traffic women for sexual exploitation. However, these commendable efforts with respect for sex trafficking have not been matched by investigations, prosecutions, and convictions of labor trafficking occurring within South Korea's large foreign labor force. Efforts to reduce demand for child sex tourism, in light of the scale of the problem, would be enhanced by law enforcement efforts to investigate Korean nationals who sexually exploit children abroad.

**Recommendations for the ROK:** Expand efforts to reduce demand for child sex tourism by increasing law enforcement efforts, including cooperation with child sex tourism destination countries, to investigate and prosecute South Korean child sex tourists; pass, enact, and implement laws to protect foreign brides in Korea; and take steps to ensure that the new Employment Placement System of labor recruitment offers greater protections to foreign workers by investigating and prosecuting cases of forced labor among migrant workers.

### Prosecution

The R.O.K. government sustained progress in anti-trafficking law enforcement efforts over the last year. The R.O.K. prohibits trafficking for the purpose of commercial sexual exploitation, including debt bondage, through its 2004 "Act on the Punishment of Intermediating in the Sex Trade and Associated Acts," which prescribes up to 10 years' imprisonment—penalties that are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. Trafficking for forced labor is criminalized under the Labor Standards Act, which prescribes penalties of up to five years' imprisonment—also

sufficiently stringent. Some NGOs believe the 2004 laws against sex trafficking are not being enforced to their fullest potential. In 2007, R.O.K. authorities conducted 149 trafficking investigations and convicted 52 traffickers, all of whom were sex traffickers. The domestic crackdown on prostitution may have decreased the demand for commercial sexual exploitation in Korea, but it has caused an increase in the number of Korean women and girls moving abroad for commercial sexual exploitation. In 2007, the National Assembly passed the Marriage Brokerage Act, which regulates both domestic and international marriage brokers and proscribes penalties for dishonest brokers, including sentences of up to three years' imprisonment or fines. The laws to protect "foreign brides" in Korea and punish fraudulent marriage brokers need to be strengthened in order to prevent some from being trafficked. During the reporting period, the government worked with the international community on investigations related to trafficking. There were no reported prosecutions or convictions of labor trafficking offenses.

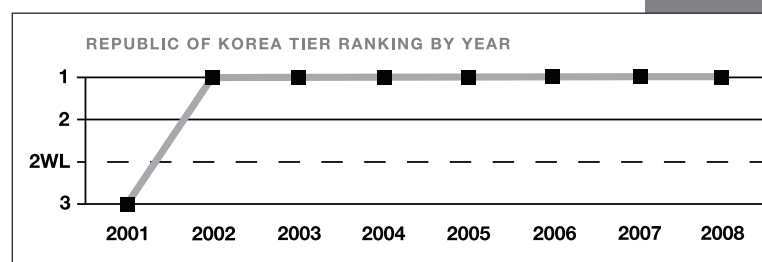
### Protection

The Government of the Republic of Korea furthered efforts to protect victims of sex trafficking over the last year. The R.O.K. government spent \$19 million in support of a network of 53 shelters and group homes for foreigners, providing victims with a variety of services, including psychological and medical aid, counseling, and occupational training. Counseling centers that are subsidized by the central government provide medical and legal aid to trafficking victims. NGOs report that there is only one counseling center and two shelters in the country dedicated to foreign victims of sex trafficking. The Ministry of Gender Equality and Family (MOGEF) is currently training 100 interpreters to help foreigners take advantage of services already provided by the South Korean government. Most other facilities that support foreigners are geared towards helping victims of marriage trafficking rather than victims of trafficking for the purpose of commercial sexual exploitation. Most of the shelters are run by NGOs that the government funds fully or in part. This year, provincial police in cooperation with local governments will take over daily operation of the 24-hour hotline for South Korean and foreign trafficking victims that refers victims to government or NGO-run shelters and counseling centers. The government encourages sex trafficking victims to assist in the investigation and prosecution of traffickers. Korean law protects foreign women being investigated as a victim of prostitution from deportation until the case is prosecuted or resolved, primarily through the issuance of G-1 visas or orders of suspension of the victim's departure. G-1 visa holders are able to apply for jobs in Korea, but are not granted permanent residency. The R.O.K. government does not penalize victims for unlawful acts committed as a direct result of their being trafficked.

The government continued the full implementation of EPS, which is a system of recruiting foreign workers through government-to-government agreements that eliminate the role of private labor agencies and recruiters, many of which had been found to employ highly exploitative practices—including practices that facilitated debt bondage and forced labor. During the reporting period, the R.O.K. government signed MOUs with China, Bangladesh, Nepal, Burma, and Kyrgyzstan, bringing the total number of MOUs to 14. These MOUs with governments of labor source countries contained provisions guaranteeing basic rights of workers. In July 2007, the government opened a third Migrant Worker Center to support the needs of foreign contract laborers in the country. The EPS appears to be curbing incidents of extreme exploitation and forced labor, through better monitoring, and the government's encouraging of foreign workers to file complaints—civil and criminal—against their employers.

### Prevention

The R.O.K. government acknowledges that trafficking is a problem and continued anti-trafficking prevention efforts through awareness raising campaigns. The Ministry of Justice runs 29 "John schools," set up to educate male "clients" of prostitution, presented one-day seminars—in lieu of criminal punishment—to 15,124 first-time offenders who were arrested by R.O.K. police in 2007. The courses aim to correct attendees' distorted views of prostitution and instill recognition of it as a serious crime. The MOGEF continued a public awareness campaign targeting the demand for commercial sex amongst adult males, juveniles, and university students, which included putting up billboard advertisements at train stations and airports.



A growing number of R.O.K. men continue to travel to the P.R.C., the Philippines, Cambodia, Thailand, and elsewhere in Southeast Asia for child sex tourism. The R.O.K. government educated advertisement agencies, guides, and foreign travel agencies on the Korean government's ability to punish Koreans for child sex tourism acts committed abroad, through a "Don't Be an Ugly Korean" campaign launched by the Ministry of Justice in mid-2007. It also conducted campaigns to certify reputable Korean travel agencies and related businesses, and solicited the public's ideas for the prevention of sex tourism. The R.O.K.

has a law with extraterritorial application that allows for the prosecution of R.O.K. citizens who sexually exploit children while traveling abroad. The government has never prosecuted a Korean national for child sex tourism. The Republic of Korea has not ratified the 2000 UN TIP Protocol.

## KUWAIT (Tier 3)

Kuwait is a destination and transit country for men and women for forced labor and commercial sexual exploitation. Men and women migrate willingly from Bangladesh, India, Pakistan, Sri Lanka, Nepal, Indonesia, and the Philippines to work as domestic servants or low-skilled laborers. Upon arrival, however, some are subsequently subjected to conditions of forced labor, such as restrictions on movement, unlawful withholding of passports, non-payment of wages, threats, and physical or sexual abuse. In addition, some women are forced into commercial sexual exploitation; for example, some female domestic workers are forced into prostitution after running away from abusive employers or after being deceived with promises of jobs in different sectors. Kuwait is also a transit country for South and East Asian workers recruited by Kuwaiti labor recruitment agencies for low-skilled work in Iraq; some of these workers are deceived as to the true location and nature of this work, while others willingly transit to Iraq through Kuwait, but subsequently endure conditions of involuntary servitude in Iraq. Some Kuwaiti nationals reportedly travel to destinations including Morocco, Egypt, Afghanistan, Pakistan, India, and Bangladesh to engage in commercial sex acts.

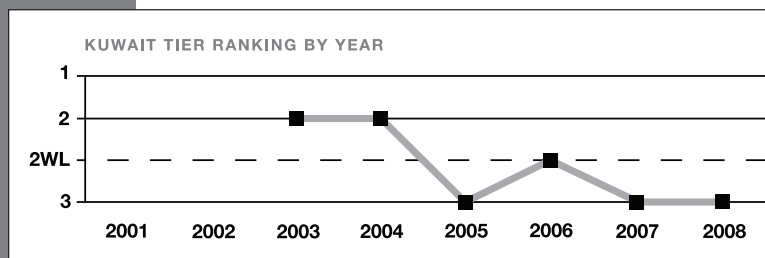
The Government of Kuwait does not fully comply with the minimum standards for the elimination of trafficking, and is not making significant efforts to do so. In September, Kuwait was reassessed to Tier 2 Watch List based on commitments to take future steps, including enacting already drafted legislation that prohibits all forms of trafficking; providing evidence of increased prosecutions, convictions and sentences for trafficking; continuing to develop a fully operational shelter freely accessible to all victims of trafficking; and providing technical training to law enforcement officials, attorneys, and judges on criminally

investigating and prosecuting trafficking cases. During the reporting period, however, the Government of Kuwait has not achieved any of these commitments.

**Recommendations for Kuwait:** Follow through with the above commitments; significantly increase criminal law enforcement efforts against trafficking offenders, including prosecutions, convictions, and punishment of abusive employers and those who traffic individuals for commercial sexual exploitation; develop and implement formal procedures to proactively identify victims of trafficking, including trafficked domestic workers and victims of sex trafficking, and refer them to protection services; and intensify efforts to raise public awareness of trafficking. Kuwait should also join international efforts and activities to discourage the demand for commercial sex acts and sex tourism by Kuwaiti nationals.

### Prosecution

The Government of Kuwait demonstrated no progress in punishing trafficking offenses this year. Kuwait does not explicitly prohibit trafficking in persons, though it prohibits transnational slavery through Article 185 of its criminal code, with a prescribed penalty of five years' imprisonment and a fine. Article 201 of Kuwait's criminal code prohibits forced prostitution; prescribed penalties include imprisonment of up to five years or a fine for the forced prostitution of adults, and seven years' imprisonment and a fine prescribed for the forced prostitution of minors under 18 years of age. This year, Kuwait passed an administrative ban on withholding passports, but did not report any efforts to enforce it. Despite the availability of these statutes, the government did not report any prosecutions, convictions, or punishments of traffickers for forced labor, including fraudulent recruiters and abusive employers. Rather than assign stringent prison penalties for trafficking, Kuwaiti law enforcement efforts generally focus on administrative measures such as shutting down recruitment firms, issuing orders for employers to return withheld passports, or requiring employers pay back-wages. The government also did not provide evidence of prosecuting, convicting, or punishing traffickers for commercial sexual exploitation. In addition, credible reports indicate that government officials are complicit in unlawfully selling worker visas to labor recruiters, thereby facilitating trafficking. The government reported no prosecutions, convictions, or punishments for complicity in trafficking. The government did not provide specialized training to law enforcement officers, lawyers, or judges on investigating or prosecuting trafficking.





### Protection

During the year, Kuwait made uneven efforts to improve protection for victims of trafficking. In September, the government opened a temporary shelter for victims of forced labor. The shelter has a maximum capacity of 40 women and provides medical, psychological, and legal services. It is unknown how many victims this shelter has accommodated to date. Credible sources report, however, that the shelter turns away victims who want to file complaints of trafficking or other abuses against their employers. The government continues to lack formal procedures for the systematic identification and protection of trafficking victims among vulnerable populations, such as foreign workers arrested without proper identity documents and women arrested for prostitution. As such, victims of trafficking are sometimes detained or deported for acts committed as a result of being trafficked, such as running away from their sponsors in violation of immigration laws and prostitution. Victims who are deported are not offered legal alternatives to their removal to countries in which they may face retribution. The police do not encourage victims to assist in criminal investigations of their traffickers. Government authorities often encourage victims to settle complaints against their employers out of court. In many cases, police do not take the complaints of trafficking victims seriously, and may also treat them as criminals for leaving their sponsors.

### Prevention

Kuwait made no reported efforts to prevent trafficking in persons this year. The government did not produce any public awareness campaigns during the reporting period to warn employers and workers about the risks of trafficking. Kuwait also did not launch a public awareness campaign targeting citizens traveling to known child sex tourism destinations abroad. The government did not make any discernible efforts to reduce the demand for commercial sex acts.

## KYRGYZ REPUBLIC (Tier 2)

The Kyrgyz Republic is a source, transit, and to a lesser extent a destination country for men and women trafficked from Uzbekistan, Tajikistan, and Turkmenistan for purposes of forced labor and commercial sexual exploitation. Men and women are trafficked to Kazakhstan for forced agricultural labor—mainly in tobacco fields—to Russia for forced construction work, and to China for bonded labor. Kyrgyz and foreign women are trafficked to the U.A.E., China, Kazakhstan, South Korea, Italy, Turkey, Greece, Cyprus, Thailand, Germany, and Syria for sexual exploitation.

The Government of the Kyrgyz Republic does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Although the government demonstrated some limited progress in collecting law enforcement data, complicity in trafficking of low-level government officials remained a concern. NGOs reported improved efforts by law enforcement personnel in referring victims for assistance.

### Recommendations for Kyrgyz Republic:

Continue trafficking sensitivity training for police, prosecutors, and judges; increase the number of victims referred by government officials to NGOs or IOM for assistance; improve efforts to repatriate expeditiously Kyrgyz victims found abroad; vigorously investigate, prosecute, convict, and sentence government officials complicit in trafficking; ensure that victims of trafficking are not punished for acts committed as a result of being trafficked; and make efforts to improve the collection of law enforcement data.

### Prosecution

The Kyrgyz government demonstrated limited law enforcement efforts during the reporting period. A 2005 law on Prevention and Combating Trafficking in Persons criminalizes trafficking for both sexual exploitation and forced labor; prescribed sentences range from three to 20 years' imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other grave crimes, such as rape. In 2007, the government conducted 33 investigations—19 of them pertaining to alleged labor trafficking crimes—compared to 39 investigations in total in 2006. The government did not provide complete data on trafficking prosecutions, though authorities report the conviction of 23 trafficking offenders in 2007. Although the government was unable to provide complete sentencing data, some convicted traffickers served sentences ranging from five to eight years' imprisonment. NGOs contended that low-level law enforcement officials were complicit and accepted bribes from traffickers; other low-level police reportedly tolerated trafficking due to a lack of awareness. The government provided law enforcement personnel with trafficking-awareness training.

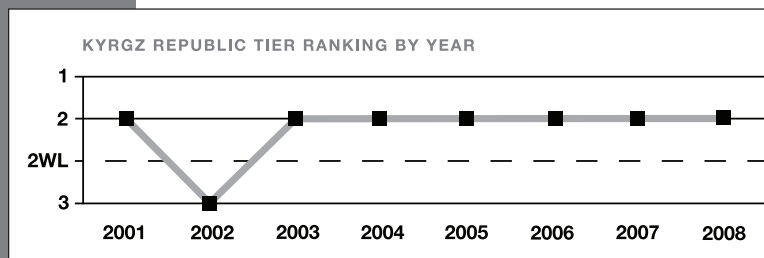
### Protection

The government sustained modest efforts to assist victims during the reporting period. Although the government provided no direct funding for victim services or medical assistance, it continued to provide space for three shelters run by anti-trafficking NGOs. Law enforcement referred four victims to IOM and NGOs for assistance in 2007. In 2007, Kyrgyz citizens identified abroad and repatriated to Kyrgyzstan accounted for 134 of the

total of 331 victims identified. Victims are encouraged to participate in trafficking investigations and prosecutions; victims who do not cooperate with law enforcement are potentially subject to being penalized for immigration violations and related offenses, although there were no reports of victims being penalized during the reporting period. The witness protection law, passed in 2006, continued to lack implementation procedures; as a result, no victims of crime—including trafficking victims—were protected by police in 2007.

### Prevention

Kyrgyzstan demonstrated limited trafficking prevention efforts over the last year. The government continued to focus significant attention on migration issues and worked to improve protection for all Kyrgyz migrant workers abroad in Russia and other destination countries. The government continued to publish brochures and leaflets in Kyrgyz and Russian for those seeking work abroad warning of the dangers of trafficking and providing the number for IOM-operated trafficking assistance hot-lines in several countries. The government does not actively monitor immigration and emigration patterns for evidence of trafficking.



## LAOS (Tier 2)

Laos is primarily a source country for women and girls trafficked for commercial sexual exploitation and labor exploitation as domestics or factory workers in Thailand. 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 arrival. Some Lao men who migrate willingly to Thailand are subjected to conditions of involuntary servitude in the Thai fishing and construction industry. To a lesser extent Laos is a country of transit for Vietnamese, Chinese and Burmese women destined for Thailand. Laos' potential as a transit country is on the rise with the construction of new highways linking the People's Republic of China, Vietnam, Thailand, and Cambodia through Laos. Internal trafficking is also a problem that affects young women and girls who are trafficked for commercial sexual exploitation in urban areas.

The Government of Laos does not fully comply with the minimum standards for the elimination of trafficking; however it is making significant efforts to do so. The government increased law enforcement efforts to investigate trafficking offenses and prosecute and punish trafficking offenders. It also increased collaboration with international organizations and civil society to provide training for government and law enforcement officials, to provide repatriation and reintegration services for victims, and to launch public awareness campaigns to combat trafficking. A severe lack of resources remains the biggest impediment to the government's ability to combat trafficking in persons and it remains dependent on the international donor community to fund anti-trafficking activities.

**Recommendations for Laos:** Increase efforts to combat internal trafficking; and improve its collaboration with international organizations and civil society to build capacity to combat trafficking in persons.

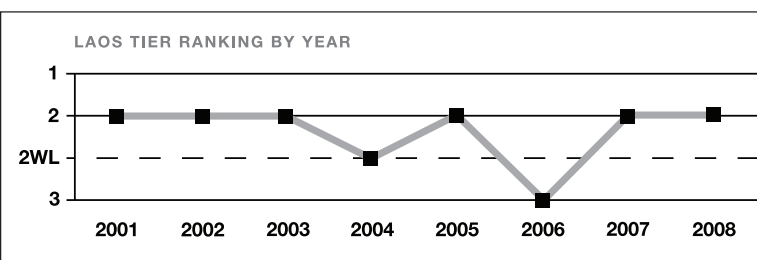
### Prosecution

The Lao government demonstrated progress in its anti-trafficking law enforcement efforts and willingness to collaborate with other countries as well as NGOs and international organizations. Laos prohibits all forms of trafficking through Penal Code Article 134, which prescribes penalties that are sufficiently stringent and commensurate with those prescribed for rape. In 2007, the Ministry of Public Security used Article 134 to investigate 38 cases of trafficking, resulting in 23 arrests and eight ongoing prosecutions. An additional 20 cases are currently under investigation. Police corruption, a weak judicial sector and the population's general lack of understanding of the court system impeded anti-trafficking law enforcement efforts. Through legal aid clinics, the Lao Bar Association assisted victims by educating the public at large on the legal system and by providing legal advice to victims of human rights abuses, including human trafficking. Corruption remained a problem with government officials susceptible to involvement or collusion in trafficking in persons, narcotics, wildlife, and illegal logging. No government or law enforcement officials have been disciplined or punished for involvement in trafficking in persons. The Lao government worked with international organizations and civil society to increase law enforcement capacity through training for police, investigators, prosecutors, and customs and border officials.

### Protection

The Lao government demonstrated progress in improving protection for victims of trafficking during the year. The Ministry of Labor and Social Welfare (MLSW) and Immigration Department

cooperated with IOM, UNIAP, and a local NGO to provide victim assistance. The MLSW continued operating a small transit center in Vientiane. Victims not wanting to return home are referred to a long-term shelter run by the Lao Women's Union or to a local NGO. Over the last year, 280 formally identified victims of cross border trafficking were repatriated to Laos from Thailand and an additional 21 were repatriated in 2008. Approximately 100 victims are currently residing in rehabilitation centers in Thailand. The Lao government provided medical services, counseling, vocational training, and employment services for victims in its transit shelter in Vientiane and at the Lao Women's Union shelter. The government actively encouraged victims to participate in investigations and prosecutions of traffickers. As of January 2007, the Lao government stopped requiring exit permits for citizens to travel abroad, which eliminated the potential for penalizing illegal migrants and trafficking victims, through fines, upon their return. Government instructions against fining, and the removal of the legal basis for those fines, effectively reduced financial penalties faced by victims. The government provided land to an NGO for a new shelter and transit center for trafficking victims in Savannakhet in 2007 and it continued to provide office space and staff to assist IOM's programs.



### Prevention

The Lao government increased efforts to prevent trafficking in persons with assistance from international organizations and civil society. For example, the MLSW worked with UNICEF to set up awareness-raising billboards near border checkpoints and larger cities. Also, in December 2007, 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 and Minister of National Defense who spoke about the dangers of trafficking. The government completed its national action plan to combat trafficking in July 2007. The Government of Laos demonstrated some efforts to reduce demand for commercial sex acts through periodic raids of nightclubs and discos used as fronts for commercial sex. In October and November 2007, police shut down bars and entertainment venues used for commercial sexual activities in Luang Prabang. A general increase in tourism in Laos and a concomitant probable rise in child sex tourism in the region

have attracted the attention of Lao authorities who seek to prevent child sex tourism from taking root. Vientiane Province established a task force on child sex tourism in December 2007 to coordinate efforts between the authorities and the tourism sector. The government and NGOs hosted several seminars to train tourism sector employees, including taxi drivers, on how to report suspicious behavior. Tourism police received training on guidelines drafted in July 2007 aimed at combating sex tourism and identifying potential victims. Many major international hotels in Vientiane and Luang Prabang prominently displayed posters created by international NGOs warning about child sex tourism.

## LATVIA (Tier 2)

Latvia is a source and destination country for men and women trafficked for the purposes of commercial sexual exploitation and forced labor. Latvian women are trafficked to Cyprus, Denmark, Germany, Greece, Italy, the Netherlands, Norway, Spain, and the United Kingdom for commercial sexual exploitation. Latvian women and teenage girls are also trafficked within the country for the purpose of commercial sexual exploitation. Men and women from Latvia are trafficked to the United Kingdom for the purpose of forced labor. In addition, Latvia may be a destination country for victims trafficked from Thailand 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. The government continued steps to improve victim assistance by increasing access to government funded protections. The government also demonstrated increased efforts to investigate forced labor offenses. It also made modest prevention efforts by taking initial steps to combat sex tourism committed by foreign visitors to Latvia.

**Recommendations for Latvia:** Increase efforts to investigate, prosecute, convict, and sentence both sex and labor traffickers; institute formal procedures to proactively identify and refer more victims of trafficking for assistance; take steps to expand available victim services to areas outside of Riga; improve communication and coordination with NGOs; improve data collection for trafficking statistics; and take steps to reduce the demand for commercial sex acts.

### Prosecution

The Government of Latvia demonstrated sufficient law enforcement efforts during the reporting period. Latvia prohibits all forms of trafficking through Section 154-1 and 154-2 of its Criminal Code, which prescribes penalties of three to 15 years' imprisonment. These prescribed penal-

ties are sufficiently stringent and commensurate with penalties prescribed for other grave crimes, such as rape. Latvia also uses non-trafficking-related laws to prosecute traffickers. Police performed 12 trafficking investigations under section 165-1, compared to 22 reported last year, and an additional 14 investigations under other sections—including nine investigations under section 154-1 involving alleged sex trafficking and two investigations involving alleged forced labor. Authorities prosecuted and convicted 21 traffickers under section 165-1, a decrease from 36 reported last year. The government also prosecuted and convicted an additional 15 traffickers under other sections of the law including seven under section 154-1, compared to none in 2006.

At least five of the convicted traffickers served time in prison. During the reporting period, two traffickers were sentenced to five to 10 years' imprisonment, two traffickers were sentenced to three to five years' imprisonment, and one trafficker was sentenced to one to three years' imprisonment. At the time of this report, the government was investigating the two cases of potential labor trafficking; however, to date, no one has been prosecuted, convicted, or sentenced for forced labor trafficking.

### Protection

The government made some efforts to improve victim protection. The Ministry of Welfare provided \$14,500 for the training of 271 social workers to improve the administration of victim assistance and rehabilitation services. Although the government allocated \$98,000 for victim assistance in 2007, it spent only \$23,000 – an increase from \$10,000 spent in 2006. The government offers foreign victims legal alternatives to removal; victims who agree to assist law enforcement may apply for temporary residency and work permits. In 2007, one trafficking victim received a temporary residency permit. Latvia encouraged victims to participate in investigations against their traffickers. In June 2007, the government instituted a 30-day

assistance; during the reporting period, 12 out of 27 identified victims qualified for and received government-funded assistance. The remaining 15 victims received assistance from non-government-funded NGOs. The government continued to provide training to law enforcement officers and specialists in orphan courts to identify victims of trafficking; however, the government referred 13 victims total to NGOs for assistance in 2007. The government did not penalize victims for unlawful acts committed as a direct result of their being trafficked.

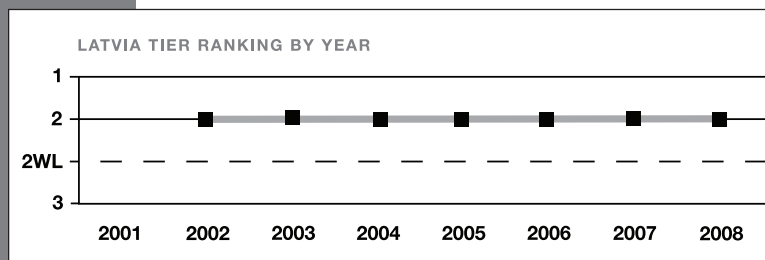
### Prevention

Latvia demonstrated modest efforts to prevent trafficking in persons during the reporting period. The Ministry of Family and Children's Affairs continued to train professionals in contact with vulnerable populations to advise potential victims of the dangers of trafficking. The Latvian government reported no measures to reduce the demand for commercial sex acts.

## LEBANON (Tier 2)

Lebanon is a destination for Asian and African women trafficked for the purpose of domestic servitude, and for Eastern European and Syrian women trafficked for the purpose of commercial sexual exploitation. Lebanese children are trafficked within the country for the purpose of commercial sexual exploitation and forced labor in the metal works, construction, and agriculture sectors. Women from Sri Lanka, the Philippines, and Ethiopia migrate to Lebanon legally, but often find themselves in conditions of forced labor, through unlawful withholding of passports, non-payment of wages, restrictions on movement, threats, and physical or sexual assault. During the armed conflict in July 2006, Sri Lankan domestic workers reported being restricted from leaving the country by their employers. Eastern European and Syrian women come to Lebanon on "artiste" visas, but some become victims of trafficking for commercial sexual exploitation when they are subjected to coercive acts such as such as unlawful withholding of passports, restrictions on movement, threats, and physical assault.

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. Nevertheless, Lebanon is placed on Tier 2 for its failure to provide evidence of increasing efforts to combat trafficking over the previous year, particularly in the area of law enforcement against trafficking of domestic workers for forced labor and trafficking for commercial sexual exploitation. Although it reported 17 prosecutions last year, the government failed to convict or criminally punish anyone for trafficking offenses, despite ample evidence of conditions of forced labor. In addition, the government continued



"reflection period" during which non-Latvian victims and their dependent children are eligible for government-funded assistance and rehabilitation services while deciding whether to cooperate with law enforcement. Government authorities and two NGOs may authorize victims to obtain government



to lack victim protection services or a formal system to ensure that victims are not punished.

**Recommendations for Lebanon:** Significantly increase law enforcement activities against trafficking offenses, including arrests, prosecutions, convictions, and stringent jail punishments for abusive employers, recruitment agents, and others culpable for trafficking; develop and institute a formal procedure to identify victims of trafficking among vulnerable populations, such as women arrested for illegal migration or foreign women arrested for prostitution; and ensure that victims of trafficking are referred to protection services rather than detained for crimes committed as a result of being trafficked, such as immigration violations and prostitution.

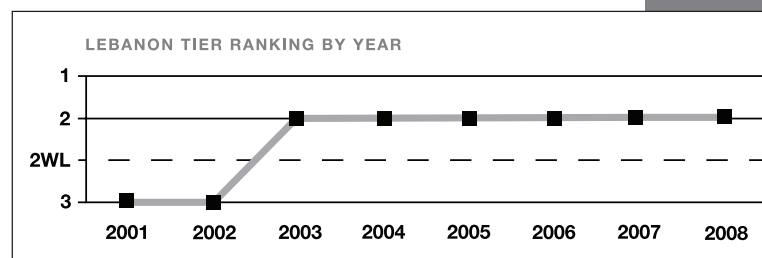
### Prosecution

Lebanon did not make significant efforts to prosecute or criminally punish trafficking offenses during the reporting period. Lebanon prohibits forced prostitution through Article 524 of its penal code; prescribed punishment under this statute is imprisonment for at least one year. In addition, commercial sexual exploitation of a person under 21 years old is prohibited by Article 523 of the penal code; the prescribed penalty for violation is imprisonment of one month to one year. The Lebanese Penal Code does not specifically prohibit forced labor, but Article 569's prohibition against deprivation of an individual's liberty to perform a task could be used to prosecute forced labor; the prescribed penalty under this statute is temporary hard labor. The prescribed penalties for acts of sex trafficking are not commensurate with those for other grave crimes, such as rape, and the prescribed penalties for prostitution of children and forced labor are not sufficiently stringent. Due to political constraints, during the reporting period, no legislation could be passed in Lebanon, on trafficking or otherwise. Domestic workers are not protected under Lebanese labor law provisions. Despite the availability of these statutes and laws against physical and sexual assault, the government reported no criminal prosecutions, convictions, or punishments for trafficking offenses; this represents a significant decrease from the 17 prosecutions reported last year. Although police arrested one employer for attempting to murder his domestic worker by beating her severely with a hammer on her back, shoulders, and hands, he was later released without a prison sentence in exchange for giving the worker \$6,500; the case is being investigated. Under its administrative laws, the government suspended the licenses of 11 recruitment agencies and closed two for, among other violations, physically abusing workers; nonetheless, no recruitment agent was criminally prosecuted or punished for the abuse. Moreover, despite widespread reports of withholding of passports—a potential indicator of forced

labor—the government did not report enforcing laws against this practice. Lebanon similarly did not report any prosecutions, convictions, or punishments for the forced labor or commercial sexual exploitation of children. Despite receiving 31 reports of physical abuse, rape, and withheld wages among adult club employees, these cases were settled out of court, and did not result in any prosecutions or convictions for trafficking offenses.

### Protection

The Government of Lebanon did not make sufficient efforts to protect victims of trafficking during the reporting period. Though government officials received training on victim interview techniques paid for by UNODC and the NGO *Caritas*, the government does not have a formal procedure to identify victims of trafficking among vulnerable populations, such as foreigners arrested for immigration violations or prostitution. As a result, victims of trafficking were likely punished for acts committed as a result of being trafficked, as foreign workers without valid residency and work permits are subject to arrest, detention, and deportation. Consistent with government regulations, it remains common for employers to force a domestic worker who breaks her contract



to repay residency and work permit fees, or pay for a paper releasing her from her contract; there is no exception for workers who break their contracts due to their employers' abuse. Victims are neither encouraged to participate in trials, nor offered legal alternatives to deportation to countries where they would face hardship or retribution. Rather, victims are often deported home before being given the opportunity to testify against their traffickers. Lebanon does not offer protection services to victims of trafficking; the government, however, referred nine trafficking victims to NGO shelters during the reporting period.

### Prevention

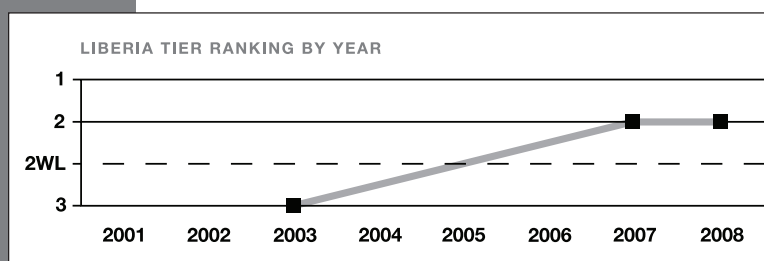
Lebanon made minimal efforts to prevent trafficking in persons. The government partnered with an NGO to produce a public awareness campaign on migrant workers' rights. In August, the Surete General and Ministry of Labor met with recruitment agencies to warn them against trafficking workers. The government did not take any steps to reduce the demand for commercial sex acts in Lebanon. The government similarly did not institute a public awareness campaign targeting citizens traveling to known child sex tourism destinations.

## LIBERIA (Tier 2)

Liberia is a source, transit, and destination country for children trafficked for forced labor and sexual exploitation. Most victims are trafficked within the country, primarily from rural areas to urban areas for domestic servitude, forced street vending, and sexual exploitation. Children are also trafficked to alluvial diamond mining areas for forced labor. Refugees and internally displaced children in Liberia have been subjected to sexual exploitation by some international organization and NGO personnel. A January 2008 UN report indicates, however, that such abuses by UN personnel have declined since the previous year. There have been reports that 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, and agricultural labor.

Struggling to rebuild after 14 years of civil conflict and two years of transitional rule, the capacity of the government elected in 2005 to address trafficking is limited by a crippled judiciary and a lack of resources. Aside from capacity issues, in the wake of its war, Liberia has not been sufficiently aggressive in prosecuting traffickers or providing care to victims.

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. Great improvements are needed in the areas of law enforcement and victim protection. At the same time, the government undertook commendable efforts in the area of prevention.



**Recommendations for Liberia:** Increase law enforcement efforts against traffickers; allocate increased resources to police to investigate trafficking cases; develop a system for collecting data on trafficking prosecutions, convictions, and penalties; increase efforts to provide care for victims; and continue to educate the public about trafficking.

### Prosecution

The Government of Liberia demonstrated limited law enforcement efforts to combat trafficking in the last year. Liberia's 2005 Act to Ban Trafficking prohibits all forms of trafficking. No traffickers

have been convicted or sentenced under this law. The law prescribes a minimum penalty of one year imprisonment for labor trafficking of adults, six years' imprisonment for sex trafficking of adults, five to 11 years' imprisonment for child labor trafficking, and 11 to 16 years' imprisonment for child sex trafficking. These penalties are sufficiently stringent and commensurate with penalties prescribed for rape. The government investigated seven trafficking cases during the year, six of which were cases of trafficking within the country and one of which involved transnational trafficking. Three suspects remain in police custody pending trial, three were released on bail after their charges were reduced, and one suspect was deported. All newly recruited police officers continued to participate in UN-sponsored trainings on trafficking. Due to a shortage of funds, police continue to lack basic investigatory tools, such as vehicles, and rely heavily on UN assistance. The Women and Children Protection Section (WCPS) of the Liberia National Police collaborated with the UN to address sexual exploitation and abuse of minors by expatriate humanitarian workers in Liberia as well as by Liberian nationals.

### Protection

Liberia demonstrated minimal efforts to protect trafficking victims during the year. Due to lack of resources, the government does not directly provide shelter or other services to victims. However, Liberia refers victims to NGOs with the capacity to provide victim care. The WCPS referred victims to an international NGO and was available to provide security for victims. The government was unable to provide statistics on the number of children assisted. The government does not encourage victims, all of whom are children, to assist in trafficking investigations or prosecutions. Liberia does not provide legal alternatives to the removal of foreign victims to countries where they face hardship or retribution. Victims are not inappropriately incarcerated, fined or otherwise penalized for unlawful acts committed as a direct result of being trafficked.

### Prevention

The Government of Liberia made significant efforts to educate the public about trafficking. The Ministry of Labor's Commission on Child Labor launched a campaign to alert parents and children about the dangers of child labor on rubber plantations. The National Human Trafficking Task Force aired anti-trafficking radio spots funded by the Liberian government. Since November 2007, the Task Force has also worked closely with a local NGO on anti-trafficking public education programs by providing legal guidance. In October 2007, the Task Force held a government-funded workshop to sensitize local government officials about trafficking. The Task Force, which is chaired by the Minister of Labor, but which lacks a budget, held a meeting every two months in 2007. The government's Commission

on Child Labor, which was reestablished in 2005, continued to meet quarterly during the year. The government has taken steps to reduce demand for commercial sex acts through its awareness campaign against sexual exploitation and abuse.

## 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. While most foreigners in Libya are economic migrants, in some cases large smuggling debts of \$500-\$2,000 and illegal status leave them vulnerable to various forms of coercion, resulting in cases of forced prostitution and forced labor. As in previous years, there were isolated reports that women from sub-Saharan Africa were trafficked to Libya for the purposes of commercial sexual exploitation. Although precise figures are unavailable, foreign observers estimate that approximately one to two percent of Libya's 1.5 to 2 million foreigners may be victims of trafficking.

The Government of Libya does not fully comply with the minimum standards for the elimination of trafficking, but is making significant efforts to do so. Libya is placed on Tier 2 Watch List for its failure to provide evidence of increasing efforts to address trafficking in persons over the previous year, particularly in the area of investigating and prosecuting trafficking offenses. During the year, Libya provided in-kind assistance to training programs designed to educate law enforcement and civil society groups about trafficking. The government also appointed a national anti-trafficking coordinator responsible for Libya's efforts to protect trafficking victims and punish trafficking offenders. As in previous years, however, Libya did not publicly release any data on investigations or punishment of any trafficking offenses.

**Recommendations for Libya:** Adopt legislative reforms to criminalize all forms of trafficking; significantly increase law enforcement efforts specifically focused on human trafficking; institute and apply a formal procedure to identify and protect victims of trafficking; and continue training for law enforcement officials to sensitively treat victims of trafficking.

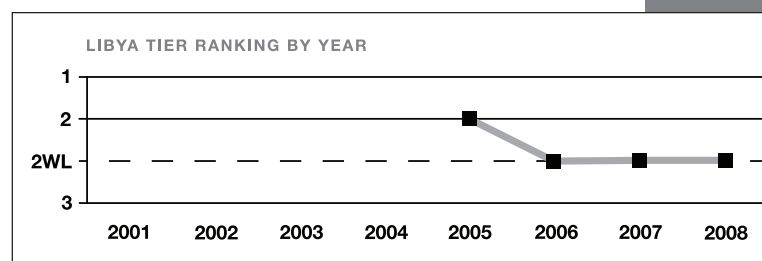
### Prosecution

The Government of Libya provided no public information on its law enforcement efforts to punish trafficking in persons during the reporting period. Libya's laws do not prohibit trafficking for commercial sexual exploitation or forced labor. The government failed to provide data on any criminal investigations, prosecutions, convictions or sentences for trafficking offenses this year, although senior officials noted during the year that Libya

prosecuted individuals for confiscating foreign workers' passports until the workers had repaid an alleged and sizeable smuggling 'debt.' Widespread corruption in the country may facilitate trafficking, but the government did not report prosecuting, convicting, or sentencing any official for complicity. In addition, Libya provided in-kind assistance for IOM training of law enforcement officials, including border security and customs, on trafficking.

### Protection

Libya took minimal steps to improve protection of victims of trafficking this year. The government did not provide protection services such as psychological or legal assistance to victims of trafficking. Libya provided in-kind support to a program that trained over 80 law enforcement officers and civil society activists to medically assist trafficking victims. Recognizing that many government officials still fail to distinguish between trafficking victims in need of protective services and other migrants, the government permitted international organizations access to vulnerable Eritreans, Ethiopians, Somalis, Sudanese, and Iraqis to screen for evidence of trafficking. While trafficking victims remained susceptible to punishment for unlawful acts, such as immigration violations and prostitution, committed as a result of being trafficked, during the reporting period, there were no reports that trafficking victims



were deported. The government does not actively encourage victims to participate in investigations and prosecutions against their traffickers.

### Prevention

During the reporting period, Libya took no discernible action to prevent trafficking in persons. The government did not conduct any public awareness campaigns to highlight the issue of trafficking in persons. Libya also did not take any measures to reduce the demand for commercial sex acts. Similarly, Libya did not undertake any public awareness campaigns targeting citizens traveling to known child sex tourism destinations abroad.

## LITHUANIA (Tier 1)

Lithuania is a source, transit, and destination country for women and children trafficked for the purpose of commercial sexual exploitation. Approximately 21 percent of Lithuanian trafficking

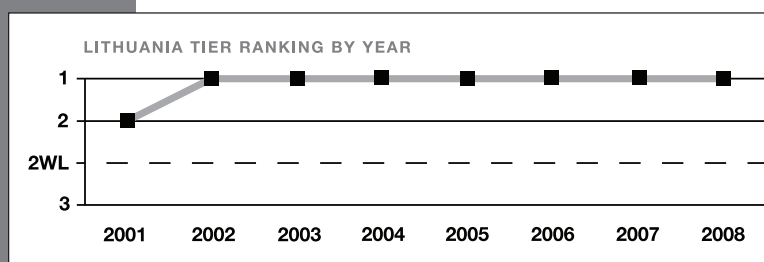
victims are underage girls. Lithuanian women were trafficked within the country and to the United Kingdom, Germany, Spain, Italy, Denmark, Norway, and the Netherlands. Women from Belarus, Russia (the Kaliningrad region), and Ukraine are trafficked to and through Lithuania for the purpose of sexual exploitation.

The Government of Lithuania fully complies with the minimum standards for the elimination of trafficking. During the last year, Lithuania sustained generous anti-trafficking funding by allocating more than \$144,000 to NGOs to help improve victim assistance and prevention efforts. The government also ensured that all convicted traffickers received prison sentences, a notable improvement from the previous reporting period.

**Recommendations for Lithuania:** Increase anti-trafficking training for law enforcement and judicial officials to ensure vigorous investigation and prosecution of trafficking cases, as well as the conviction and sentencing of traffickers to significant time in prison; continue efforts to improve witness protection for trafficking cases; and continue to improve cooperation with NGOs, especially in rural areas.

#### Prosecution

The Government of Lithuania demonstrated mixed law enforcement efforts during the reporting period; although the number of investigations, prosecutions, and convictions decreased, the government ensured that all convicted traffickers served some time in prison. 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 2007, authorities initiated nine trafficking investigations, down from 26 investigations in 2006. Authorities prosecuted eight defendants during the reporting period, a significant decrease from 23 defendants prosecuted in 2006. Lithuanian courts convicted four trafficking offenders in 2007, a significant decrease from 10 convictions in 2006; however, all convicted traffickers received prison sentences—an improvement over 2006, when 20 percent of convicted traffickers served no time in prison. Sentences ranged from five to eight years'

imprisonment. Officials also acknowledge that many law enforcement officers lack experience in investigating trafficking cases and managing pre-trial investigations. Although Lithuania has bilateral cooperation agreements on combating trafficking with more than 20 countries, some NGOs claimed that officials lack the capacity to effectively obtain evidence from foreign law enforcement institutions; however, Lithuanian authorities' cooperation with police in the United Kingdom led to the successful convictions of Lithuanian traffickers. In May 2007, each of Lithuania's 10 counties appointed one police officer to coordinate anti-trafficking activities.

#### Protection

The Lithuanian government continued to improve efforts to protect and assist victims of trafficking. NGOs identified 56 trafficking victims in 2007, compared with 110 in 2006. In 2007, the government provided approximately \$144,000 to 13 anti-trafficking NGOs to conduct victim assistance and rehabilitation, including vocational training and job placement for victims. With funding from the government, IOM developed a method for victim identification and a national victim referral mechanism; it was formally adopted by police in December 2007. The government encouraged victims to assist in trafficking investigations and prosecutions, though many trafficking victims are reluctant to initiate cases. In 2007, the government allocated \$100,000 to improve witness protection services, including for victims of trafficking. Victims who participated in court proceedings were eligible for temporary residency permits. Identified victims were not penalized for unlawful acts committed as a direct result of their being trafficked.

#### Prevention

Lithuania showed significant progress in its trafficking prevention efforts. In March 2007, the government appointed a high ranking official at the Ministry of Interior to coordinate government-wide anti-trafficking activities. In 2007, the government held five anti-trafficking coordination meetings with NGOs, although NGOs reported there was uneven cooperation between NGOs and police, especially in rural areas. The government allocated approximately \$15,000 to NGOs for anti-trafficking prevention, including a campaign to reduce the demand for commercial sexual exploitation. The campaign included broadcasting of audio and video spots on radio and TV as well as posters at bus and train stations. The posters had the slogans: "It is a shame to buy women" and "Would you buy me?" These posters were displayed in approximately 2000 locations in 13 towns throughout the country. The government spent an additional \$30,000 for an anti-trafficking awareness campaign for youth in six cities during 2007.



## LUXEMBOURG (Tier 1)

Luxembourg is a destination country for women trafficked transnationally for the purpose of commercial sexual exploitation. During the reporting period, women were trafficked from Bulgaria, Poland, and Ukraine. According to the Luxembourg Red Cross, an increasing number of women from Africa and Latin America are engaged in prostitution in the country, and could be victims of trafficking.

The Government of Luxembourg fully complies with the minimum standards for the elimination of trafficking. The government improved its law enforcement efforts by sentencing and convicting more traffickers during the reporting period and took steps to address child sex tourism.

**Recommendations for Luxembourg:** Establish formal procedures to identify victims among women in the legal commercial sex trade and those in the country illegally; draft a trafficking law that distinguishes trafficking offenses from alien smuggling; establish the proposed network for victim protection; and launch an awareness campaign to educate potential clients about prostitution and its links to trafficking.

### Prosecution

In 2007, the government demonstrated strong law enforcement efforts to combat trafficking. During the reporting period, it convicted and sentenced six human traffickers on charges of procuring prostitution, human trafficking, and smuggling. Sentences ranged from one to three years' imprisonment and included fines. Article 379 of the penal code specifically criminalizes trafficking for the purpose of sexual exploitation, but does not explicitly address trafficking for purposes of forced labor. Forced labor is nonetheless criminalized in Luxembourg via its 1996 ratification of the European Social Charter. Penalties prescribed by Article 379 are sufficiently stringent and commensurate with penalties for rape. The government continued its ongoing training aimed at police, immigration, and other government officials and NGOs on victim identification. There was no evidence of trafficking complicity by Luxembourg public officials.

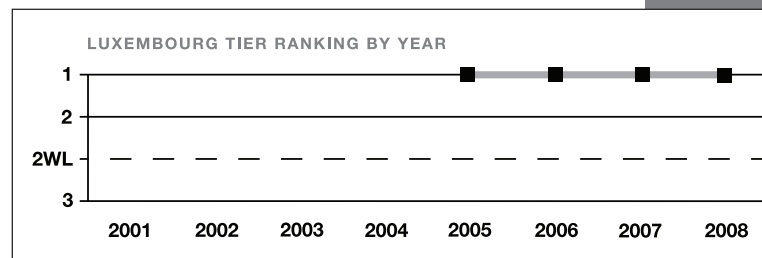
### Protection

The Government of Luxembourg continued to offer adequate protection to identified trafficking victims in 2007. The government encourages victims to participate in a criminal investigation and, through its funding of two domestic NGOs, provides shelter, protection, and assistance to victims. The government's specialized police

anti-trafficking unit reported that Luxembourg's legal commercial sex trade was a likely catalyst for trafficking and closely monitored the prostitution sector for evidence of trafficking. A 2007 report issued by the government estimated there were up to 500 women in prostitution in Luxembourg. While victims are not punished for unlawful acts committed as a direct result of their being trafficked, women in prostitution who are in the country illegally are often deported or imprisoned, and the government did not provide evidence that it systematically checked these women for trafficking indicators. The government did not establish a network to coordinate care for victims of trafficking, planned in 2006.

### Prevention

In 2007, the Ministry of Equal Opportunity conducted various symposia to publicize the negative effects of the commercial sex trade; however, it did not conduct any specific anti-trafficking awareness campaigns to prevent trafficking within the legal sex industry in Luxembourg during the reporting period. In 2007, the government co-funded and launched a campaign with ECPAT to prevent its nationals from engaging in child sex tourism abroad. The campaign created a special e-mail address to receive tips and disseminated posters and leaflets through travel agencies, at the national airport, at hospitals, and in municipal buildings. Luxembourg has not ratified the 2000 UN TIP Protocol.



## MACAU (Tier 2)

Macau is a destination for the trafficking of women and girls from the Chinese mainland, Mongolia, Russia, the Philippines, Thailand, Vietnam, Burma, and Central Asia, for the purpose of commercial sexual exploitation. Foreign and mainland Chinese women and girls are deceived into migrating voluntarily to the Macau Special Administrative Region for employment opportunities; upon arrival in Macau, some of the victims are passed to local triad groups and forced into sexual servitude through debt bondage, coercion, or force. 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 the victims

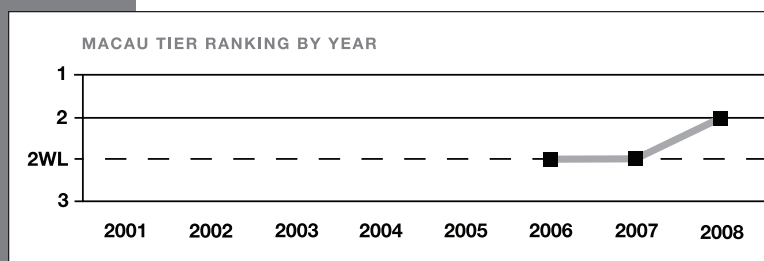
by organized crime syndicates makes it particularly dangerous for them to seek help.

The Macau Special Administrative Region (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 took steps toward revising its legal framework, prosecuted its first case of trafficking, and took initial steps to protect victims of trafficking. The government also established an interagency commission to coordinate efforts to fight human trafficking. Nevertheless, overall efforts to investigate and prosecute traffickers, particularly those involved in organized crime, remain inadequate. There also remains a serious lack of institutionalized protections for both foreign and domestic victims of trafficking in Macau.

**Recommendations for the Macau SAR:** Pass, enact, and implement the draft anti-trafficking law criminalizing all forms of trafficking; create and implement formal victim identification procedures to identify victims of trafficking and train law enforcement officials to use them; make greater efforts to provide shelter and victim services; and push for greater investigations and prosecutions of traffickers under the new comprehensive anti-trafficking law.

#### Prosecution

The Macau government demonstrated nascent and improved anti-human trafficking law enforcement efforts in 2007. Current Macau law does not prohibit all forms of trafficking, and only prohibits the trafficking of persons from Macau to outside destinations. Other current laws criminalize the sale or purchase of a person with the intent of placing that



person in a state of slavery, and criminalize kidnapping and rape, but these statutes are rarely used to prosecute trafficking crimes. During the reporting period, the government drafted a new anti-trafficking law, but this legislation has not yet been approved. The Macau government made little progress in investigating and prosecuting trafficking offenses. During the reporting period, the press reported six trafficking cases involving 17 women in Macau. Five of the cases involved women allegedly exploited in the commercial sex trade, and one case involved the alleged forced labor of three 14-year-old girls employed in a massage parlor. Because of limita-

tions in current Macau law, nearly all of the above cases are being pursued under statutes other than trafficking. Macau also had its first reported prosecution under the crime of international trafficking during the reporting period; the prosecution is ongoing. There were no other prosecutions during the reporting period, and there has never been a conviction for trafficking in Macau. During the reporting period, a Macau police officer was reportedly arrested after he blackmailed two women in prostitution for "protection" fees. The government has undertaken administrative discipline and criminal proceedings against him, and his case now rests in the prosecutor's office.

#### Protection

The government's protection efforts remained inadequate during the reporting period, and there remained a lack of institutionalized protections for trafficking victims. MSAR authorities have not designed any systematic, proactive ways to identify and refer for assistance victims among vulnerable populations. Although the Macau government identified 31 victims of trafficking in 2007, it is particularly concerning that none of the victims was given shelter or assistance, and all were likely deported for immigration violations. The government took initial steps to improve protection of victims of trafficking. The government's Social Welfare Bureau established a 24-hour hotline for reporting trafficking and contracted with a local NGO to provide for trafficking victim's care, including counseling services and shelter.

Foreign victims found it extremely difficult to escape their state of servitude given the lack of services in their native languages and the lack of their governments' diplomatic representation in Macau. MSAR authorities did not encourage victims to participate in the investigation or prosecution of traffickers. The control of intimidating Macau, Chinese, Russian, and Thai criminal syndicates over Macau's lucrative sex trade continued to dampen the willingness of the MSAR government to provide victims with witness protection, should they wish to participate in a prosecution of a trafficking offender. Victims were not offered legal alternatives to their removal to countries where they may face hardship or retribution. Victims detained for immigration violations were usually deported and barred from re-entry to Macau for up to two years.

#### Prevention

The government demonstrated modest progress in its trafficking prevention efforts, with senior officials making public statements on the dangers of trafficking and the need for greater measures to confront it. The government also published anti-trafficking brochures that were displayed at border checkpoints and hospitals. The government did not take

measures during the reporting period to reduce the demand for commercial sex acts or child sex tourism, 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 internally, mostly from eastern rural areas to urban bars in western Macedonia. Victims trafficked into Macedonia are primarily from Serbia and Albania. Macedonian victims and victims transiting through Macedonia are trafficked to South Central and Western Europe, including Bosnia, Serbia, Italy, and Sweden.

The Government of Macedonia fully complies with the minimum standards for the elimination of trafficking. The government made marked progress during the last year: it improved its capacity to identify and protect victims, resulting in a greatly increased number of victims identified and significantly more victims offered and provided assistance. The government's aggressive prosecution efforts resulted in an increased number of traffickers convicted.

**Recommendations for Macedonia:** Demonstrate appreciable progress in victim protection and assistance, including increased funding to the shelters for domestic victims and sustained assistance to NGOs providing victim services; proactively implement the new standard operating procedures on victim identification and the new reflection period for foreign victims; vigorously prosecute traffickers under the improved anti-trafficking legislation and sentencing guidelines, ensuring convicted traffickers receive adequate jail time; continue to vigorously prosecute any trafficking-related corruption; and expand demand reduction awareness efforts to educate clients of the sex trade about trafficking.

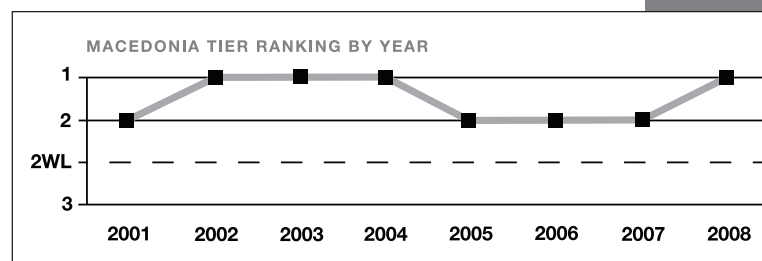
### Prosecution

The Government of Macedonia increased its law enforcement efforts in 2007. The government prohibits sex and labor trafficking through its 2004 criminal code: article 418 on all forms of trafficking in persons; article 418c on organizing a group for trafficking; and article 191 covering forced prostitution. Penalties prescribed for trafficking for commercial sexual exploitation are commensurate with those for rape. In January 2008, the government amended its criminal code, adding harsher penalties for those who traffic or attempt to traffic minors and for those who use the services of trafficked victims, to address the full range of trafficking crimes and satisfy the requirements of the UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons. In 2007, the government prosecuted 55 cases related

to trafficking, and convicted 70 traffickers involved in 30 cases, a significant improvement from 54 convictions in 18 cases the previous year. Of the 70 convicted traffickers, 52 received sentences of a year or more jail time. While 39 of the 70 traffickers were convicted under smuggling charges, resulting in punishments ranging from eight months to two years, punishments for the 31 traffickers sentenced under article 418a and 418c ranged from two to nine years. The government produced and distributed a comprehensive trafficking training manual to police. Macedonia also refined how its judicial system addresses trafficking as part of an overall restructuring of its judiciary during the reporting period, including the creation of a new central office to coordinate all trafficking prosecutions nationwide and streamlining trafficking cases to a single court. The government upheld on appeal in May 2007 sentences imposed on two policemen in 2006 for trafficking-related crimes. In March 2008, the government began prosecuting a January 2007 case involving five policemen and one Ministry of Justice official charged with complicity in smuggling.

### Protection

The Government of Macedonia considerably increased its efforts to identify trafficking victims and identified 249 victims—152 foreign nationals and 97 Macedonian in 2007—compared to 17 in 2006. The government offered assistance including shelter, legal and medical assistance, witness protection, psychological assistance, and vocational training to all potential victims in 2007. However, according to data provided by NGOs, IOM, and government agencies assisting victims, less than one-third of identified potential victims accepted this assistance and protection. Although the government encourages victims to participate in investigations and trials, the short length of the reflection period allowed to foreign victims during the majority of the reporting period may have rendered



some victims reluctant to identify themselves or denounce their exploiters. In January 2008, the government introduced an extended two-month residency permit and reflection period for foreign victims to allow victims more time to receive assistance and decide whether to testify against their traffickers. This permit includes an additional six-month permit once such proceedings are underway. The government reported that no victims

applied for such a permit. There were no reports or evidence of victims of trafficking being penalized by authorities for unlawful acts committed as a direct result of their being trafficked. During the summer of 2007, a joint inter-ministerial/NGO working group drafted and enacted throughout Macedonia comprehensive and victim-centered standard operating procedures for proactive victim identification. These procedures were fully implemented throughout the country by the time they were unveiled and endorsed by the Prime Minister in January 2008. The government expanded its assistance to trafficking-related NGOs as part of its annual program for NGO assistance. The government provided approximately \$11,000 in direct support and \$62,000 in in-kind support to five trafficking-related NGOs, including the NGO that runs the shelter for domestic trafficking victims, and it pursued discussions on the provision of pro bono services by government doctors, lawyers, security personnel, and social workers with the NGO-run shelter for domestic victims.

### Prevention

The government proactively implemented its anti-trafficking plan over the reporting period. It greatly improved overall coordination and ability to collect statistics on trafficking in 2007, and opened an anti-trafficking national coordinating office within the Ministry of Interior. The National Referral Mechanism office strengthened the work of 27 centers throughout Macedonia who provide services to trafficking victims. The government provided personnel and financial support for NGOs conducting anti-trafficking prevention and awareness-raising, including efforts to educate clients on the health and legal risks of commercial sex. In April 2007, the government completed a successful pilot project for the education and integration of 10 Macedonian trafficking victims. Macedonian officials at all levels of government participated in anti-trafficking awareness campaigns. The government addressed demand reduction through legal means by adopting amendments to its criminal code in January 2008 that stiffened penalties against knowing clients of trafficking victims. The government also provided anti-trafficking training to its troops deployed abroad.

## MADAGASCAR (Tier 1)

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

for domestic servitude and sexual exploitation. A child sex tourism problem exists in coastal cities, including Tamatave, Nosy Be, and Diego Suarez, as well as the capital city of Antananarivo, with a significant number of children prostituted; some were recruited in the capital under false pretenses of employment as waitresses and maids before being exploited in the commercial sex trade on the coast. The main source countries for child sex tourists are France, Italy, Spain, Germany, Switzerland, Mauritius, and Reunion. Victims are usually girls, but reports of foreign male tourists seeking sex with underage boys have increased. Some internal child sex trafficking reportedly occurs with the complicity of family members, friends, transport operators, tour guides, and hotel workers. Some government officials reported significant pressure from child victims' parents to refrain from taking law enforcement action so as not to impact the family's source of income.

The Government of Madagascar fully complies with the minimum standards for the elimination of trafficking. Madagascar remains a leader in combating trafficking among sub-Saharan African countries, and has made a notable commitment to addressing the problem of child sex tourism. The government significantly increased its law enforcement efforts during the reporting period, including the adoption of a comprehensive anti-trafficking law and the punishment of local government officials who facilitated trafficking.

**Recommendations for Madagascar:** Utilize the newly passed anti-trafficking law to prosecute and punish traffickers; institute a formal process for law enforcement officials to document trafficking cases and refer victims for assistance; and continue investigation of and prosecute public officials suspected of colluding with traffickers or accepting bribes to overlook trafficking crimes.

### Prosecution

Madagascar's anti-trafficking law enforcement efforts significantly improved during the reporting period, particularly in regard to legal reforms and action against local government officials' complicity in trafficking. In July 2007, the Ministry of Labor released a decree listing prohibited forms of child labor, including prostitution, domestic slavery, and forced labor, and clarifying the application of the labor code to child workers. In August, the Parliament adopted a law against child sexual exploitation that proscribes punishment for adult exploiters of children in prostitution. In December 2007, the government enacted a comprehensive law that prohibits all forms of human trafficking though it only prescribes new 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. Article 262 of the Labor Code criminalizes labor trafficking, for which it prescribes penalties of one to three years' imprisonment. As there is no centralized reporting of legal cases, the government was unable to provide comprehensive law enforcement statistics for 2007.

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. During the reporting period, however, the government cracked down on local officials directly or indirectly involved in facilitating trafficking and the related problem of child sex tourism. In conjunction with the prosecution of a Swiss national, Madagascar's anti-corruption agency suspended the District Chief in Nosy Be for selling fake identify cards to minors, as well as the President of the Tribunal and the local prosecutor for giving the Swiss national and other child sex tourists lenient sentences. In July 2007, the Ministry of Justice removed the prosecutor and the President of the Tribunal in Fort Dauphin as punishment for their ineffectiveness in prosecuting sex tourists. During the reporting period, the government also actively cooperated with other governments in the investigation and prosecution of trafficking cases. In November 2007, two French magistrates from Reunion were removed from their positions by the administration in Reunion for complicity in child sex tourism in Madagascar; Malagasy police conducted the local investigation. In July 2007, the government, in collaboration with UNICEF and a local NGO, completed a one-year program to train police, gendarmes, magistrates, and social workers in the protection of children, including how to recognize, investigate, and prosecute instances of trafficking.

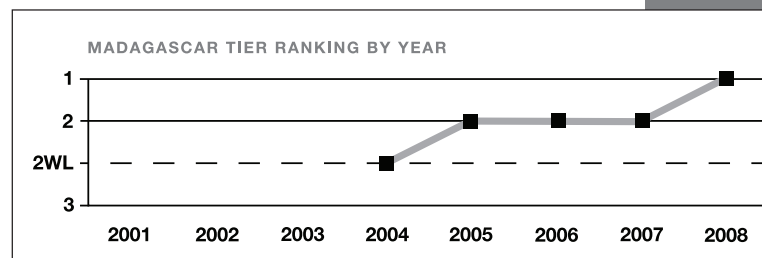
### Protection

The government sustained its efforts to assist trafficking victims. The government's Welcome Centers in Antananarivo, Tamatave, and Tulear assisted 105 victims of child labor and trafficking during the reporting period and reintegrated them into schools or vocational training. The centers' physicians provided medical and counseling services to victims, while labor inspectors taught job search skills. With foreign assistance, a fourth Welcome Center is under construction in Nosy Be. While there is no formal process to refer identified victims to NGOs for care, the three government Welcome Centers and 14 child protection networks established by UNICEF – comprised of government institutions, NGOs, and law enforcement officials – filled this role in major cities throughout the country. For example, the child protection network in Diego Suarez brought together 22 government and NGO participants to handle individual cases of child exploitation from the initial complaint

through the trial, including medical assistance, counseling, and legal advice for victims. Counseling centers run by local NGOs and supported by the Ministries of Justice and Health in Antananarivo and Fianarantsoa provided psychological support and legal advice for victims of child abuse and sex trafficking. Parents of trafficked children received advice on procedures for filing court cases, but most declined to do so, either for fear of reprisal or because of a payoff from the perpetrator. 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; undocumented foreign victims, if a case were to arise, would likely be deported.

### Prevention

The government's trafficking prevention efforts, through its promotion of greater awareness of trafficking, increased over the year and reached thousands of residents. In 2007, the Ministry of Justice conducted training on child trafficking and the worst forms of child labor for 70 representatives of child protection networks and women's NGOs, as well as for 120 magistrates, lawyers, and clerks. It also conducted awareness-raising sessions for over 200 residents of high-risk neighborhoods in the capital, the staff of 10 hotels in Nosy Be, and 1,000 clients of legal clinics in Antananarivo, Mananjary, and Fort Dauphin. Furthermore, ministry officials appeared on national television and radio programs educating the public about the new anti-trafficking



law and distributed manuals on combating child trafficking to members of parliament, as well as distributing 1,000 copies of the penal code to police throughout the country. The State Secretary for Public Security continued its ongoing campaign to educate school students on child prostitution and legislation concerning the protection of minors. The Morals and Minors Brigade in Fort Dauphin alerted schools that child trafficking victims were contacted by exploiters via cell phone; many schools promptly banned the use of cell phones. The Ministry of Labor partnered with the Malagasy Soccer Federation to conduct campaigns against child labor in Majunga and Sambava, and established two additional Regional Committees

to Combat Child Labor in the southwest and the east coast. In July 2007, the government's statistical agency, in collaboration with ILO-IPEC, launched a nationwide household survey on child labor and child trafficking. In December 2007, the government adopted the National Action Plan to Fight against All Forms of Violence against Children, which includes child trafficking.

The government continued its national awareness campaign against child sex tourism by conducting a number of law enforcement actions during the reporting year. A convicted Swiss tourist received a five-year suspended sentence and was expelled from the country. Also suspected of sexual exploitation of minors in Nosy Be, two Mauritians were expelled from the country, while two other Mauritians and two Germans were arrested, but later released due to lack of sufficient evidence. In Tamatave, a foreign restaurant and hotel owner awaits the court's verdict on charges of facilitating the commercial sexual exploitation of three waitresses, including two below the age of 18. Police took additional steps to prevent child sex tourism by permanently closing several nightclubs in Nosy Be and Fort Dauphin for allowing minors on their premises. The government also displayed posters targeting sex tourists in airports and hotels, including a full-page warning in the customs booklet given to arriving international travelers. In 2007, Madagascar's president issued a stern warning to would-be sex tourists, promising that legislation against sex tourism would be enforced.

## 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 cross-border trafficking, and practices such as debt bondage and forced labor exist. Children are primarily trafficked internally for agricultural labor, but also for animal herding, domestic servitude, commercial sexual exploitation, and to perform forced menial tasks for small businesses. Trafficking victims, both adults and children, are lured by fraudulent job offers into situations of forced labor and commercial sexual exploitation within Malawi and in Mozambique, South Africa, and Zambia. In 2007, a Malawian man was allegedly trafficked to Uganda under the pretense of attending vocational school, but was instead forced to perform agricultural labor. Women and children from Zambia, Mozambique, and possibly Tanzania and Somalia are trafficked to Malawi for forced labor and commercial sexual exploitation.

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

punish convicted traffickers in 2007 resulted in Malawi's downgrade from Tier 1 to Tier 2; insubstantial punishments such as fines and warnings did not reflect the seriousness of the crimes or help to deter future instances of trafficking. However, the government continued a number of its admirable anti-trafficking efforts during the year, including those to raise public awareness of the crime and investigate cases of child labor trafficking.

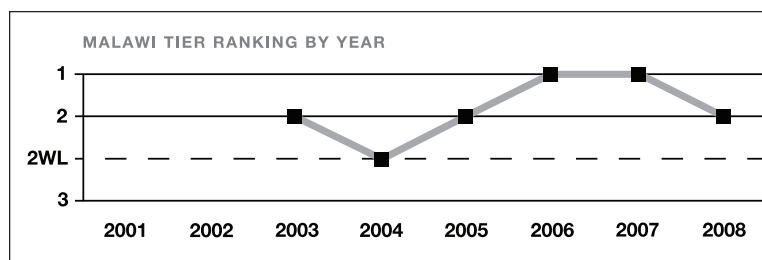
**Recommendations for Malawi:** Continue to provide training for judges, prosecutors, and police on how to investigate and prosecute trafficking cases utilizing existing laws; and pass and enact comprehensive anti-trafficking legislation.

### Prosecution

The Government of Malawi's anti-trafficking law enforcement efforts diminished over the last year. Malawi prohibits all forms of trafficking through existing laws, including Articles 135 through 147 and 257 through 269 of the Penal Code, though a lack of specific anti-trafficking legislation makes prosecution challenging and allows for potentially weak punishments to be imposed on convicted traffickers. 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. In early 2008, the Malawi Law Commission held consultative sessions with stakeholders and began drafting comprehensive anti-trafficking legislation to outlaw all forms of the crime. In 2007, child labor and kidnapping laws were used to convict child traffickers, although, unlike in past years, there were no reports that traffickers received prison sentences. According to the Ministry of Labor, 20 people were convicted of child labor violations—the majority of which were cases of internal child trafficking—resulting in the payment of fines; however, some traffickers who claimed ignorance of the law were merely warned and released. The minimal punishments meted out to traffickers during the reporting period demonstrated a lack of understanding on the part of judicial and other government officials of the seriousness of human trafficking crimes. For example, in June 2007, a man convicted of trafficking 12 girls within Malawi for commercial sexual exploitation was sentenced to four years in prison, but upon claiming he did not know trafficking was a crime, was allowed to pay a fine of \$132 instead. The government's Anti-Corruption Bureau received two complaints of government corruption relating to trafficking during the reporting period; both remain under investigation.

### Protection

The Malawian government's assistance to child trafficking victims appeared to decrease in 2007 as compared to the previous year. The government



## MALAYSIA (Tier 2 Watch List)

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 men, women, and

funds and operates a social rehabilitation drop-in center in Lilongwe for victims of trafficking and gender-based violence; four trafficking victims received assistance in 2007, compared to 50 in the previous reporting period. The police operated 34 victim support units throughout the country that specialize in handling gender-based violence and trafficking crimes and provide limited forms of counseling and temporary shelter. These units implemented the government's established procedures for referring victims to NGOs that provide protective services; those with medical needs were referred to government hospitals. Cross-ministerial district child protection committees monitored their districts for suspicious behavior and reported suspected trafficking cases to police and social welfare officers. The Ministry of Labor's 120 district labor inspectors also identified trafficked children. During the reporting period, the Ministry of Women and Child Development recruited and trained 160 new volunteer community child protection workers and placed them in districts throughout the country. The government encourages victims' participation in the investigation and prosecution of trafficking crimes, and does not inappropriately incarcerate, fine, or otherwise penalize victims for unlawful acts committed as a direct result of being trafficked. Government officials indicate that foreign victims are usually granted temporary residency status.

### Prevention

The government sustained its significant level of public awareness raising efforts during the reporting period. In June 2007, the government and UNICEF began a child rights information campaign called "Lekani" or "Stop!" that includes billboards, bumper stickers, and newspaper ads which provide messages against trafficking, child labor, and child sexual exploitation. The campaign also includes a radio program on child rights broadcasted by Malawi Broadcasting Corporation and primary school education materials in the local languages. The Ministry of Women and Child Development and UNICEF completed a baseline survey on child protection covering child labor and child trafficking in November 2007. The Malawi Defense Force provides training on human rights, child protection, human trafficking, and gender issues to its nationals deployed abroad as part of peacekeeping missions.

children for 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 (P.R.C.), the Philippines, Burma, Cambodia, Bangladesh, Pakistan, and Vietnam to work, some of whom are subjected to conditions of involuntary servitude by Malaysian employers in the domestic, agricultural, construction, plantation, and industrial sectors. Some migrant workers are victimized by their employers, employment agents, or traffickers that supply migrant laborers and victims of sex trafficking. Victims suffer conditions including physical and sexual abuse, debt bondage, non-payment of wages, threats, confinement, and withholding of travel documents to restrict their freedom of movement. In addition, some female domestics from Indonesia, Thailand, the Philippines, Cambodia, Vietnam, Burma, Mongolia, and the P.R.C. are forced into commercial sexual exploitation after being deceived with promises of jobs or after running away from abusive employers. Individual employment agents sold women and girls into brothels, karaoke bars, or passed them to sex traffickers. Some Burmese registered with the United Nations as refugees, a status not recognized by the Malaysian government, are vulnerable to being trafficked for forced labor. To a lesser extent, some Malaysian women, primarily of Chinese ethnicity, are trafficked abroad for commercial sexual exploitation. Also, a few Malaysians, specifically women and girls from indigenous groups and rural areas, are trafficked within the country for labor and commercial sexual exploitation.

The Government of Malaysia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Malaysia is placed on Tier 2 Watch List for its failure to provide evidence of increasing efforts from the previous year to tackle its large and multidimensional trafficking problem, including its forced labor problem. The Government of Malaysia enacted comprehensive anti-trafficking legislation in July 2007. It completed development of implementing guidelines, training of key law enforcement and social service officers, and issued legislative supplements to bring the law fully into force in late February 2008. The government, however, did not yet take action against exploitative employers or labor traffickers during the reporting period. The government has not yet widely implemented

mechanisms to screen victims of trafficking from vulnerable groups. The government established an interagency National Council for Anti-Trafficking in Persons that includes representatives from civil society that has drafted a national action plan. Also in March 2008, the Ministry for Women, Family, and Community Development opened two trafficking victims' shelters and began assisting foreign victims of sex trafficking.

**Recommendations for Malaysia:** Fully implement and enforce the comprehensive anti-trafficking in persons law. Adopt proactive procedures to identify victims of trafficking among vulnerable groups such as migrant workers and foreign women and children arrested for prostitution. Apply appropriate criminal penalties to those involved in fraudulent labor recruitment for the purposes of forced labor or debt bondage. Ensure that victims of trafficking are not threatened or otherwise punished for crimes committed as a result of being trafficked. Significantly improve its record of prosecutions, convictions, and sentences for sex and labor trafficking. Re-examine existing MOUs with source countries to incorporate victim protection provisions and prohibit passport or travel document confiscation in line with Malaysia's Passport Act, anti-trafficking law, and international standards. Disseminate information on the 2007 law throughout the country and train law enforcement, immigration, and prosecutors on use of the new legislation. Implement and support a visible anti-trafficking awareness campaign directed at employers and clients of the sex trade. Increase efforts to prosecute and convict public officials who profit from, are involved in trafficking, or who exploit potential victims.

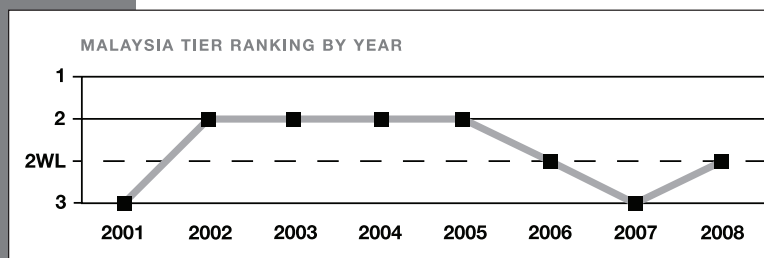
### Prosecution

The Government of Malaysia demonstrated improvements in efforts to investigate and prosecute trafficking cases during the reporting period. 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. The government did not provide comprehensive prosecution and conviction statistics, and, prior to bringing the new anti-trafficking law into force, continued to

rely on its Emergency Ordinance and Restricted Residence Acts for law enforcement actions against suspected sex traffickers. These laws have been criticized for lack of transparency and due process. In November 2007, a Malaysian court convicted a 32-year-old HIV positive Malaysian citizen for procuring a 14-year-old girl for sex; he was sentenced to 43 years in jail, 20 strokes of the cane, and a fine of \$15,625.00. In January 2008, police arrested a couple in Sabah for trafficking seven Filipina women for commercial sexual exploitation; the couple recruited the women with promises of jobs as waitresses. In March 2008, the police conducted a raid in Johor Bahru that resulted in the rescue of 17 Thai women trafficked into commercial sexual exploitation. A second raid by police rescued four Chinese and two Vietnamese women, also trafficked into commercial sexual exploitation. Also in March 2008, Malaysian immigration authorities carried out a raid in Seremban that resulted in the detention of three suspected traffickers and the rescue of seven Thai and three Lao women trafficked into commercial sexual exploitation. During the reporting period, the Royal Malaysian Police (RMP) detained 55 suspected traffickers for commercial sexual exploitation under the Emergency Ordinance and Restricted Residence Act. The government did not report prosecutions against suspected traffickers arrested and jailed under these preventive laws.

Despite indications of a sizable 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 investigations or prosecutions of Malaysian employers who subjected foreign workers to conditions of forced labor or Malaysian 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 regarding groups of foreign workers subjected to conditions of forced labor in Malaysia. In March 2008, Bangladeshi workers at a chain of U.K.-owned supermarkets in Malaysia reportedly faced deceptive recruitment, debt bondage, and exploitative wage deductions consistent with forced labor. In November 2007, reports surfaced regarding 1,300 Vietnamese laborers subjected to debt bondage, contract switching, confiscation of travel documents, confinement, and threats of deportation at a Hong Kong-owned apparel factory in Penang. Despite ample reporting on these incidents, Malaysian authorities did not respond with criminal investigations or prosecutions regarding the alleged offenses. In the Penang case, the complainants pursued the matter as a labor dispute, rather than ask the police to make





a criminal investigation. A 2006 Memorandum of Understanding (MOU) between the Governments of Malaysia and Indonesia covering the employment of Indonesian women as domestic servants in Malaysia authorizes Malaysian employers to confiscate and hold the passport of the domestic employee throughout the term of employment. This practice is recognized by many in the international anti-trafficking community as facilitating the involuntary servitude of domestic workers.

Malaysia, particularly in accordance with the aforementioned MOU with Indonesia, did not prosecute employers who confiscated migrant workers' passports or who confined workers to the workplace. Passport confiscation, otherwise a violation of the Passports Act, is a common method of controlling contract laborers. It also remained common practice for the wages of employees to be held in "escrow" until completion of a contract.

There were no substantiated reports of direct government involvement in the trafficking of persons at either the local or institutional level; however, there were reports of low-level complicity of immigration authorities at the land borders with Thailand and Indonesia. No government officials were implicated, arrested, or tried for involvement in trafficking.

### Protection

Malaysia's overall efforts to protect victims of trafficking remained inadequate during the reporting period. Basic protections for victims were widely unavailable to most foreign females trafficked for sexual exploitation to Malaysia during the year. The Malaysian government stated it encouraged victims to assist in the investigation and prosecution of traffickers; in practice few victims were willing to testify. A trafficking victim may file a civil suit against a trafficker under Malaysian law, but in practice this seldom happens. Potential victims continued to be charged for prostitution and immigration violations during the reporting period. The government provided no legal alternatives to the removal of foreign victims to countries where they face hardship or retribution. 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. Victims detained by immigration authorities, including children, were routinely processed as illegal migrants and held in prisons or illegal migrant detention facilities prior to deportation.

In March 2008, the Ministry for Women, Family and Community Development opened two shelters and provided assistance to 33 victims of

sex trafficking rescued during its first month in operation. The victims were processed through a magistrate's court within 24 hours or less to legally identify them as trafficking victims before their placement in the shelter. Prior to the opening of the government shelters, the RMP instituted an informal victim referral process that referred over 200 suspected trafficking victims to NGO and embassy operated shelters. Immigration authorities did not screen foreign women arrested for prostitution for identification as trafficking victims, but instead processed them for quick deportation. In some cases, especially those involving deportation over land borders such as along the Malaysian-Indonesian border on Borneo, trafficking victims were vulnerable to being re-trafficked by traffickers operating at formal border crossing points.

### Prevention

Senior Malaysian officials, including the Prime Minister, Foreign Affairs Minister, and Minister for Women, Families, and Social Development, increasingly spoke out against trafficking in persons, but the Government of Malaysia did not sponsor anti-trafficking information campaigns during the reporting period. In January 2008, the Director General for Enforcement in the Department of Immigration issued a public warning that employers could be charged under the new anti-trafficking law for cases involving abuse and exploitation of foreign workers. There were no visible measures taken by the government to reduce demand for commercial sex acts or raise awareness about child sex tourism. Protection officers from the Women's Ministry received specialized training on assisting victims. The RMP initiated training of trafficking victim identification during the year. All troops assigned to peacekeeping missions received training on trafficking in persons at Malaysia's Peacekeeping Training Center at Port Dickson. There were no allegations that Malaysian peacekeepers were involved in trafficking or in exploiting trafficking victims. The government has not ratified the 2000 UN TIP Protocol.

## MALI (Tier 2)

Mali is a source, transit, and destination country for women and children trafficked for the purposes of forced labor and commercial sexual exploitation. Victims are trafficked from rural to urban areas within Mali and between Mali and other West African countries, most notably Burkina Faso, Cote d'Ivoire, Guinea, Senegal, and Mauritania. Women and girls are trafficked primarily for domestic servitude and, to a lesser extent, sexual exploitation, and boys are trafficked for forced begging and forced labor in agriculture and gold mines. Mali may be a transit country for victims, primarily adults, trafficked from other African

countries through Mali to North Africa and Europe. Although slavery is illegal in Mali, slavery-related practices, rooted in historical master-slave relationships, continue in some rural areas of the country.

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. The government's law enforcement efforts slightly increased from last year with the conviction of a trafficker, while protection efforts remained steady and prevention efforts continued to be limited.

**Recommendations for Mali:** Draft, pass, and enact a law prohibiting the trafficking of adults for purposes of labor and sexual exploitation; increase efforts to investigate, prosecute, convict, and punish trafficking offenders; develop a system for collecting data on trafficking crimes and the number of victims rescued or assisted by government authorities; establish a national committee against trafficking as called for in the government's national action plan; and increase efforts to raise public awareness about trafficking.

#### Prosecution

The Government of Mali demonstrated slightly increased law enforcement efforts to convict and punish traffickers during the last year. Mali does not prohibit all forms of trafficking, though its 2002 criminal code's Article 229 criminalizes child trafficking. The prescribed penalties under Article 229, which are five to 25 years' imprisonment, are sufficiently stringent and commensurate with penalties prescribed for rape. Criminal Code Article 242, passed in 1973, prohibits slavery, prescribing penalties of five to 10 years' imprisonment for slaveholders, and up to 20 years' imprisonment if the victim is younger than 15. Mali does not otherwise prohibit the trafficking of adults. In November 2007, Mali convicted one child trafficker, imposing a sentence of five years' imprisonment. Because the convicted individual had already served two years of pre-trial detention, his sentence was subsequently reduced to three years. Three Ivoirians are also in prison and awaiting trial for trafficking children through Mali. Authorities are investigating four additional suspects for sexually exploiting minors. The government

provided training sites and logistical assistance to NGOs that provided customs officers, police, and border guards with trafficking training. During the year, Mali cooperated with U.S. and French officials to investigate one case of child trafficking in Europe. Mali also shares law enforcement information with neighboring Guinea, Senegal, and Cote d'Ivoire pursuant to cooperative anti-trafficking agreements with these nations. In 2007, the government added a segment on child trafficking to the standard training curriculum at the national police academy.

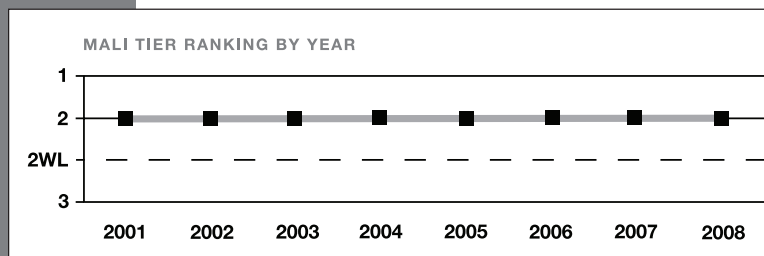
#### Protection

The Government of Mali demonstrated moderate efforts to protect trafficking victims in the last year. Due to a lack of resources, the government does not provide direct services to victims, but relies instead on victim shelters operated by NGOs. Officials from the Ministry for the Promotion of Women, Children and Families (MPFEF) posted throughout the interior of the country work with NGO counterparts to care for trafficking victims and return them to their families. The MPFEF, police, and customs also work with their counterparts from neighboring countries to facilitate the repatriation of non-Malian trafficking victims. The government also continued to provide in-kind assistance, such as land, buildings, and personnel, to NGOs providing services to trafficking victims. The Malian government was able to provide only partial data for the number of trafficking victims referred to civil society organizations in the last year. According to the MPFEF, as of June 2007, twenty-six Malian child trafficking victims were repatriated to Mali from neighboring countries, 39 Malian child trafficking victims were intercepted by police and returned to their families, and 69 children of other nationalities were intercepted in Mali and repatriated to their countries of origin. A local NGO responsible for caring for trafficking victims and locating their families reported that Malian authorities referred approximately 100 Malian and non-Malian children for assistance during 2007. Of these, 60 children were returned to their families.

The government encourages victims to assist in trafficking investigations or prosecutions by asking them to provide testimony about their traffickers. 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 result of being trafficked.

#### Prevention

The Government of Mali made minimal efforts to prevent trafficking and raise awareness of trafficking during the last year. The government has participated in NGO-sponsored trafficking awareness campaigns to encourage border police and bus, taxi, and truck drivers to report suspected trafficking cases to



authorities. The government also supported awareness campaigns by providing free air-time on the government-run television station. In the last year, the government adopted a national framework for combating the worst forms of child labor. During the year the Malian police force's "morals brigade" periodically raided prostitution rings in Bamako to reduce the demand for commercial sex acts.

## MALTA (Tier 2)

Malta is a destination country for women trafficked for the purpose of commercial sexual exploitation. There is evidence that women from Russia, Ukraine, Romania, and other Eastern European countries may be trafficked to Malta for forced prostitution. Between 1,500 and 1,800 African illegal immigrants arrive in Malta each year; it is unclear whether any are trafficked to or through Malta for labor or sexual exploitation.

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 took initial steps toward formalizing a victim referral mechanism and providing training for law enforcement officials but has not yet conducted any trafficking prevention activities.

**Recommendations for Malta:** Demonstrate sustained implementation of a formal trafficking victim identification and referral mechanism; increase advertising of the hotline for trafficking prevention and distribution of prevention publications to potentially vulnerable people, including migrants rescued at sea; target awareness-raising activities at clients of the sex trade; continue to vigorously investigate and prosecute human trafficking, and convict and sentence trafficking offenders, including public officials complicit in trafficking; and formalize legal alternatives to victims' removal to countries in which they would face retribution or hardship.

### Prosecution

Malta demonstrated increased 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. In 2002, the government enacted Chapter Nine of the penal code to replace the White Slave Traffic Ordinance, an antiquated British statute. In 2007, the government altered the penal code with Act XXXI to increase penalties for the rape or prostitution of a minor, now prescribing a three-to-nine-year sentence. These prescribed penalties are sufficiently stringent and commensurate with those prescribed for other grave crimes. According to the police, two separate investigations

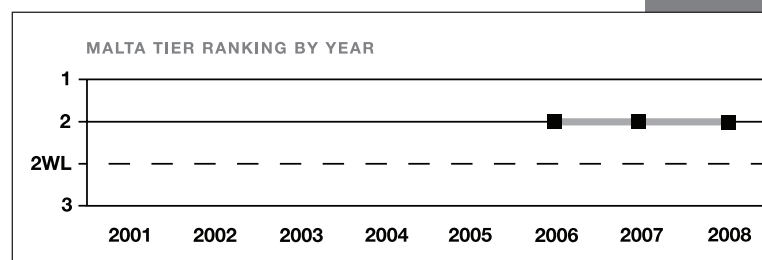
in 2007 led to the arrest of seven Maltese nationals for the trafficking of eight Russian and Ukrainian women for the purpose of sexual exploitation. In one case, the victims told police they were recruited in Russia by Maltese nationals; the Maltese police conveyed this information to Russian authorities, and the perpetrators were apprehended in Moscow. The arrestees in Malta are pending trial. In March 2007, the Government of Malta prosecuted four people for trafficking a Romanian woman into commercial sexual exploitation, an increase from one prosecution in the previous year. The case is pending conviction and sentencing. A police officer convicted for complicity in trafficking in 2005 received a three-year sentence following an appeal in 2006; in 2007, he was released after serving a total of two years in prison. Another police officer convicted in 2005 remains out of jail on bail pending his appeal. The government funded travel costs for police officers to attend European Union sponsored trafficking-related training.

### Protection

Malta took steps to protect victims of trafficking during the reporting period. Malta's Police Force and the Ministry for Social Policy formalized a Memorandum of Understanding expanding cooperation on identifying potential trafficking victims and referring them to available services in March 2008. There is no evidence that victims of trafficking were punished for unlawful acts committed as a direct result of their being trafficked; however, there were no formal measures to proactively identify victims for the majority of the reporting period. Malta assists foreign trafficking victims by offering temporary shelter in government-funded homes used primarily for victims of domestic violence. Government officials provide legal alternatives to the removal of foreign victims, once identified, to countries where they may face hardship or retribution on a case-by-case basis and if a victim requested to stay; to date, all trafficking victims have voluntarily returned to their country of origin. Malta encourages victims to assist in the investigation and prosecution of trafficking crimes.

### Prevention

The government initiated efforts to prevent trafficking in persons toward the end of the reporting



period. The government did not conduct an anti-trafficking awareness campaign or a campaign to reduce demand for commercial sex acts. In March 2008, the government agreed to extend an existing hotline to serve trafficking victims, increase training for hotline personnel to improve their ability to respond to trafficking issues, and publicize the existence of this hotline.

## MAURITANIA (Tier 2)

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 gang leaders within the country who 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. Senegalese, Malian, Ghanaian, and Nigerian women and girls may be trafficked to Mauritania for sexual exploitation. Reports indicate that while some slaves are forced by masters into servitude, others remain with masters because they lack land and other means to live freely.

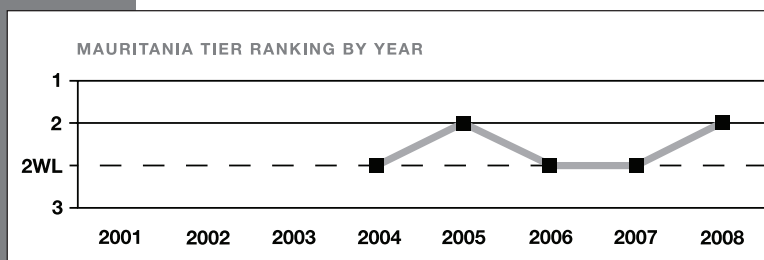
The Government of Mauritania does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so, despite limited resources. While the Mauritanian government took the significant step of enacting new anti-slavery legislation, government efforts to enforce the law against trafficking were limited. Government victim protection and awareness-raising initiatives also need to be strengthened and expanded.

**Recommendations for Mauritania:** Increase efforts to prosecute trafficking and slavery offenses; revise the 2007 anti-slavery law to facilitate the filing of

complaints by slaves, such as by permitting NGOs or other advocates to file written complaints on their behalf; increase efforts to train police to identify trafficking victims among females in prostitution and children in conflict with the law; place greater emphasis on investigating and combating sex trafficking, particularly that involving children; and educate local government officials about the importance of enforcing laws prohibiting slavery and trafficking.

### Prosecution

The Government of Mauritania demonstrated increased law enforcement efforts during the year by passing new anti-slavery legislation. Mauritania prohibits all forms of trafficking through its 2003 Law Against Trafficking in Persons, which prescribes penalties of five to 10 years' imprisonment – penalties that are sufficiently stringent and exceed those prescribed for rape. In August 2007, Mauritania's National Assembly unanimously adopted a law criminalizing slavery which entered into force in February 2008. This law defines slavery and prescribes an adequate penalty of 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. In 2007, the government pledged \$7.5 million to combat slavery, a portion of which is allocated to enforcing the new anti-slavery law. However, NGOs report that since the passage of the new law, local officials with knowledge of slavery cases have failed to enforce it. Moreover, the new legislation requires that a slave file a legal complaint before a prosecution may be pursued, and does not permit such complaints to be filed on behalf of slaves by NGOs or other advocates. Because many slaves are illiterate and unable to complete the paperwork to file a legal complaint, such provisions, which apply to civil actions as well, severely handicap the law's effectiveness. During the year, the government reported that one individual enslaving a female child was prosecuted under child protection laws prior to the passage of the new slavery law. The case was eventually settled out of court, however, and did not result in a conviction. The government failed to report any other trafficking or slavery convictions. The government established special courts to try trafficking cases and a police brigade dedicated to investigating crimes against children, especially trafficking. In December 2007, the Ministry of Justice held two UNDP-funded seminars for approximately 30 judges to discuss the new law and to inform judges of their responsibilities in its implementation. The government contributed to some of the costs of the conferences.





## Protection

The Government of Mauritania demonstrated modest efforts to protect trafficking and slavery victims. In December 2007, the Prime Minister announced that the government would make available \$7.5 million in the 2008 budget to combat slavery, part of which would be used to assist former slaves to reintegrate into society. These funds will help provide shelter, food, limited medical care, and job training. The government continued to fund jointly with UNICEF six centers in Nouakchott providing care to indigent children, many of whom were talibe. These centers, which provide basic medical and nutritional care, continued to operate below capacity despite apparent need. The government continued to provide personnel and a building to a collaborative effort with UNICEF and a private bank to provide micro credit programs to vulnerable populations, including some former slaves. The government does 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, fined, or otherwise penalized for unlawful acts as a direct result of being trafficked. The government places children in jail for stealing or engaging in commercial sexual activity, while many of them are likely trafficking victims who have been forced into these activities.

## Prevention

The Government of Mauritania made sustained efforts to raise awareness of trafficking during the last year. The government held three days of national consultations against slavery. In February 2008, in cooperation with NGOs, Mauritania conducted and funded a nationwide public awareness campaign about trafficking and slavery with a focus on educating former slaves about their rights under the new law. As part of this campaign, the government sent delegations to each region of Mauritania to explain the new law and encourage people to denounce the practice of slavery. The delegations consisted of a Minister, a Ministry of Justice representative, a Human Rights Commission representative, one religious authority, and a representative from Mauritania's leading anti-slavery NGO. The delegations met with local officials and held regional and district public meetings to educate people about the new law. Several thousand people attended these meetings nationwide. After years of denying ILO representatives entrance into the country or access to information on labor practices, Mauritanian officials met with ILO representatives in May 2007, and agreed to collaborate on a national study on forced labor and the vestiges of slavery. During his 2007 election campaign, Mauritania's recently elected President pledged publicly to end slavery. The government has not taken steps to reduce demand for commercial sex acts.

## MAURITIUS (Tier 2)

Mauritius is a source for female children trafficked within the country for the purpose of commercial sexual exploitation. School girls and young girls from underprivileged areas are induced into prostitution, often by their peers or family members. Taxi drivers are known to provide transportation and introductions to both the girls and the clients.

The Government of Mauritius does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government openly acknowledges that child prostitution occurs within the country and showed greater will to curb the problem over the last year. Along with increased media coverage of the issue, the government showed greater attention to trafficking issues, leading to widespread awareness.

**Recommendations for Mauritius:** Pass and enact legislation specifically prohibiting the trafficking of adults for purposes of both labor and sexual exploitation; complete the prosecution of suspected traffickers apprehended in 2006 and 2007; and take greater steps to discourage child sex tourism to Mauritius, such as the issuance of warnings to arriving international travelers.

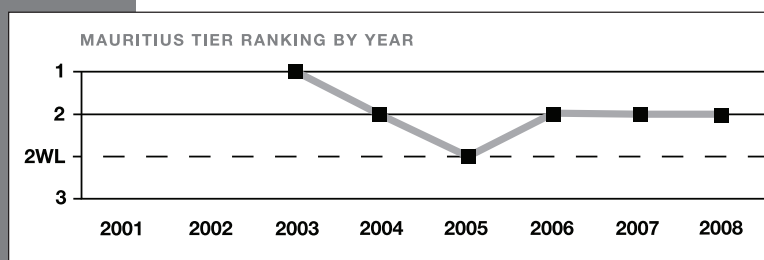
## Prosecution

The Mauritian government demonstrated increased anti-trafficking law enforcement efforts, vigorously investigating cases of human trafficking throughout the year. Mauritius prohibits all forms of child trafficking through its Child Protection Bill of 2005, which prescribes punishment of up to 15 years' imprisonment for convicted offenders. These penalties are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. The government does not, however, have laws specifically prohibiting trafficking for the purpose of forced labor or debt bondage or any trafficking of adults. In July 2007, the number of police officers working in the Minors' Brigade increased from six to 35 and the number of vehicles from one to five, allowing adequate coverage of all regions of the island. During the reporting period, police discovered eight cases of children engaged in prostitution and arrested 22 adults caught exploiting such children, including three pimps; all cases remain under investigation. For example, in January 2008, police arrested a German citizen with permanent residency status for sexually exploiting a 12-year-old girl with the consent of the girl's aunt and uncle—who were arrested for pimping. In addition, the Minors' Brigade arrested two people for exploiting four children in street vending; the Ministry of Labor is investigating the case. The Ministry of Labor, Industrial Relations and Employment

conducted inspections to enforce child labor laws; during the reporting period, the Ministry dealt with 10 cases of exploitative child labor that resulted in three prosecutions and two convictions with fines; one case is still outstanding. In 2007, the Mauritius Police Force developed and began utilizing a database for tracking all trafficking-related cases.

### Protection

The Mauritian government's social service providers and law enforcement officials continued to experience difficulty locating and assisting a significant number of victims during the reporting period. The government provided funding to NGOs offering protection and services to victims of trafficking, and referred victims to these organizations for shelter and other assistance. The government-run drop-in center for children engaged in prostitution actively advertised its counseling services through bumper stickers, a toll-free number, and community outreach; its social worker continued to promote the services in schools and local communities. The center assisted 11 girls in prostitution during the year. But due to the lack of shelter at the drop-in center and often crowded conditions at existing NGO shelters, victims at times were not



able to access immediate shelter or other protective services. 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. 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 government made notable efforts to prevent the commercial sexual exploitation of children and reduce demand for commercial sex acts during the year. Law enforcement officials conducted surveillance at bus stops, night clubs, gaming houses, and other places frequented by children to identify and interact with students who are at a high risk of sex trafficking. The Police Family Protection Unit and the Minor's Brigade also conducted a widespread child abuse awareness campaign at 101 schools and

community centers that contained a session on the dangers and consequences of engaging in prostitution; this campaign reached over 15,000 persons in 2007.

## 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. A significant number of Mexican women, girls, and boys are trafficked within the country for sexual exploitation, often lured from poor rural regions to urban, border, and tourist areas through false offers of employment; upon arrival, many are beaten, threatened, and forced into prostitution. According to the Mexican government, up to 20,000 children are victimized in commercial sexual exploitation in Mexico every year, especially in tourist and border areas. Sex tourism, including child sex tourism, is a growing trend, 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. The vast majority of foreign victims trafficked into the country for sexual exploitation come 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. Some Central American minors, traveling alone through Mexico to meet family members in the United States, fall victim to traffickers, particularly near the Guatemalan border. Victims from South America, the Caribbean, Eastern Europe, and Asia also are trafficked into Mexico for sexual or labor exploitation, or transit the country en route to the United States. Organized criminal networks traffic women and girls from Mexico into the United States for commercial sexual exploitation. Mexican men and boys are trafficked from southern to northern Mexico for forced labor. Central Americans, especially Guatemalans, have been subjected to agricultural servitude and labor exploitation in southern Mexico. Mexican men, women, and boys are trafficked into the United States for forced labor, particularly in agriculture.

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 federal government demonstrated its resolve to combat human trafficking by enacting comprehensive anti-trafficking legislation, dedicating financial resources to construct victim shelters, and increasing data collection among federal agencies with regard to trafficking patterns. Nonetheless, the large number of trafficking victims within Mexico remains a serious concern, and government efforts to punish trafficking offenders and complicit

officials involved in trafficking activity remained inadequate, as did victim protection and assistance.

**Recommendations for Mexico:** Increase efforts to convict and punish traffickers for their crimes; increase victim assistance; confront trafficking complicity by public officials; formalize procedures for identifying victims among vulnerable populations; expand anti-trafficking training for judges and law enforcement; and adequately fund and implement the new federal anti-trafficking law.

### Prosecution

The Government of Mexico improved efforts to combat human trafficking through law enforcement efforts during the reporting period. In November 2007, the Mexican government enacted comprehensive legislation to prohibit all forms of trafficking in persons on the federal level. The new law carries penalties of between six and 12 years' imprisonment, in addition to heavy fines, which increase to nine to 18 years in jail when the victim is a child or a person lacking mental capacity. Moreover, if the defendant is a public official, penalties increase by one-half, and include loss of the official's job. In addition to the new federal law, Articles 201 – 204 of Mexico's penal code criminalize the corruption of minors, child prostitution, and child pornography, prescribing penalties of between five and 10 years' imprisonment. All the above penalties are sufficiently stringent, and exceed those prescribed for other grave crimes, such as rape. The new anti-trafficking law also provides for victim services and formalizes a federal interagency commission, which has statutory authority to request funds to implement the new law and a national program to prevent trafficking in persons. The Interior Secretary has recently been named as the agency lead for the interagency commission, which has been meeting informally. In February 2008, the Attorney General formed a new anti-trafficking prosecutorial unit, the Crimes Against Women and Trafficking in Persons Unit (FEVIMTRA), after a federal anti-trafficking police unit had been dismantled with the change of administrations in early 2007. FEVIMTRA will prosecute all federal human trafficking cases except those involving organized crime, which will continue to be handled by a subunit of the Organized Crime division within the Attorney General's Office. Since June 2007, the federal government has arrested seven persons suspected of sex trafficking activity. No federal convictions or punishments of trafficking offenders have been reported. Moreover, there were no law enforcement efforts to criminally investigate and prosecute labor trafficking crimes, despite reports of nationals, Central Americans, and other foreigners in Mexico being subject to labor exploitation. In Mexico's federal system, state governments have played a significant law enforcement role with regard to anti-trafficking efforts. Federal jurisdiction is typically invoked in orga-

nized crime cases, or cases involving international or transnational trafficking; thus, state anti-trafficking laws are necessary for prosecuting cases on the local level. Mexico's 31 states and its federal district criminally prohibit some aspects of trafficking in persons. As of April 2008, five states—Chihuahua, Guerrero, Mexico, Sonora, and Zacatecas—have enacted comprehensive anti-trafficking laws. The State of Chihuahua initiated six trafficking-related prosecutions since enactment of its state anti-trafficking law in January 2007. In one case, a female defendant was sentenced to 11 years in jail on state human-trafficking charges for luring school-aged boys to have sex with her co-defendant, a U.S. citizen. The U.S. citizen was sentenced to nine years in prison for the rape of a 10-year-old boy. In another case involving the commercial sexual exploitation of minors, charges against an American citizen paying minors for oral sex were not pursued because the child victims allegedly "consented" to the acts. Additional anti-trafficking training would assist law enforcement with identifying trafficking victims under Mexico's new federal law, and how trafficking victims, particularly children, cannot consent to their own exploitation.

During the reporting period, the Mexican government made significant efforts to cooperate with the United States government on cross-border trafficking investigations. Since 2005, a joint U.S.-Mexico program known as Operation Against Smugglers Initiative on Safety and Security (OASISS) has facilitated information sharing among prosecutors on both sides of the border, with the goal of identifying, prioritizing, and prosecuting human trafficking and alien smuggling offenders. In coordination with U.S. law enforcement agencies, the Mexican government conducted eight operations to rescue more than 90 potential victims from trafficking situations in Mexico last year. Government-sponsored anti-trafficking training for public officials increased, and the government also received training assistance from the United States and international organizations. A suspected child trafficker extradited to Mexico from the U.S. in 2006 remained in a Cancun jail, pending prosecution, during the reporting period. The government cooperated with foreign governments on human trafficking investigations in the United States, Guatemala, El Salvador, and Argentina during the reporting period. Also of particular note is the Mexican government's assistance with a U.S. child sex tourism investigation involving a U.S. citizen in Ciudad Juarez; the defendant has since been convicted and sentenced in the United States.

Despite demonstrating progress on anti-trafficking law enforcement, competing priorities and security concerns in Mexico, along with scarce government resources, continue to hamper police and prosecutorial investigations against traffickers. Corruption



among public officials, especially local law enforcement and immigration personnel, continues to be a serious concern; some officials reportedly accept or extort bribes, discourage victim reporting, or ignore child prostitution and other human trafficking activity in brothels and commercial sex sites. The Government of Mexico can improve law enforcement efforts by making vigorous efforts to address complicity in trafficking by public officials. Expanded training for public officials about Mexico's new federal anti-trafficking law also will assist the government's anti-trafficking efforts, in addition to training state and local officials on the distinctions between alien smuggling and human trafficking offenses.

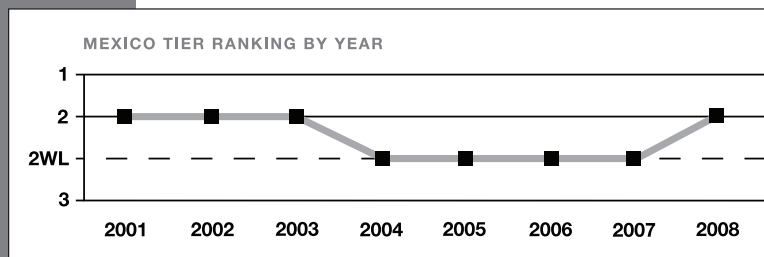
### Protection

The Mexican government maintained a modest level of victim protection over the last year, while continuing to rely on NGOs and international organizations to provide most assistance for trafficking victims. Filling a recognized need for dedicated shelters for human trafficking victims, the Mexican Congress appropriated \$7 million in January 2008 to construct two shelters for trafficking victims, to house men, women, and children, during the coming year. Mexico's social welfare agency also operates shelters for children who are victims of any form of violence, including child trafficking victims. The government offers foreign victims legal alternatives to removal to countries where they may face hardship or retribution; however, most foreign trafficking victims continued to be deported within 90 days. The government authorizes the issuance of

els, or a mechanism for referring trafficking victims to specialized NGOs for care. However, the government's immigration agency reported increased anti-trafficking training of migration officials during the reporting period, and development of guidelines for identifying trafficking victims, particularly minors, among detainees. The immigration agency also created a working group in every Mexican state to address human trafficking on the state level. Immigration authorities referred 78 foreign trafficking victims to IOM for assistance last year.

### Prevention

Both federal and state governments strengthened prevention efforts. The National Human Rights Commission (CNDH) is actively taking part in training on identifying victims of trafficking and has established 10 attention centers around the country for trafficking victims, most along the southern and northern borders. Awareness of the issue among government officials and the public is growing, and senior government officials stressed the need to fight human trafficking. With assistance from NGOs and international organizations, the government sponsored numerous seminars and training sessions to raise public awareness. Government collaboration with NGOs and international organizations on anti-trafficking efforts increased last year, but is reported to be uneven among the various federal agencies involved. The government took steps to reduce demand for commercial sex acts through state-level prosecutions of individuals engaging in commercial sex acts with children, including foreign nationals.



renewable one-year humanitarian visas to victims who assist with the prosecution of their traffickers. Nine trafficking victims received these visas during the reporting period. Many victims in Mexico are afraid to identify themselves or press their cases due to fear of retribution from their traffickers, many of whom are members of organized criminal networks. While government resources in this area may be limited, setting up a secure witness-protection program in human trafficking cases would help law enforcement to ensure the physical safety of victim witnesses, and guarantee their testimony at trial. In 2007, there were no confirmed reports of victims being penalized for unlawful acts committed as a direct result of being trafficked. The government does not currently have formal procedures for identifying trafficking victims among vulnerable populations, such as prostituted women in broth-

## MOLDOVA (Tier 3)

Moldova is a major source, and to a lesser extent, a transit country for women and girls trafficked for the purpose of commercial sexual exploitation. It is estimated that slightly more than one percent of the approximately 750,000 Moldovans working abroad are trafficking victims. Moldovan women are trafficked to Turkey, Russia, the U.A.E., Ukraine, Israel, Cyprus, Greece, Albania, Romania, Hungary, Slovakia, the Czech Republic, Italy, France, Portugal, Austria, and other Western European countries. Girls and young women are trafficked within the country from rural areas to Chisinau. Children are also trafficked for forced labor and begging to neighboring countries. Labor trafficking of men to work in the construction, agriculture, and service sectors of Russia is increasingly a problem. The small breakaway region of Transnistria in eastern Moldova is outside the central government's control and remained a significant source and transit area for trafficking in persons.

The Government of Moldova does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts



to do so. While the new government has shown initial political will very recently, it was insufficient to make up for inadequate action in the remainder of the March 2007—March 2008 reporting period, particularly the lack of follow-up on cases of alleged complicity of government officials in trafficking in persons cited in the 2007 Report. While there were a few modest positive developments over the past year—the number of trafficking investigations increased, the government hired social workers to focus on vulnerable populations, and a pilot program for the referral of trafficking victims to protective services continues to develop—the government’s lack of visible follow-up on allegations of government officials complicit in trafficking in persons greatly offset the aforementioned gains. The government approved a 2008-2009 anti-trafficking national action plan on March 19, 2008, and while it allocated funds for 2008 and sustained cooperation with NGOs during the reporting period, it did not demonstrate proactive efforts to identify trafficking victims.

**Recommendations for Moldova:** Demonstrate vigorous investigations and prosecutions of public officials complicit in trafficking; improve data on investigations, prosecutions, convictions, and sentences for traffickers, including greater specificity with respect to the particular punishments imposed for different crimes, the number of charges reduced from trafficking to pimping, and which prison sentences are reduced or vacated by amnesties; disburse increased resources for victim assistance and protection; boost proactive efforts to identify trafficking victims; and adopt measures to prevent the use of forced or child labor by trafficking offenders.

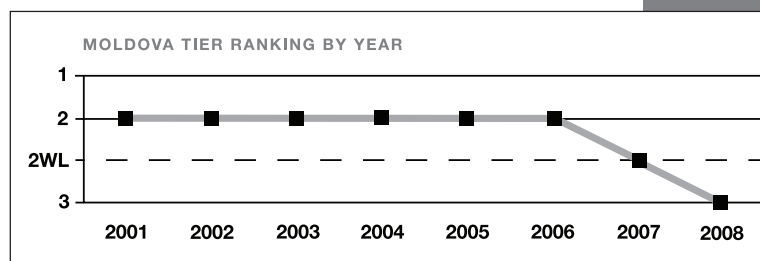
**Prosecution**

Reports of Moldovan officials’ complicity in trafficking marred anti-trafficking law enforcement efforts during the last year. 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 other grave crimes. The Prosecutor General’s Office reported that authorities initiated 507 trafficking investigations in 2007—including 17 criminal investigations under the child trafficking statute—which is an increase from 466 investigations in 2006. Moldova’s Center to Combat Trafficking in Persons (CCTIP) reported 250 trafficking prosecutions and at least 60 convictions of traffickers. While the government’s statistical system still does not provide complete statistics on length of sentences for trafficking convictions, CCTIP reported that at least 50 traffickers convicted in 2007 are serving seven- to 10-year prison sentences. The government has not prosecuted or criminally punished any government official

allegedly complicit in trafficking. The government has also not informed the international community whether investigations of some government officials dismissed in August 2006 have yielded sufficient evidence to permit a prosecution. With respect to allegations of complicity of a former high-level CCTIP official, the government states that prosecutors investigated the allegations and found no evidence of a crime. There were several victim reports that border guards and police officers were complicit in trafficking. Moldovan law enforcement authorities reported eight bribery attempts by suspects seeking to have cases dismissed. Prosecutors noted that poor-quality investigations and corruption may have resulted in light or suspended sentences for traffickers.

**Protection**

The government provides no funding to NGOs for victim assistance, although it has allocated \$44,000 in its 2008 budget for victim rehabilitation center operating costs, and cooperated with NGOs and international assistance programs providing legal, medical, and psychological services for trafficking victims during the reporting period. Moldova’s Ministry of Internal Affairs signed a memorandum of collaboration with IOM to ensure that victims of trafficking repatriated through IOM are not apprehended by border guards but allowed to travel unhindered to the IOM Rehabilitation Center, the only comprehensive victim assistance facility in the country. While proactive identification of victims remained lacking, the government hired and paid the salaries of 547 social workers and assisted 162 persons though the nascent pilot project on referring victims to protective services, which started in five districts in 2006 and extended to seven more



in 2007. The Ministry of Foreign Affairs, in partnership with IOM, launched a project in January 2007 to develop the capacity of consular department personnel at Moldovan embassies abroad in assisting Moldovan victims and potential victims of trafficking. Moldovan law exempts victims from criminal prosecution for illegal acts committed as a result of being trafficked; however, in practice, some victims were punished for such acts. Moldova currently does not permit temporary residence status for foreign-national victims of trafficking, nor does it provide legal alternatives to deportation to countries where victims may face retribution or

hardship. The government claims that it encourages victims to assist in investigations and prosecutions of traffickers; however, insufficient measures were in place to provide for victims' safety.

### Prevention

The government approved the 2008-2009 National Action Plan on Combating Trafficking in Persons in March 2008, but there was none in place prior to that date, because the previous plan expired at the end of 2006. For most of the reporting period, the government's national anti-trafficking committee remained without a leader; however, the government appointed a chair at the Deputy Prime Minister level, as required by Moldovan law, in February 2008. The CCTIP operated a hotline for trafficking victims during the year. The government acknowledged, both publicly and privately, that trafficking was a problem; however, the government continued to rely on NGOs and international organizations to provide the majority of public awareness campaigns. CCTIP, with NGOs and international organizations, developed and conducted seminars for high school students, teaching staff from schools and universities, priests, local authorities, and local law enforcement officials. CCTIP leadership provided TV interviews to update viewers on anti-trafficking operations and increase awareness regarding the consequences of human trafficking. The Moldovan government provides free air time for anti-trafficking campaigns.

## MONGOLIA (Tier 2)

Mongolia is a source country for men, women, and children trafficked for the purposes of sexual exploitation and forced labor. Although it remains difficult to quantify, trafficking continues to be a problem in Mongolia. One NGO reported that its hotline received many more reports of trafficking this year than in the previous year. Mongolian women and girls are trafficked to China, Macau, Malaysia, and South Korea for both forced labor and sexual exploitation. Mongolian men are trafficked to Kazakhstan for labor exploitation. There is also concern about child labor in the construction, mining, and industrial sectors, where they are vulnerable to injury and face severe health hazards, such as exposure to mercury. Some Mongolian women who enter into marriages with foreign husbands—mainly South Koreans—were subjected to conditions of involuntary servitude after moving to their husbands' 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. Some travel agents and tour guides who took part in an

anti-trafficking workshop expressed concern that child sex tourism might be increasing; they noted that South Korean sex tourists were arriving in greater numbers and frequenting nightspots where girls and women were in prostitution. Around 150 North Koreans are currently employed in Mongolia as contract laborers. On February 5, 2008, the Mongolian government signed an agreement with North Korea that could bring as many as 5,300 North Korean laborers to Mongolia over the next five years. Although there is no evidence of force, fraud, or coercion on the part of the North Korean government in the recruitment of North Koreans for these positions, once overseas North Korean workers do not appear to be free to leave their employment, and it is unclear whether the workers in Mongolia receive their full wages.

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 government made clear progress in its efforts to address trafficking over the past year, particularly in the areas of legislative reforms and the prosecution of trafficking offenders. Insufficient assistance to victims was provided by the government, and there were some indications of complicity in severe forms of trafficking by government officials. However, the government took major legislative steps to fight trafficking, including expanding the scope of the anti-trafficking law to outlaw the recruitment, harboring, and transportation of victims. The government convicted 18 trafficking offenders, up from zero in the previous 12-month period, and initiated prosecutions of many others. The government embraced anti-trafficking training provided by NGOs for police, immigration officials, Border Force officials, and other civil servants. The government started distributing one million NGO-sponsored trafficking awareness passport and train ticket inserts, which led to the rescue of four Mongolian trafficking victims in Malaysia. The government also raised the salaries of judges to make them less susceptible to bribery. While the government lacked the resources to combat trafficking effectively on its own, it cooperated with NGOs and regional and international organizations on anti-trafficking measures. However, NGOs report that cooperation varied considerably by government ministry.

**Recommendations for Mongolia:** Make more effective use of existing laws against trafficking to prosecute and convict more traffickers; 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; and improve protection and rehabilitation services for victims.

### Prosecution

The Mongolian government made progress with its anti-trafficking law enforcement efforts during the last year. Seven individuals were convicted under Article 113 of the Criminal Code, on trafficking in persons. At least two were Mongolian women who had trafficked other Mongolian women to a neighboring country. Eleven other people were convicted under Article 124 of forced prostitution, and were also sentenced to prison. At the end of this reporting period, criminal proceedings were being pursued against at least 16 individuals suspected of trafficking offenses. A key problem in the prosecution process appears to be a lack of knowledge among police and prosecutors regarding trafficking. Prosecutors frequently reject trafficking-related cases forwarded by the police, in some cases because evidence was unavailable. A report of a foreign citizen who allegedly forced an underage Mongolian girl to pose for pornographic photos was referred to police during the year, but police follow-up was lacking. NGOs reported incidences of disengaged or heavy-handed police officers, who, by their attitudes and actions, sometimes discouraged victims from pursuing criminal cases. There were several reports of law enforcement officials directly involved in or facilitating trafficking crimes during the year. Anecdotal reporting suggests that some high-level government and police officials have been clients of minors exploited in prostitution. However, the government rarely made available information related to convictions of and disciplinary actions against law enforcement officers implicated in trafficking-related corruption.

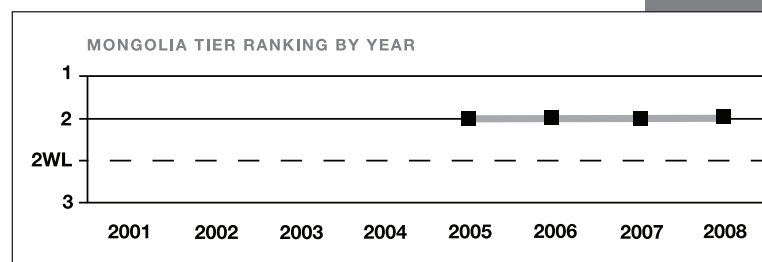
### Protection

The Mongolian government in 2007 provided limited protection and direct assistance to trafficking victims. Mongolian law continued to lack witness or victim protection provisions for any crimes, including trafficking. Given its limited resources, the government does not run or fund shelters for victims of trafficking. It also did not provide direct assistance to Mongolian trafficking victims repatriated from other countries. The government collaborated with IOM, however, in referring victims of trafficking to this international victim services provider. In 2006, the government announced plans to open a consulate in Macau in order to provide services to Mongolian nationals, including those who have been victims of trafficking, but movement on this initiative appears to have stalled.

### Prevention

Mongolia carried out some trafficking prevention efforts this year, in addition to the distribution of NGO-sponsored passport and train ticket inserts. The Ministry of Justice and Home Affairs cooperated with GEC, a leading anti-trafficking NGO, to maintain a hotline, which in 2007 received more

than 1,000 calls. Although Mongolia adopted a National Action Plan in 2005 to prevent women and girls from being forced into prostitution, this has not been fully implemented, and NGOs consider the plan to be largely ineffective. The government did not take any measures during the reporting period to reduce the demand for commercial sex acts. Mongolia has not ratified the 2000 UN TIP Protocol.



## MONTENEGRO (Tier 2 Watch List)

Montenegro is primarily a transit country for the trafficking of women and girls to Western Europe for the purpose of commercial sexual exploitation. In 2007, there were no reports of Montenegrins being trafficked to other countries. There were a small number of cases in which women and girls were trafficked into Montenegro. Women and girls from Serbia, Kosovo, Bosnia and Herzegovina, Moldova, Romania, Ukraine, and Russia are trafficked across Montenegro to Western European countries. Official statistics noted that one Montenegrin woman was trafficked within the country for sexual exploitation. Children are coerced into begging.

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. Nevertheless, Montenegro is placed on Tier 2 Watch List for its failure to provide evidence of increasing efforts to combat trafficking in persons over the last year. Public attention to the issue of trafficking has diminished considerably in Montenegro in recent years; however, according to NGOs and international observers, official statistics underreport the incidence of trafficking, and authorities need to focus more attention on the problem.

**Recommendations for Montenegro:** Vigorously investigate and prosecute trafficking offenses to the full extent of the law, and convict and sentence trafficking offenders, including any public officials complicit in trafficking; proactively identify victims among vulnerable groups, such as women arrested for prostitution violations, undocumented migrants, and street children; provide legal

alternatives to victims' removal to countries in which they face retribution or hardship; encourage victims to assist in the investigation and prosecution of trafficking offenders; and conduct trafficking sensitivity training for judiciary officials.

### Prosecution

While the Government of Montenegro demonstrated some anti-trafficking law enforcement efforts in 2007, more vigorous investigation and prosecution of trafficking offenses are needed. 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. During 2007, the government initiated two human trafficking investigations and prosecuted three alleged human traffickers. The judiciary convicted three traffickers, who were each sentenced to five years in prison. Adults inducing children to beg for money occurs in Montenegro and could be considered a form of trafficking under Article 444, but it is not recognized as such by Montenegrin authorities. The government provided anti-trafficking training to police of all ranks; however, law enforcement personnel, including those at the borders, often lacked training in victim identification. NGOs claimed that retention of trained anti-trafficking police officers is a problem, although this is an issue throughout the police force.

### Protection

The Government of Montenegro provided adequate support and protection to potential victims of human trafficking. Montenegro fully funds one NGO-run shelter that provided protection and care for victims; however, authorities identified only one trafficking victim during 2007. The Montenegrin government did not demonstrate a systematic effort to identify victims of trafficking among vulnerable populations, such as street children. Assistance for foreign victims was adequate. The government used an existing referral system to ensure that potential trafficking victims detained by law enforcement were referred to the NGO-run shelter for further assistance. Officials reported that victims were not detained, prosecuted, fined, or otherwise penalized for unlawful acts commit-

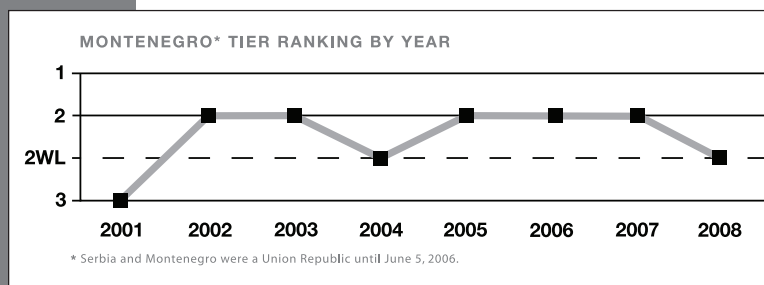
ted as a direct result of being trafficked. NGOs praised the response of many police officers in human trafficking cases but noted there remained a general lack of sensitive treatment toward identified human trafficking victims, particularly within the judiciary, and claimed the government could improve efforts to encourage victims to assist in the investigation and prosecution of traffickers.

### Prevention

Montenegro did not sustain its prevention efforts over the previous year. NGOs involved in combating human trafficking believe that official statistics underreport trafficking incidences and that authorities need to focus additional attention on the issue. The government, in coordination with NGOs, adopted an anti-trafficking action plan in March 2006 that defined goals and included precise timelines; however, the plan's implementation has not kept pace with those timelines. The anti-trafficking working group, chaired by the national coordinator, did not meet once during the reporting period, in contrast to monthly meetings held in previous years. In 2007, the government revised a directory of anti-trafficking organizations published in 2004 that it distributed to parties involved in anti-trafficking activities including consular missions abroad. There was no update on the government's plans referenced in the 2007 Report to name a senior police officer to assume responsibility for coordinating anti-trafficking activities. The government did not take steps to reduce the demand for commercial sex acts.

## MOROCCO (Tier 2)

Morocco is a source country for children trafficked internally for the purposes of domestic servitude and commercial sexual exploitation. Morocco is also a source, transit, and destination country for women and men trafficked for commercial sexual exploitation and involuntary servitude. Young Moroccan girls from rural areas are recruited to work as child maids in cities, but often face conditions of involuntary servitude, including restrictions on movement, non-payment of wages, threats, and physical or sexual abuse. Moroccan boys also endure involuntary servitude as apprentices in the artisan, construction, and mechanics industries. Moroccan boys and girls are also exploited through prostitution within the country and increasingly are victims of a growing child sex tourism problem. Moroccan girls and women are also trafficked internally and to Saudi Arabia, Qatar, Syria, U.A.E., Cyprus, and European countries for commercial sexual exploitation. In addition, men and women from sub-Saharan Africa, India, Bangladesh, Sri Lanka, and Pakistan often enter Morocco voluntarily, but illegally, with the assistance of smugglers. Once in Morocco, however, some women are





coerced into commercial sexual exploitation to pay off smuggling debts, while men may be forced into involuntary servitude.

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. Morocco did not report investigating or prosecuting any recruiters for forced child labor during the reporting period. In addition, the government did not take serious steps to increase law enforcement against the commercial sexual exploitation of adults and foreign women. The government similarly failed to provide adequate protection for victims of trafficking, who were often detained and subject to automatic deportation for acts committed as a result of being trafficked.

**Recommendations for Morocco:** Significantly increase prosecutions of traffickers for forced prostitution and involuntary servitude, and institute a formal victim identification mechanism to ensure that victims are not punished or automatically deported for acts committed as a result of being trafficked.

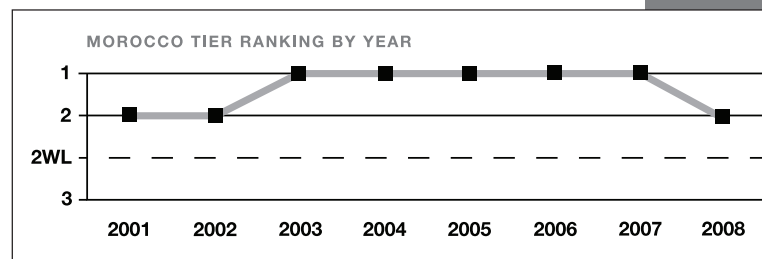
### Prosecution

The Government of Morocco made efforts to prosecute traffickers and trafficking-complicit officials over the last year. 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 offenses 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' for repeat offenders. In 2007, Morocco prosecuted 150 cases of inciting minors into prostitution and convicted 129 individuals for this trafficking crime. The government also reported convicting 170 abusive employers of child labor. The government, however, did not provide any sentencing data by this Report's deadline to demonstrate that these convicted traffickers were punished. Moroccan auxiliary force security officers were convicted of trafficking offences in Tangier, Tetouan, and Nador; their sentences ranged from two months' suspended sentences with a fine to four years' imprisonment. During the reporting

period, Morocco reported dismantling 260 "trafficking rings;" however, the government continues to make no distinction between migrant smuggling and trafficking, so it is not clear how many, if any, were actually trafficking rings. In July 2007, the Moroccan government investigated incidents of alleged sexual exploitation of women and girls in Cote d'Ivoire by Moroccan peacekeepers; the government dropped charges when alleged victims failed to testify and claimed that they were coerced into making the accusations.

### Protection

Morocco made insufficient progress in protecting victims of trafficking over the reporting period. Foreign trafficking victims were not properly identified, and were often arrested and subject to detention and automatic deportation along with other illegal migrants. Of particular concern are reports that Morocco routinely rounded up illegal sub-Saharan migrants, including victims of trafficking, and left them at the Algerian border, often without food or water. As Morocco has not provided any data regarding these expulsions, the extent of this problem is not known. In February, the government arrested a sexually exploited minor for prostitution. In addition, first-hand reports from an NGO indicate that trafficking victims suffered physical abuse at the hands of Moroccan police. The government did not offer legal alternatives to the removal



of foreign victims of trafficking to countries where they might face hardship or retribution. Morocco also does not actively encourage victims to participate in investigations against their traffickers, but they often testify during prosecutions. Despite training diplomats in prime destination countries, very few Moroccan minor victims were repatriated from abroad. The government provided in-kind support to NGOs assisting victims.

### Prevention

Morocco improved its efforts to prevent trafficking over the reporting period. In March, the government committed \$2.6 million to develop the income-generating capacity of families at risk of sending their children for domestic work. The government also signed agreements with Catalonia and Italy to prevent illegal migration of Moroccan children, who are at extremely high risk of being trafficked. The government did not, however, show significant efforts to raise public awareness of the

commercial sexual exploitation of children and women in major cities, especially tourist areas, and did not take any reported measures to reduce the demand for commercial sex acts. Morocco has not ratified the 2000 U.N. TIP Protocol.

## MOZAMBIQUE (Tier 2 Watch List)

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 are trafficked from rural to urban areas of Mozambique, as well as to South Africa, for domestic servitude and commercial sexual exploitation in brothels; 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 before employers have them arrested and deported as illegal immigrants. Traffickers are typically part of small networks of Mozambican or South African citizens; however, involvement of larger Chinese and Nigerian syndicates has been reported. Small numbers of Mozambican children and adults are reportedly trafficked to Zambia for agricultural labor. Zimbabwean women and girls are trafficked to Mozambique for sexual exploitation and domestic servitude.

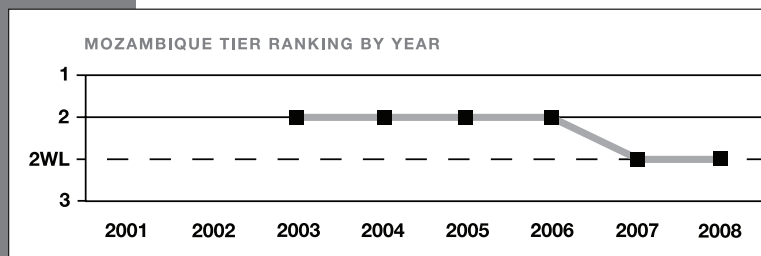
The Government of Mozambique does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Mozambique is placed on Tier 2 Watch List for the second consecutive year for its failure to provide evidence of increasing efforts to combat trafficking in persons over the last year.

**Recommendations for Mozambique:** Vigorously investigate and prosecute suspected traffickers; enact the recently passed anti-trafficking legislation; launch a nationwide public awareness campaign; and investigate and prosecute public officials suspected of accepting bribes to overlook trafficking crimes or free traffickers.

## Prosecution

The Government of Mozambique passed comprehensive anti-trafficking legislation at the end of the reporting period, and concrete law enforcement efforts increased modestly. In August 2007, the Council of Ministers approved and forwarded to the National Assembly for debate and passage a comprehensive law against human trafficking containing specific provisions on prosecution, protection, and prevention. The law was unanimously passed in April 2008, though its penalties will undergo further technical revision by the Ministry of Justice to increase the punishment for traffickers from eight to 12 years' imprisonment to 16 to 20 years' imprisonment. Before passage of this law, the government applied at least 13 relevant penal code articles to prosecute trafficking cases.

While the government conducted investigations into cases of human trafficking, there were no prosecutions or convictions of traffickers during the reporting period. Mozambican police reported breaking up trafficking schemes and arresting several transporters and facilitators; the traffickers behind the operations were never apprehended. For example, in November 2007, a labor inspector found approximately 100 workers—who had been fraudulently recruited with promises of good working conditions—subjected to conditions of forced labor by a local flower company. The Labor Inspectorate suspended the company's operations, but did not file criminal charges against the company. In January 2008, police in Manica Province stopped a truck carrying 39 children from several northern provinces bound for Maputo, ostensibly to enroll in Islamic schools. Police arrested the driver and an accompanying adult and opened an investigation into the incident. While a parallel investigation by the Attorney General's Office concluded that the children were traveling with parental consent, none of Maputo's Islamic schools had received applications for the enrollment of the children, leading police and NGOs to classify the incident as human trafficking. In March 2008, South African authorities apprehended a Mozambican female alleged to have trafficked Mozambican girls to Pretoria for forced prostitution; the Mozambican government immediately dispatched investigators from the Attorney General's office and the Criminal Investigative Police to South Africa to assist in the investigation and discuss possible extradition. Many lower-ranking police and border control agents are believed to accept bribes from traffickers, severely hindering Mozambique's prosecution efforts. In November 2007, the government extended coverage of a one-day trafficking seminar for new police officers in the country's central provinces to include the northern provinces. Training began in Nampula and, in January, commenced in Cabo Delgado and Niassa provinces.



## 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 for victims of trafficking. Moreover, the government continues to lack formalized procedures for identifying potential victims and transferring them to NGOs with the capacity to provide care. In December 2007, the Ministry of Interior expanded from 151 to 155 the number of police stations with an office dedicated to women and children victimized by violence, including cases of trafficking; these offices registered complaints and filed reports of trafficking crimes before informally referring victims to NGOs for care. Between January and October 2007, the offices received 89 kidnapping cases; their director believes a majority of these cases involved human trafficking, but were recorded as kidnapping due to a lack of trafficking-specific legislation. In 2007, the Ministry of Labor transported more than 40 abused workers back to their provinces after they were found in slave-like conditions in the capital. In addition, police, with assistance from an international NGO, arranged for 39 rescued children to be flown back to their home areas. In March 2008, police rescued children from their traffickers and transported, with the assistance of the Ministry of Social Welfare, them to their home province. 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 does not provide legal alternatives to the removal of foreign victims to countries where they would face hardship or retribution.

## Prevention

The government's prevention efforts remained weak; 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. During the year, law enforcement officials publicized several trafficking cases and government-owned media outlets covered such stories. In the weeks following the March 2008 arrest of a Mozambican trafficker in South Africa, the press ran almost daily articles on updates to the case, the need for passage of the anti-trafficking law, and at least four newly discovered cases of trafficked Mozambican children. In June 2007, the Moamba District government partnered with an NGO to jointly host a series of anti-child trafficking-themed events in Ressano Garcia, including a march through the town, theater presentations, and speeches, to celebrate the Day of the African Child.

## 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 child soldiers, domestic servants, and circus entertainment or factory workers. NGOs cite a growing internal child sex tourism problem, with an estimated 5,000 to 7,000 girls trafficked from rural areas to Kathmandu for commercial sexual exploitation. In addition, the Nepalese Youth Foundation estimated that there are over 20,000 child indentured domestic workers in Nepal. Bonded labor also remains a significant problem in Nepal, affecting entire families forced into labor as land tillers or cattle herders. Nepali women are trafficked to India and to countries in the Middle East for commercial sexual exploitation. Men and women also migrate willingly from Nepal to Malaysia, Israel, South Korea, the United States, Saudi Arabia, the United Arab Emirates (U.A.E.), Qatar, and other Gulf states to work as domestic servants, construction workers, or other low-skill laborers, but some subsequently face conditions 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. A number of these workers are subjected to debt bondage produced in part by fraud and high recruitment fees charged by unscrupulous agents in Nepal. Despite a ban imposed by the Government of Nepal, some Nepalis are deceived and trafficked into forced labor in Iraq through the U.A.E. and Kuwait.

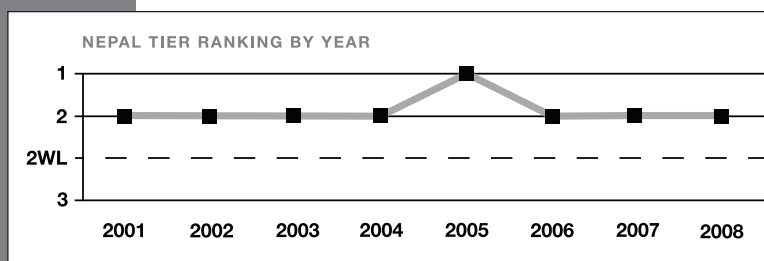
The Government of Nepal does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. This year, Nepal passed a comprehensive anti-trafficking law criminalizing all forms of trafficking. The government also raised public awareness on trafficking for both forced labor and commercial sexual exploitation.

**Recommendations for Nepal:** Enforce newly enacted anti-trafficking legislation and 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 result of their being trafficked; and improve

protection services available for victims of labor forms of trafficking. In order to effectively implement the new legislation and its provisions for victim compensation, the government needs to put in place more effective tracking mechanisms for both sex and labor trafficking cases.

### Prosecution

Nepal made progress in its efforts to enforce laws against trafficking. In July 2007, the Government of Nepal enacted a comprehensive anti-trafficking law—the Trafficking in Persons and Transportation (Control) Act (TPTA), which prohibits all forms of trafficking in persons 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. In August, Nepal also enacted a new Foreign Employment Act, which criminalizes the acts of both agencies and individuals sending workers abroad based on false promises and without the proper documentation. Chapter 9, titled "Crime and Punishment," defines fraudulent labor traf-



ficking and prescribes penalties of three to seven years' imprisonment for those convicted. Nepali law also formally prohibits bonded labor, but does not prescribe penalties for violators. In 2007, Nepal filed 111 criminal cases for deceptive recruitment practices that contribute to trafficking for forced labor, including 10 against manpower agencies and 101 against individual labor recruiters. In addition, in 2007, the Women's Cells in 24 districts and NGOs nationwide filed a total of 262 criminal cases against trafficking for commercial sexual exploitation in district courts throughout the country. The Attorney General's report, dated January 2008, states that 14 new cases were filed with the Supreme Court during the reporting period, and 13 cases were decided resulting in four convictions and nine acquittals. Serious concerns remain, regarding the prominent role complicit government officials play in trafficking; local NGOs report that police facilitate trafficking through bribes, yet the government did not report significant law enforcement efforts to investigate, prosecute, convict, or sufficiently sentence these officials complicit in trafficking. It is critical for the Government of Nepal to take serious and proactive efforts to investigate and punish this trafficking complicity.

### Protection

Nepal made modest efforts to protect victims of trafficking during the reporting period. The TPTA includes provisions for assistance to Nepali citizens trafficked abroad, the establishment of rehabilitation centers to provide medical treatment, counseling, reintegration assistance for victims of trafficking, and the creation of a rehabilitation fund to finance protection services to trafficking victims. These provisions, however, have not been implemented due to lack of resources. The government, through the Women's Cells, actively encourages sex trafficking victims to participate in investigations against their traffickers, but lacks sufficient resources to ensure their personal safety; as such, victims are reluctant to testify. Law enforcement officers do not employ formal procedures to identify victims of trafficking from among vulnerable groups, such as women arrested for prostitution. As a result, victims are likely arrested and fined for acts committed as a result of being trafficked. It is of particular concern that Nepali police do not attempt to determine the age or consent of women and girls arrested in massage parlors, dance bars, and cabin restaurants where trafficking for commercial sexual exploitation is a significant and growing problem. Foreign victims are not offered legal alternatives to removal to countries in which they may face hardship or retribution. The government does not provide victim protection services for men and women trafficked abroad for involuntary servitude.

### Prevention

Nepal sustained its efforts to prevent trafficking in persons throughout the reporting period. The Ministry of Women, Children, and Social Welfare provided small grants to task forces in 26 high-risk districts to raise awareness and mobilize communities against trafficking. The Office of the National Rapporteur for Trafficking also launched a television and radio campaign to raise awareness of trafficking. In 2007, the Ministry of Labor and Transport Management established a "safe migration" desk at the airport; to avoid screening, however, many victims were trafficked by land across the porous Indian border. To reduce demand for commercial sex acts, the government prescribed a penalty of one to three months' imprisonment for brothel customers. Although the Nepal Tourism Board agreed to amend the language in its website advertisement for "Wild Stag Weekends," it did so only after widespread international condemnation of the promotion. To date, the government has done little to prevent the exploitation of minors in the growing domestic sex industry, or to institute a public awareness campaign targeting nationals traveling to known sex tourism destinations. Nepal has not ratified the 2000 U.N. 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. Within the Netherlands, victims are often trafficked by so called “lover boys”—men who seduce young women and girls and coerce them into prostitution. Women and girls are trafficked to the Netherlands from Nigeria, Bulgaria, China, Sierra Leone, and Romania, as well as other countries in Eastern Europe, for sexual exploitation and, to a lesser extent, forced labor. Men are trafficked to the Netherlands from India, China, Bangladesh, and Turkey for forced labor and sexual exploitation. 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.

The Government of the Netherlands fully complies with the minimum standards for the elimination of trafficking. The government continued to address trafficking through vigorous law enforcement and expanded victim protection. Prostitution, which is a contributing factor to the phenomenon of human trafficking, remains legal in the Netherlands within a government-regulated sector; however, the government undertook countermeasures to identify and prevent trafficking within the prostitution sector, and sustained a prevention initiative to raise trafficking awareness among clients of the commercial sex trade, which serves to reduce demand. In addition, the Amsterdam city government initiated plans to clean up the city’s Red Light District.

**Recommendations for the Netherlands:** Continue anti-trafficking awareness initiatives aimed at educating clients of the commercial sex trade about the causes and consequences of trafficking; evaluate why many reported trafficking victims decline to assist in the prosecution of their traffickers, and whether additional government measures would encourage more victims to do so; continue efforts to proactively identify trafficking victims in the legalized prostitution sector; and continue to review sufficiency of sentences in trafficking cases.

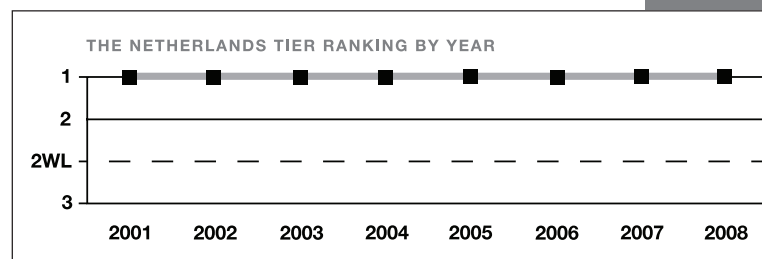
### Prosecution

The Government of the Netherlands continued to show substantial law enforcement efforts to combat trafficking. 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 and fines of up to \$67,500. These penalties are sufficiently stringent and commensurate with those prescribed for rape. In 2006, the last year for

which statistics are available, police investigated and referred 201 sex trafficking cases for prosecution, an increase from 138 investigations in 2005. The public prosecutor prosecuted 216 sex trafficking cases, an increase from 138 in 2005, and obtained 90 convictions of trafficking offenders in 2006. The average prison sentence imposed was approximately 27 months’ imprisonment, and five-and-a-half years’ imprisonment in cases involving sexual violence. The College of Attorneys-General is investigating whether judges are systematically giving appropriate sentences in trafficking cases. In October 2007, Dutch authorities, in cooperation with law enforcement authorities in six other countries, dismantled a large criminal ring suspected of trafficking underage Nigerian asylum seekers into the Netherlands for sexual exploitation throughout Europe. Ten of the 19 suspects arrested are on trial. The government prosecuted four alleged labor trafficking cases in 2006; all resulted in acquittals in 2007, though two of these are being appealed by the government. In 2008, one labor trafficking case led to a conviction with a three-year prison term. Nine labor trafficking investigations are ongoing. All of the Netherlands’ 25 regional police forces have units with special expertise in investigating human trafficking.

### Protection

The government demonstrated increased efforts to protect trafficking victims. In 2007, the government registered 716 victims, up from 579 victims in 2006. Of the 716 victims, 49 were male, up from 30 in 2006, and 382 of the victims were exploited for commercial sexual exploitation. Dutch authorities provided a temporary residence mechanism to allow trafficking victims and witnesses to stay in the Netherlands during the investigation and prosecution of their traffickers; this included a reflection period of three months for victims to consider pressing charges. During this period, the government provides 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. In October 2007, the Justice Ministry further eased requirements for trafficking victims to obtain temporary and permanent residence permits. The government opened two shelters for male victims in 2007. In December 2007, the government raised the budget for protec-



tion of trafficking victims and plans to expand shelter capacity and create additional separate shelters for men. In May 2007, the city of Amsterdam opened a special trafficking coordination center to facilitate NGO-police communication and shelter up to 10 women or girls. According to border police, since January 2006, approximately 140 underage Nigerian victims were trafficked from Dutch asylum centers and forced into prostitution elsewhere in Europe. Since 2007, the government has placed single, underage asylum seekers at secret locations under police supervision and provided intensive counseling to prevent them from being trafficked. Despite robust protection measures, many registered trafficking victims did not press charges due to fear of retaliation by their traffickers. Victims are not penalized for unlawful acts committed as a direct result of being trafficked. The Dutch Foreign Ministry provides roughly \$3.75 million per year to fund international anti-trafficking and victim protection programs, particularly in principal victim source countries such as Romania, Bulgaria, and Nigeria.

### Prevention

The Netherlands demonstrated strong trafficking awareness-raising efforts during the year. In January 2008, the government renewed its multimedia campaign targeted at sex trade “clients,” women in prostitution, and others encouraging them to report signs of trafficking to an anonymous tip line. Prostitution remains legal in the Netherlands; however, the government sponsored an initiative to combat trafficking by placing anti-trafficking public service announcements on a website frequented by men seeking women in prostitution. Beginning in 2008, the Social Ministry’s Labor Inspectorate will screen brothels to check for signs of exploitation in addition to the regular screening conducted by specially trained police units. In 2007, the Justice Ministry expanded an agreement with the Dutch newspaper association committing newspapers to require escort services to include their business license or Value Added Tax numbers in ads for sexual services. In December 2007, Amsterdam Mayor Cohen presented a plan to “get rid of the underlying criminality” of the red light district that would restrict brothels to a smaller area, exclude pimps from the district, and tighten permit requirements for brothel and escort service operators, to include criminal background investigations. A high level task force on combating trafficking chaired by the attorney general responsible for trafficking prosecution policy was inaugurated in 2008. The Dutch military provides training to all military personnel on the prevention of trafficking and sexual exploitation and additional training on recognizing trafficking victims for Dutch troops being deployed abroad for duty as international peacekeepers. Dutch military personnel serving abroad are prohibited from patronizing sex trade

establishments. Dutch military police have a protocol to identify and detain passengers at Dutch airports suspected of child sex tourism. In 2008, the government committed approximately \$780,000 over three years to an ECPAT project to implement a code of conduct for tourism operators in destination countries to prevent child sex tourism. The government also provides funds to ECPAT to show in-flight videos on flights from Amsterdam to popular holiday destinations warning travelers that child sex tourism is prosecutable in the destination country as well as in the Netherlands.

### The Dutch Caribbean Autonomous Regions

Anecdotal reporting suggests that the Netherlands Antilles and Aruba, semi-autonomous regions within the Kingdom of the Netherlands, are transit and destination regions for trafficking of men, women, and possibly children for sexual exploitation and domestic servitude, as well as forced labor in the construction and agriculture sectors. Curacao, Aruba, and Saint Maarten are destination islands for women trafficked for the sex trade from Peru, Brazil, Colombia, the Dominican Republic, and Haiti, according to local observers. At least 500 foreign women reportedly are in prostitution throughout the five islands of the Antilles, some of whom have been trafficked. While the governments of the Netherlands Antilles and Aruba admit that illegal immigration is a serious issue and are concerned about human trafficking, government officials generally do not recognize the extent of trafficking in the Dutch Caribbean.

### Recommendations for Dutch Caribbean

**Authorities:** Ensure that there is a legal framework in place to prohibit and punish all forms of human trafficking; collaborate with the Netherlands to more effectively detect trafficking and investigate and prosecute those responsible; enhance efforts to identify, protect, and assist victims of trafficking; and increase measures to prevent human trafficking.

There have been no reported investigations or prosecutions of human trafficking cases in the Dutch Caribbean Autonomous Regions. Visas for Aruba and the Netherlands Antilles are issued by Dutch embassies following review by Aruban or Netherlands Antilles’ authorities. Allegations and proven instances of corruption in the realm of immigration and work permits exist; however, corrupt officials in the Netherlands Antilles are prosecuted by an independent Public Prosecutor’s Office. Authorities are working to increase the sensitivity of police officers to recognize possible victims of trafficking among illegal immigrants.

Netherlands Antilles and Aruban officials have established formal contacts with the Dutch

government's human trafficking coordination center. The Dutch Ministry of Justice made funds available for the Netherlands Antilles to participate in IOM's anti-trafficking public awareness campaign during the reporting period.

## NEW ZEALAND (Tier 1)

New Zealand is a destination country for women from Malaysia, Hong Kong, the People's Republic of China, and other countries in Asia trafficked for the purpose of commercial sexual exploitation. Among foreign women in New Zealand's commercial sex trade, some may be trafficking victims, though estimates of international trafficking victims are modest. Commercial sexual exploitation of minors occurs within the country on a limited basis and there have been only a few instances where authorities suspect that minors in prostitution have been trafficked by third parties. New Zealand authorities are investigating allegations that some Asian and Pacific Islanders who migrate willingly to work in the agricultural sector and women from the Philippines who migrate to work as nurses are charged excessive recruiting fees by manpower agencies, and experience unjustified salary deductions and occasional contract fraud, actions that make them vulnerable to involuntary servitude or debt bondage.

The Government of New Zealand fully complies with the minimum standards for the elimination of trafficking. During the year, police increased investigations by raiding several red light areas and massage parlors suspected of exploiting migrants illegally participating in the legal commercial sex trade and minors. However, sentences handed down to those convicted of exploiting minors in commercial sex remained relatively light, including home detention in one case.

**Recommendations for New Zealand:** Implement and support a visible anti-trafficking awareness campaign directed at clients of the sex trade; continue conducting efforts to proactively identify trafficking victims in the legalized prostitution sector; institute a formal procedure to identify victims of trafficking among vulnerable groups such as foreign women arrested for prostitution or migrant laborers; and continue efforts to investigate and prosecute citizens engaged in child sex tourism.

### Prosecution

The Government of New Zealand improved law enforcement action against trafficking crimes during the past year. New Zealand prohibits sex trafficking and labor trafficking through Part 5 of the 1961 Crimes Act. The 2003 Prostitution Reform Act (PRA) legalized prostitution for those over the age of 18 and also decriminalized solicitation. Other statutes criminalize receiving financial gain from an act

involving children exploited in prostitution and prohibit child sex tourism. Penalties prescribed for trafficking are sufficiently stringent, and penalties for trafficking for commercial sexual exploitation that range up to 20 years' imprisonment, are commensurate with those for rape. While there have been no prosecutions under New Zealand's anti-trafficking law, which requires movement across an international border, internal trafficking can be prosecuted under New Zealand's laws on forced labor, slavery, other forms of abuse, and the PRA. The government has prosecuted and convicted individuals under the PRA for exploiting children in commercial sexual exploitation. Of the 94 prosecutions for crimes involving commercial sexual exploitation of minors since the PRA became effective in 2004, 31 of those prosecutions occurred in 2007, resulting in 25 convictions. Of the 25 convictions, five offenders received jail sentences, 12 offenders received community service, two offenders received probation, three were fined, and three cases were acquitted. In February 2008, a defendant found guilty of exploiting a 14- and 16-year-old in his brothel was sentenced to one year of home detention. In March 2008, a man was found guilty of seven charges under the PRA, including conducting "training sessions" for three minors in his brothel, and was sentenced to 27 months' imprisonment.

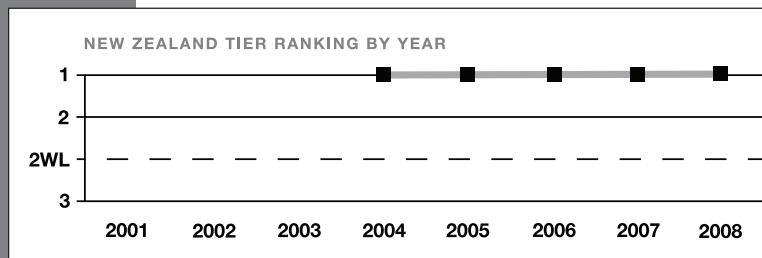
During the reporting period, police increased investigative activities directed at finding foreign nationals and underage youth in prostitution, including raids in several red light areas and massage parlors suspected of sexually exploiting minors. In January 2008, police conducted a sweep in the red light district of Auckland and found 16 underage persons suspected of engaging in commercial sexual activity. According to police, some minors were living in gang homes and controlled by pimps who exchanged sex for accommodation, food, and drugs. Charges in this case are pending.

In 2007, the Department of Labor prosecuted five persons for helping or enticing illegal workers to stay in New Zealand for material gain in violation of the Immigration Act. In one case, a Vietnamese national in New Zealand helped several workers jump ship from a Korean fishing vessel on which they were exploited and trafficked them to another Vietnamese national who exploited the workers in New Zealand's agriculture industry. The Vietnamese nationals were sentenced to 27 months' incarceration and 21 months' home detention, respectively. There is no evidence of New Zealand government officials' complicity in trafficking in New Zealand.

### Protection

The Government of New Zealand funds an extensive network of victim support and social

services for victims of crimes, to include victims of trafficking. No victims of trafficking were identified by the government during the reporting period. Temporary permits can be provided to foreign victims of trafficking in individual cases. The government provides several support services for minors involved in or at risk of commercial sexual exploitation. In an effort to deter potential trafficking of migrant workers, the government in 2007 initiated a Recognized Seasonal Employer (RSE) program. It routinely conducts compliance visits to employers under the RSE to review agreements and fees, and to check for signs of impropriety and possible trafficking. The Department of Labor is currently investigating a complaint involving Asian nurses. There were no reports of trafficked victims who were jailed, fined, or deported for unlawful acts committed as a result of being trafficked. According to the Department of Labor, the Vietnamese ship jumpers remain in New Zealand and have assisted with the investigations and prosecutions as witnesses. New Zealand continues to fund victim protection programs in key trafficking Southeast Asian source countries of the Mekong Sub-Region.



### Prevention

The Government of New Zealand continued efforts to prevent incidents of trafficking in persons over the year. There were no government-run information or education campaigns targeting transnational trafficking, underage prostitution, or exploitation of migrant workers during the reporting period. However, the government remained active in several regional and international efforts to prevent, monitor, and control trafficking. The government's foreign assistance agency, NZAID, continued to provide substantial funding to source countries and international organizations for capacity building, prevention, and services for victims of trafficking. The New Zealand government highlighted its extra-territorial legislation on child sex tourism on its travel webpage during the reporting period and punished child sex tourism committed by New Zealand residents in other countries; one person was convicted in 2007 and sentenced to a term of 820 days imprisonment. Prior to deployment for international peacekeeping missions New Zealand Defence Force (NZDF) personnel received anti-trafficking training. There were no visible measures

undertaken by the government to reduce the demand for commercial sex acts in the legalized adult commercial sex industry in New Zealand.

## NICARAGUA (Tier 2)

Nicaragua is a source country for women and children trafficked for the purposes of commercial sexual exploitation and forced labor. Women and children are trafficked for commercial sexual exploitation within the country and transnationally, primarily to Guatemala and El Salvador. In smaller numbers, women and children are also trafficked for sexual exploitation to Costa Rica, Mexico, Honduras, Venezuela, Spain, and the United States. The most prevalent form of internal trafficking is believed to be the exploitation of minors in prostitution, including for child sex tourism. However, children are also trafficked within the country for forced labor in construction, agriculture, the fishing industry, and for domestic servitude. Districts with identified human trafficking activity include Rio San Juan, Rivas, Madriz, Chinandega, Managua, Esteli, and Nueva Segovia. Young Nicaraguan males are also trafficked for the purpose of forced labor in agriculture and construction from southern border areas to Costa Rica.

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. During the reporting period, the government made solid efforts to address sex trafficking through prosecutions, convictions, and awareness-raising campaigns; however, it failed to address the problem of labor trafficking. Overall victim protection efforts remained weak.

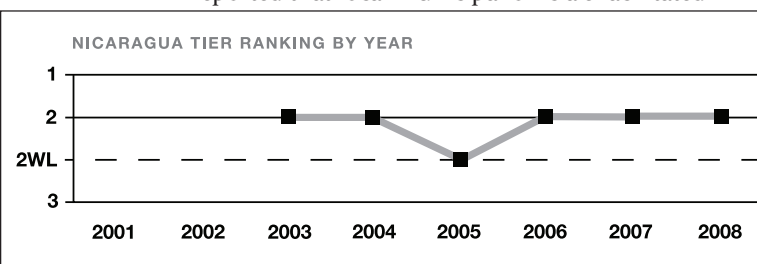
**Recommendations for Nicaragua:** Increase efforts to investigate, prosecute, convict, and punish trafficking offenders, including government officials suspected of complicity with trafficking activity; prosecute and convict labor traffickers under existing forced labor laws; bring the new penal code package which will replace Article 203 with stronger anti-trafficking statutes into force; develop and enact laws criminalizing trafficking of children and adults for forced labor; train personnel within the Ministry of the Family and its Social Protection Centers to provide specialized care for sex and labor trafficking victims; and provide care for adult trafficking victims.

### Prosecution

The Government of Nicaragua demonstrated sustained efforts to combat trafficking through law enforcement during the reporting period. Nicaragua does not prohibit all forms of trafficking in persons, though it criminalizes child and adult trafficking for the purpose of sexual exploitation through Article



203. The prescribed penalties for sex trafficking are four to 10 years' imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other grave crimes. Penal code Article 177 prohibits the promotion of child sex tourism through travel tours and advertising campaigns, prescribing five to seven years' imprisonment and a fine. In November 2007, the National Assembly passed a penal code reform package that will replace existing Article 203 with stronger anti-trafficking statutes by increasing its penalties for sex trafficking to seven to 12 years' imprisonment, and criminalizing acts by those who facilitate the activities of traffickers. However, during the reporting period, the new amendment did not come into effect because the penal code reforms had not been published in the federal registry. Nicaragua's current and proposed laws fail to adequately prohibit the trafficking of adults or children for forced labor. During the year, the government reported that it investigated 17 trafficking cases, arrested 11 trafficking suspects, and prosecuted two cases against trafficking offenders, with both resulting in convictions. Sentences imposed ranged from four to nearly 10 years' imprisonment. Two suspected child traffickers remain under investigation. In July 2007, an Indonesian woman reported to authorities that she had been trafficked to Managua by a Nicaraguan employer for domestic servitude. The woman reportedly had been subjected to physical restraint, psychological coercion, and the withholding of her wages. While authorities referred the victim to IOM for repatriation, the government indicated it was not able to prosecute the employer because labor trafficking is not criminalized under Nicaraguan law. The employer later filed a complaint with police against IOM. In collaboration with NGOs, government officials received specialized training on recognizing, investigating and prosecuting trafficking cases. A 2007 study by the Institute of Public Policy and Strategic Studies reported that local municipal officials facilitated



trafficking by assisting lawyers hired by traffickers to prepare fraudulent documents and identification cards used to transport victims. During the year, the government failed to conduct any investigations into official complicity in trafficking.

#### Protection

The Nicaraguan government made inadequate efforts to protect trafficking victims in the last year.

The Ministry of the Family (MOF) provided services to child victims through 81 Special Protection Centers (SPC) and referred other victims to NGOs, but failed to provide data on the number of trafficking victims assisted during the year. The government does not operate shelters for adult trafficking victims. The Human Rights Ombudsman reported that the MOF and most of its SPCs lacked personnel trained to provide care to sex trafficking victims. The MOF continued to contribute personnel and resources to operate its donor-funded 24-hour trafficking telephone hotline, which provided victim callers with anti-trafficking information and car transportation to victim services. The hotline received more than 1,000 trafficking-related calls between April and December 2007. The National Police followed procedures to identify trafficking victims among females in the country's regulated prostitution sector. Nonetheless, NGOs reported that in some cases, due to lack of understanding of trafficking, police and judges treated victims as criminals for acts committed as a result of being trafficked. In most cases, the government encouraged victims to participate in trafficking investigations and prosecutions, though many refused due to fear of social stigma and retribution by traffickers. The government provided a legal alternative—temporary residency status—to the removal of foreign victims to countries where they may face hardship or retribution.

#### Prevention

The Nicaraguan government sustained solid efforts to raise awareness of trafficking during the last year. The Immigration and Migration Service continued to provide anti-trafficking videos to travelers. The Ministry of Education distributed NGO-funded anti-trafficking brochures to teachers, school children, and public officials. The government continued to publicize its free hotline through its "Call and Live" awareness campaign. In August 2007, the Ministry of Government hosted a regional anti-trafficking conference. The Women and Children Police Commissariats continued to educate the public about sex trafficking. To reduce the demand for commercial sex acts, the government continued the second phase of a regional program launched in 2006 to eradicate commercial sexual exploitation, which included measures to raise anti-trafficking awareness.

## NIGER (Tier 2 Watch List)

Niger is a source, transit, and destination country for children and women trafficked for forced labor and sexual exploitation. Caste-based slavery practices, rooted in ancestral master-slave relationships, continue in isolated areas of the country. An estimated 8,800 to 43,000 Nigeriens live under conditions of traditional slavery. Children are trafficked

within Niger 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 are also subjected to commercial sexual exploitation along the border with Nigeria, particularly in the towns of Birni N’Konni and Zinder, and 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.

The Government of Niger does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so, despite limited resources. Niger has nonetheless been placed on Tier 2 Watch List for its failure to provide evidence of increasing efforts to eliminate trafficking in the last year. In particular, measures to combat and eliminate traditional slavery practices were weak. The government’s overall law enforcement efforts have stalled from the previous year. While efforts to protect child trafficking victims were steady, the government failed to provide services to or rescue adult victims subjected to traditional slavery practices. Similarly, the government made solid efforts to raise awareness about child trafficking, but poor efforts to educate the public about traditional slavery practices in general.

**Recommendations for Niger:** Pass and enact its 2006 draft legislation against trafficking; strengthen efforts to prosecute and convict trafficking offenders, including those guilty of slavery offenses; increase efforts to rescue victims of traditional slavery practices; adopt the draft national action plans to combat slavery and trafficking; sign and implement its draft bilateral accord with Nigeria; and increase efforts to raise awareness about traditional slavery practices and the law against slavery.

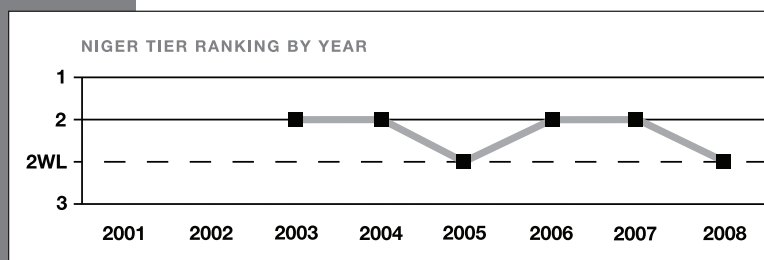
### Prosecution

The Government of Niger decreased its anti-trafficking law enforcement efforts over the last year, particularly with respect to 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. Niger does not, however, prohibit other forms of trafficking. The prescribed penalty of 10 to 30 years’ imprisonment for slavery offenses is sufficiently stringent. The prescribed penalty of a fine ranging from \$48 to \$598 and six days to one month’s imprisonment for forced labor is not sufficiently stringent. In 2006, the government drafted a law against trafficking that has yet to be submitted to the Council of Ministers. In the last year, law enforcement authorities arrested 22 suspects in connection with the trafficking of 172 children. Seventeen of these suspects were released without being charged, four were charged with abduction of minors, and one was handed over to officials in Mali. Of the four individuals charged, one was sentenced in April 2007 to two years’ imprisonment for abducting her six-year-old nephew to sell him in Nigeria. The government was unable to provide an update on the status of two individuals detained and charged with enslavement in 2006. An additional three slavery cases have been pending since 2004. The Ministry of Justice approved the inclusion of an anti-trafficking training course, which focuses on special investigative techniques, international cooperation, and victim and witness protection, into the national law enforcement curriculum. Although Niger and Nigeria prepared a bilateral cooperation agreement to combat trafficking in December 2006, it has yet to be signed.

### Protection

The Government of Niger demonstrated steady efforts to protect child trafficking victims over the last year, but poor efforts to protect adult and child victims of traditional slavery practices. Due to lack of resources, the government does not operate its own victim shelter, but refers child trafficking victims to NGOs for assistance. The government also provided some basic health care to trafficking victims. The government referred 182 child victims to NGOs for care in the last year. The government failed to report rescues of traditional caste-based slaves or to provide them with social services. To combat trafficking of boys for forced begging by religious instructors, the government developed a plan to restructure Islamic schools and increased instructor salaries. The government encourages victims to report their traffickers to law enforcement officials and allows NGOs to assist victims in pursuing prosecutions against traffickers. The Ministry of the Interior (MOI) runs a program to welcome and shelter, for about one week, repatriated Nigerien victims of trafficking. MOI officials interview victims to understand what happened in their cases and help them return to their homes in Niger. The government 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 as a direct result of being trafficked.

**Prevention**

The Government of Niger made solid efforts to educate the public about child trafficking during the reporting period. Government efforts to raise awareness about traditional slavery practices were poor, however. In June 2007, the Minister of Women’s Promotion and Child Protection made a public speech acknowledging that “urgent measures” were needed to address the problem of child trafficking. She also chaired a panel discussion about trafficking that was aired on national radio. In June 2007, the government collaborated with UNICEF and NGOs to educate hotel and cyber café managers about child sexual exploitation. In November 2007, the National Commission on Human Rights and Fundamental Liberties established a national coordination committee to conduct a six-month government-funded study on forced labor, child labor, and slavery practices. Niger’s 2006 draft national action plan to combat trafficking and draft plan to combat forced labor linked to slavery have yet to be adopted. While the National Commission for the Control of Trafficking in Persons established in 2006 continued to exist, it had no budget. Niger did not take measures to reduce demand for commercial sex acts during the year.

**NIGERIA (Tier 2)**

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 primarily trafficked for domestic servitude and sexual exploitation, and boys are trafficked for forced begging by religious teachers, as well as forced labor in street vending, agriculture, mining, stone quarries, and domestic servitude. Transnationally, women, girls, and boys are trafficked between Nigeria and other West and Central African countries, primarily Gabon, Cameroon, Benin, Niger, The Gambia and Ghana, 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 also trafficked to North Africa, Saudi Arabia, and Europe, most notably to Italy, Spain, the Netherlands, Belgium, Austria, Norway, and Greece. Nigeria’s Edo state is a primary source area for woman and girls trafficked to Italy for sexual exploitation. In 2004, Nigeria’s National Agency for the Prohibition of Trafficking in Persons (NAPTIP) reported that 46 percent of Nigerian victims of transnational trafficking are children, with the majority of them being girls trafficked for commercial sexual exploitation. An increasing trend, reported on widely

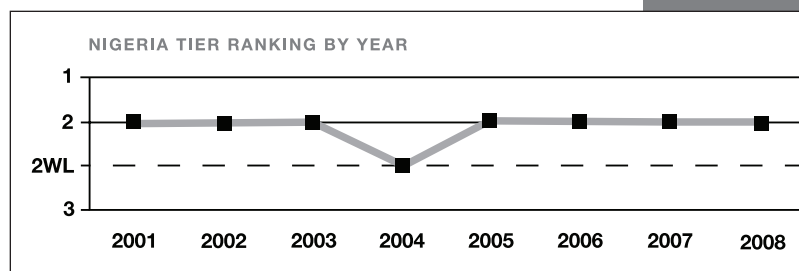
in the last year by the United Kingdom (U.K.) and the international press, is the trafficking of African boys and girls from Lagos to the U.K.’s urban centers, including London, Birmingham and Manchester, for domestic servitude and forced labor in restaurants and shops. Some of the victims are Nigerian, while others are trafficked from other African countries through Lagos.

The Government of Nigeria does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Nigeria continued to demonstrate a solid commitment to eradicating trafficking. Although NAPTIP made solid efforts to investigate and prosecute trafficking cases, the relative number of convicted traffickers remained low. While Nigeria assisted an increased number of victims, the quality of care provided was compromised by inadequate funding to shelters.

**Recommendations for Nigeria:** Increase efforts to prosecute and convict trafficking offenders; allocate increased funds to collecting evidence for trafficking prosecutions and to victim care at NAPTIP’s shelters; increase trafficking training for judges; offer expanded legal alternatives to the removal of foreign victims to countries where they face danger or retribution; and improve trafficking and crime data collection mechanisms.

**Prosecution**

The Government of Nigeria continued to combat trafficking through modest law enforcement efforts 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, and its 2003 Child Rights Act. Prescribed penalties of five years’ imprisonment for labor trafficking, 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. During the last year, NAPTIP reported investigating 114 trafficking cases, 62 of which were prosecuted. Of the 62 cases, seven resulted in convictions and 51 are still pending in the court. Sentences imposed on convicted trafficking



offenders ranged from one to 10 years' imprisonment. This law enforcement data, however, primarily reflects cases handled by NAPTIP's headquarters in Abuja. Trafficking data collected at the Agency's five other zonal offices are not systematically collected by NAPTIP's headquarters. Judicial effectiveness in punishing trafficking crimes is hampered by a lack of funding for thorough investigations and a lack of awareness of trafficking among judges, many of whom conflate trafficking with smuggling. Over the year, NAPTIP cooperated with law enforcement counterparts in Spain, Ireland, the Netherlands, the United Kingdom, Italy, France, Norway, and Belgium to break up an international ring comprised of over 20 traffickers. During the year, the government extradited a man wanted to stand trial for trafficking a 14-year-old Nigerian girl to the United States. NAPTIP also collaborated with other African governments during the year on trafficking cases, most notably those of Benin, Togo, and Cameroon. The government trained 750 police, immigration, customs, and border security officials about trafficking during the reporting period. NAPTIP also provided anti-trafficking training to Nigerian embassy and consulate authorities posted in source countries. In addition, Nigeria contributed training materials and instructors to a donor-funded law enforcement anti-trafficking training program.

### Protection

The Nigerian government continued steady efforts to protect trafficking victims during the last year. NAPTIP continued to operate seven shelters throughout the country – in Lagos, Abuja, Kano, Sokoto, Enugu, Uyo, and Benin City. However, due to inadequate funding, some shelters were not well-maintained, and they offered limited rehabilitation care and no reintegration services. Despite a documented significant trafficking problem in Nigeria, NAPTIP shelters were not well used. In January 2008, for example, the Lagos shelter, with a capacity for 120 victims, housed only 15 victims. The government refers victims to NGOs on an ad hoc basis, but employs no formal, systematic procedures for referring victims to service providers. NAPTIP has agreements with hospitals and clinics, however, to provide care to victims with HIV/AIDS. NAPTIP reported rescuing 800 victims, and providing assistance to 695. During the year Nigerian and Beninese authorities implemented the terms of their joint anti-trafficking plan of action by repatriating 47 Beninese children found trafficked to some of Nigeria's stone quarries during the year. NAPTIP also collaborated with Togolese officials to repatriate two victims back to Togo. NAPTIP provided trainers and other personnel to assist a foreign donor to train 34 government counselors on strategies for caring for trafficking victims. NAPTIP encourages 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, however, victims have often returned to their home communities by the time their testimony is needed in court. Frequently, they are unwilling or unable to return to the court to testify. Victims also often refuse to testify due to fear of retribution. Nigeria provides 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 places foreign victims in shelters under guard until they are repatriated. Although there were no reports of victims inappropriately incarcerated, fined, or penalized for unlawful acts committed as a result of being trafficked, police do not always follow procedures to identify trafficking victims among females arrested for prostitution. The government is hesitant to conduct raids on brothels and typical raid tactics are not sensitive to trafficking victims.

### Prevention

The Government of Nigeria took some steps to raise awareness about trafficking during the reporting period. NAPTIP's public enlightenment division erected billboards and posters carrying anti-trafficking public awareness messages and hosted anti-trafficking forums in villages. The government also aired anti-trafficking public service announcements. Recent reforms tightening immigration laws related to the issuance of passports are expected to yield a decrease in trafficking. Nigerian troops receive anti-trafficking awareness training through a donor-funded program before being deployed abroad as part of peacekeeping missions for ACOTA. A national anti-trafficking forum, established by NAPTIP in 2003, met regularly in each state as well as in the six regional zones. The government did not, however, take steps to reduce the demand for commercial sex acts within Nigeria.

## NORTH KOREA (Tier 3)

The Democratic People's Republic of Korea (D.P.R.K. 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 who cross the border into the People's Republic of China (P.R.C.) voluntarily. Many of them are from North Hamgyong province, one of the poorest provinces in the country, located near the Chinese border. Once in the P.R.C., they find themselves in difficult legal and financial circumstances, are picked up by traffickers, and sold as brides to PRC nationals, usually of Korean ethnicity. In other cases, North Korean women and girls are lured out of North Korea to escape poor social and economic conditions by the promise of food, jobs, and freedom,



only to be forced into prostitution, marriage, or exploitative labor arrangements once in the P.R.C. While many women trafficked into China are sold as brides, some North Korean women in China are forced into prostitution, usually in brothels. The illegal status of North Koreans in the P.R.C. 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; however, there is no reliable information on how many of these North Koreans are or have been trafficked. Within the D.P.R.K., forced labor continues to be part of an established system of political repression. An estimated 150,000 to 200,000 persons in political prison camps are subjected to reeducation through labor, by logging, mining, and crop tending. Reports indicated that conditions in camps for political prisoners are extremely harsh, and many prisoners are not expected to survive.

The D.P.R.K. regime recruits an estimated 10,000 to 15,000 North Korean contract workers to fill highly sought-after jobs overseas for D.P.R.K. entities and foreign firms. While there is no evidence of force, fraud, or coercion in the recruitment process, there are continued reports that North Koreans sent abroad may be employed in harsh conditions, with their freedom of movement and communication restricted. There are concerns that this labor may be exploitative, since their salaries are deposited into accounts controlled by the North Korean government. Countries in which North Koreans work through such arrangements reportedly include Russia, Romania, Libya, Bulgaria, Saudi Arabia, Angola, Mongolia, Kuwait, Yemen, Iraq and China. The North Korean government recently signed an agreement with Mongolia that will send up to 5,300 North Korean laborers to Mongolia over the next five years. North Korean workers at joint ventures within the D.P.R.K. are employed under arrangements similar to those that apply to overseas contract workers.

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 rights abuses in the country or recognize trafficking, either within the country or transnationally. The D.P.R.K. government does not differentiate between trafficking and other forms of illegal border crossing, such as illegal economic migration or defection. The government also contributes to the problem of trafficking through forced labor prison camps, where North Koreans live in conditions of servitude, receiving little food and little, if any medical care. There also remain concerns about the government's contract labor arrangements abroad, with

the D.P.R.K. government keeping most or all of the foreign exchange paid for workers' salaries.

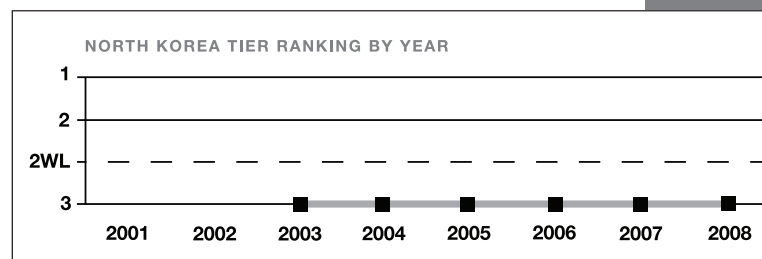
**Recommendations for North Korea:** Institute a victim identification procedure to systematically identify and protect victims of trafficking; cease the punishment of trafficking victims for acts committed as a result of being trafficked; and support NGO presence in North Korea to assist victims of trafficking.

### Prosecution

The D.P.R.K. made no effort to combat trafficking in persons through law enforcement efforts. There were no reported prosecutions or convictions during the reporting period. Little information is available on North Korea's internal legal system, and it is unlikely that North Korean laws are adequate to address the trafficking problem. Article 150 of the Penal Code criminalizes 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; these laws are used against both traffickers and trafficking victims. However, the question of how laws are applied in North Korea is usually more important than their terms. Fair and transparent trials do not occur in the D.P.R.K., so it is unclear under what provisions of the law, if any, traffickers are prosecuted. 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 likely a result of its desire to control all activity within its borders, particularly illegal emigration, rather than to combat trafficking in persons. The laws invoked against traffickers are those that seek to limit all cross-border migration, including refugee outflows, and often wind up harming trafficking victims.

### Protection

The North Korean regime not only does not recognize trafficking victims and fails to make any effort to provide protection or assistance to victims; through invocation of the same cross-border migration laws used to punish trafficking offenders, it regularly punishes victims for acts committed as a result of being trafficked by failing to differentiate them from other border-crossers. North Koreans forcibly repatri-



ated from China, including a significant number of women believed to be trafficking victims, are often jailed and forced into prison camps, where they may undergo torture and other severe punishment. The North Korean government places priority on controlling all activities within its borders; protecting individuals from mistreatment, exploitation, and retribution are not government priorities.

### Prevention

The North Korean government does not acknowledge the existence of human rights problems, including trafficking in persons. The government purports to attack trafficking networks, but in reality, this appears to be an effort to stem human smuggling into China, and a part of its effort to control all activities within and across its borders and limit the movement of its people. There is no evidence that the government operated, administered, or promoted any public awareness campaigns related to trafficking in the country. There are no known indigenous NGOs, 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 children trafficked from Nigeria, Russia, Albania, Ukraine, Latvia, Lithuania, Estonia, Brazil, and East Asian nations for the purpose of commercial sexual exploitation. Victims are sometimes trafficked through transit countries such as Sweden, Denmark, Italy, and the Balkan countries en route to Norway. 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. Norwegian courts increased the duration of time given to convicted traffickers and continue to ensure all convicted traffickers served time in prison during the reporting period. Norway continued to provide generous funding to international anti-trafficking projects in addition to local NGOs providing protection.

**Recommendations for Norway:** Continue to vigorously investigate, prosecute, convict, and sentence both sex and labor trafficking offenders; continue to ensure the majority of traffickers serve time in prison; continue efforts to reduce the domestic demand for commercial sexual exploitation in Norway; and employ proactive victim identification procedures and procedures to ensure victims are not improperly penalized for unlawful activity as a direct result of being trafficked.

### Prosecution

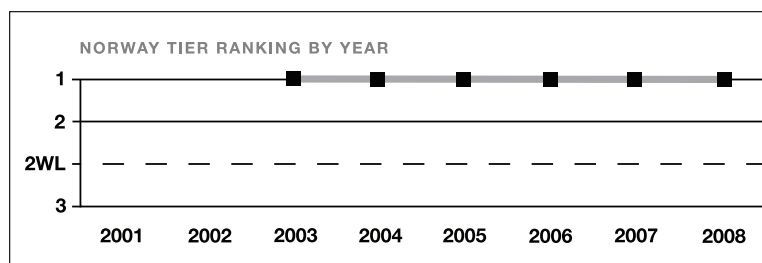
The Norwegian government sustained its adequate anti-trafficking law enforcement efforts during the reporting period. Norway prohibits all forms of trafficking in persons through its Crimes Against Personal Freedom Law of 2004, which prescribes a maximum penalty of five years' imprisonment—a penalty that is sufficiently stringent and commensurate with punishments for other grave offenses, such as rape. In 2007, police conducted at least 19 investigations, compared to 29 in 2006. Authorities prosecuted six persons for trafficking, compared to two prosecutions in 2006. Six people were convicted of trafficking during the reporting period, compared to five convictions in 2006. Courts increased the length of sentences served by convicted traffickers in 2007; all six traffickers were sentenced to 18 to 30 months' imprisonment. In 2006, four traffickers were sentenced to four to six months' imprisonment and one trafficker was sentenced to 30 months' imprisonment.

### Protection

The government sustained strong efforts to provide assistance and protection to victims of trafficking during the year. The government identified 190 victims in 2007. Victims are permitted to stay in Norway during a six-month reflection period in order to receive assistance; 30 victims benefited from the reflection period during the reporting period. The government provided \$2 million to anti-trafficking NGOs in addition to spending separate municipal funds on housing, medical care, and other forms of victim assistance. Thirty-seven victims received assistance in 2007. After their reflection periods, victims can apply for one-year residency permits. Generally, the government encourages 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. All police officers and border patrol agents receive formal training on victim identification.

### Prevention

Norway continued its trafficking prevention efforts, both domestically and abroad. In 2007, Norway allocated \$18 million to international anti-trafficking projects. The government also funded a website aimed at raising awareness and initiated a high school education campaign on human trafficking. The government provides specialized training for employees in refugee asylum centers on identifying victims of human trafficking. The government briefs all Norwegian troops on human trafficking prior to deployment overseas on international peacekeeping missions. Norway monitors immigration patterns for evidence of trafficking. Norway does not sponsor any awareness activities aimed at reducing the demand



for commercial sex acts in Norway's legalized sex trade, although legislation recently enacted will criminalize the purchase of commercial sex starting in 2009. Norway contributes to several international organizations and NGOs to conduct domestic and international campaigns against child sex tourism. A Norwegian court also convicted one Norwegian man for child sex tourism offenses committed in Thailand, and sentenced him during the reporting period to seven years' imprisonment.

## OMAN (Tier 3)

Oman is a destination and transit country for men and women primarily from India, Pakistan, Bangladesh, Sri Lanka, the Philippines, and Indonesia, most of whom migrate willingly as low-skilled workers or domestic servants. Some of them subsequently face conditions 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 (U.A.E.) may also coerce or defraud workers into accepting exploitative work, including conditions of involuntary servitude, in Oman. Oman is also a destination country for women from China, India, the Philippines, Morocco, and Eastern Europe who may be trafficked for commercial sexual exploitation.

The Government of Oman does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Oman failed to report any law enforcement activities to prosecute and punish trafficking offenses this year under existing legislation. The government also continues to lack victim protection services or a systematic procedure to identify victims of trafficking among vulnerable populations, such as undocumented migrants and women arrested for prostitution.

**Recommendations for Oman:** Enact legal reforms to prohibit all forms of trafficking, including forced labor, commercial sexual exploitation, and the use of force, fraud, or coercion in the recruitment process; significantly increase investigations and

prosecutions of trafficking crimes, and convictions and punishment of trafficking offenders; institute a formal victim identification mechanism; afford victims of trafficking protection services, such as medical, psychological, and legal assistance; and cease deporting possible victims of trafficking.

### Prosecution

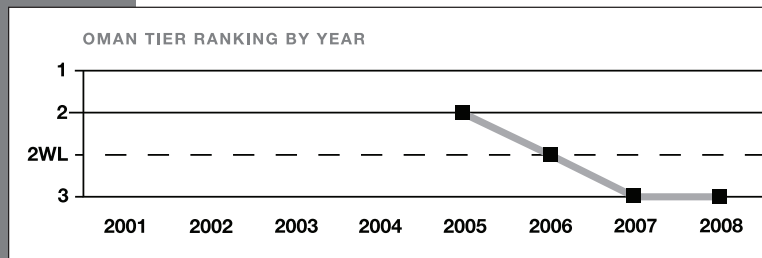
Oman failed to report any progress in prosecuting or punishing trafficking offenses over the last year. Although Oman lacks a comprehensive anti-trafficking law, it prohibits slavery under Articles 260-261 of its Penal Code, which prescribes penalties of three to 15 years' imprisonment. Oman also prohibits coerced prostitution through Article 220, with prescribed penalties of three to five years' imprisonment. Prescribed punishments for both crimes are sufficiently stringent and commensurate with penalties prescribed for other grave crimes. Although Royal Decree 74 prohibits forced labor, the prescribed penalties of up to one month in prison and/or fines are not sufficiently stringent to deter the offense. A legally enforceable circular prohibits employers from withholding workers' passports; the circular, however, does not specify penalties for noncompliance, and the practice continues to be widespread. The government did not report any arrests, prosecutions, convictions, or punishments for trafficking offenses under these laws in the last year and has taken no active measures to criminally investigate trafficking in persons. In 2008, the Ministry of Manpower (MOM) received 297 grievances from laborers, including some possible trafficking cases; the ministry negotiated all but 12 of these cases out of court. Oman did not report enforcing any criminal penalties against abusive employers.

### Protection

During the reporting period, Oman made no discernible efforts to improve protection services for victims of trafficking. The government does not provide shelter services, counseling, or legal aid to trafficking victims. Oman also lacks a systematic procedure to identify victims of trafficking among vulnerable groups, such as migrants detained for immigration violations and women arrested for prostitution. Furthermore, workers who are trafficking victims and have fled from their abusive employers without obtaining new sponsorship are subject to automatic deportation if detained by the authorities. Such victims may be reluctant to report abuse or participate in investigations for fear of detention and deportation. Oman does not offer foreign trafficking victims legal alternatives to removal to countries in which they may face hardship or retribution.

## Prevention

Oman made modest efforts to prevent trafficking in persons during this reporting period. The MOM published and began distributing a brochure in nine languages, including Urdu, Hindi, and Malayalam; these brochures provide information on rights and services available to migrant workers, as well as the contact information for the Ministry's 24-hour labor abuse hotline. The MOM also hired approximately 100 new labor inspectors and, in cooperation with the ILO, trained them in the requirements of core ILO conventions and how to recognize the signs of trafficking in persons. The government did not take any known measures during the reporting period to reduce the demand for commercial sex acts, or educate its citizens about child sex trafficking, including thorough public awareness campaigns targeting citizens traveling to known *child sex tourism* destinations.



## PAKISTAN (Tier 2)

Pakistan is a significant source, destination, and transit country for men, women, and children trafficked for the purposes of sexual exploitation and forced labor. Pakistan faces a considerable internal trafficking problem reportedly involving thousands of women and children trafficked to settle debts and disputes, or forced into sexual exploitation or domestic servitude. According to one NGO, children as young as six years old are forced into domestic service, and face physical and sexual abuse. Bonded labor is a large internal problem in Pakistan; unconfirmed estimates of Pakistani victims of bonded labor, including men, women, and children, are in the millions. A sizeable number of Pakistani women and men migrate voluntarily to the Gulf, Iran, Turkey and Greece for work as domestic servants or construction workers. Once abroad however, some find themselves in situations of involuntary servitude or debt bondage, including restrictions on movement, non-payment of wages, threats, and physical or sexual abuse. In addition, some NGOs contend that Pakistani girls are trafficked to the Middle East for sexual exploitation. Pakistan is also a destination for women and children from Bangladesh, India, Burma, Afghanistan, Sri Lanka, Nepal, Azerbaijan, Iran, Kazakhstan, Kyrgyz Republic, Turkmenistan, Uzbekistan, and

Tajikistan for commercial sexual exploitation and forced labor. Women from Bangladesh, Sri Lanka, Nepal, and Burma are trafficked through Pakistan to the Gulf.

The Government of Pakistan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Pakistan is placed on Tier 2 for its limited efforts to combat trafficking in persons over the last year, particularly in the area of law enforcement. Although the government continued to prosecute some traffickers, it did not demonstrate efforts to address the serious issues of bonded labor and other forms of labor trafficking, such as forced child labor and trafficking of migrant workers by fraudulent labor recruiters. Punishments assigned to convicted traffickers were also weak. In addition, the government failed to provide protection services to victims of forced labor.

**Recommendations for Pakistan:** Significantly increase law enforcement activities against bonded labor, forced child labor, and fraudulent labor recruiting for purposes of trafficking; vigorously investigate, prosecute, and punish acts of government complicity in trafficking at all levels; increase sentences of convicted traffickers; and expand victim protection services to include victims of forced labor and male victims of trafficking.

## Prosecution

The Government of Pakistan made insufficient law enforcement efforts to address trafficking this year. Pakistan prohibits all forms of transnational trafficking in persons through the Prevention and Control of Human Trafficking Ordinance (PACHTO); the ordinance's prescribed penalties range from seven to 14 years' imprisonment. The government also uses Sections 17-23 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 and/or a fine. Prescribed penalties for trafficking in persons are sufficiently stringent and commensurate with those for other grave crimes, such as rape.

Pakistan did not demonstrate any significant law enforcement efforts against labor trafficking. Though Pakistan has a substantial problem of bonded labor—estimated to affect over one million victims—the government did not provide evidence of any arrests, prosecutions, convictions, or punishments for bonded labor. Similarly, the government did not confirm how many, if any, prosecutions or punishments occurred during the reporting period for other acts of forced labor, including fraudulent



labor recruitment and forced child labor. With respect to sex trafficking, during the reporting period, the government convicted 52 trafficking offenders—13 fewer than last year—under the PACHTO; the majority of the sentences, however, ranged from fines to six months' imprisonment, and as such, were not sufficiently stringent. Four traffickers received sentences of six months to two years' imprisonment, and one trafficker was sentenced to two to ten years' imprisonment. Given the extent of trafficking complicity by law enforcement officers, Pakistan announced a “zero tolerance” policy for government officials found to be complicit in trafficking, and applied it to two agents who were convicted and sentenced to seven years' imprisonment. Nonetheless, the government did not report systemic efforts to investigate, prosecute, and criminally punish trafficking complicity.

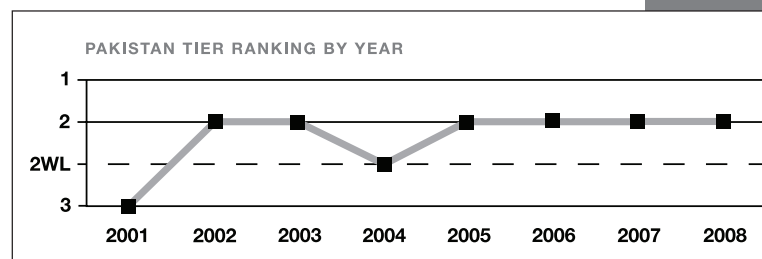
### Protection

This year, the government's efforts to protect victims of trafficking were inadequate. Pakistan did not report any programs to identify and protect victims of forced labor—the largest sector of Pakistan's trafficking victims—particularly bonded labor and child labor in informal industries such as domestic work. Male victims of trafficking, such as some boys exploited in prostitution, also did not receive government protection services. Protection for victims of commercial sexual exploitation remained limited; internally trafficked women and victims outside of the capital city could access any of 276 government centers offering medical treatment, vocational training and legal assistance to women and children. Pakistan provided limited assistance to foreign victims of sex trafficking by referring them to an IOM shelter; during the reporting period, the IOM shelter provided comprehensive care to 22 victims. The government also encouraged these victims to participate in investigations against their traffickers by permitting them to seek employment while awaiting trial. Foreign victims reportedly are not prosecuted or deported for unlawful acts committed as a result of being trafficked, but some victims may still be subject to punishment for fornication, even as victims of sex trafficking. The government does not provide foreign victims with legal alternatives to their removal to countries where they may face hardship or retribution. The Ministry of Overseas Pakistanis provides limited assistance to repatriated Pakistani trafficking victims, such as medical, legal, and financial assistance.

### Prevention

Pakistan made some efforts to prevent trafficking in persons during the reporting period. The government continued to air television, radio, and newspaper announcements warning of the dangers of trafficking children for camel jockeying in the Gulf. IOM, in conjunction with the Ministries of

Interior and Social Welfare and Special Education, conducted theater performances in high-risk areas as a way of raising public awareness of the threats and consequences of trafficking. Pakistan continues to monitor airports for trafficking patterns and potential victims. The government, however, did not take any reported measures during the reporting period to reduce the demand for commercial sex acts. Pakistan has not ratified the 2000 UN TIP Protocol.



## PANAMA (Tier 2 Watch List)

Panama is a source, transit, and destination country for women and children trafficked for the purpose of commercial sexual exploitation. The majority of victims are Panamanian women and children trafficked within the country into the sex trade. Some Panamanian women are trafficked to Jamaica and Europe for sexual exploitation. Rural children in Panama may be trafficked internally to urban areas for labor exploitation. Foreign victims trafficked into Panama are from Colombia, the Dominican Republic, and Central America. Some Colombian women reportedly migrate to Panama, intending to work in Panama's sex industry by means of the country's *alternadora* visa program, which is commonly used to facilitate prostitution. However, reports indicate that some Colombian women who obtain *alternadora* visas are defrauded as to the actual conditions of employment and later subjected to conditions of involuntary servitude and forced prostitution.

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. Panama is nonetheless placed on Tier 2 Watch List for failing to show evidence of increasing efforts to combat human trafficking, particularly with respect to prosecuting, convicting, and sentencing human traffickers for their crimes, and for failing to provide adequate victim assistance. While the government launched innovative prevention initiatives during the reporting period, the government has not taken sufficient tangible measures to bring traffickers to justice.

**Recommendations for Panama:** Intensify law enforcement efforts against human trafficking;

consider terminating or taking other measures to curb the abuse of the *alternadora* visa program that is commonly used for sex trafficking; dedicate more resources for victim services; strengthen protections for foreign trafficking victims; and develop a formal system for proactively identifying trafficking victims among vulnerable populations, particularly prostituted women and at-risk youth.

**Prosecution**

The Government of Panama sustained limited efforts to investigate and prosecute trafficking crimes during the reporting period. Panama does not prohibit all forms of trafficking, although its Law 16 criminalizes trafficking for commercial sexual exploitation, prescribing punishment from five to eight years in prison, which are sufficiently stringent penalties that are commensurate with those prescribed for rape. During the reporting period, the government investigated 13 sex trafficking cases and convicted one trafficking offender, sentencing the defendant to three years in prison. Such results are even with 2006, when the government convicted one trafficking offender. The government also investigated 184 cases of child sexual exploitation; some of these cases may meet the definition of trafficking and could be prosecuted accordingly. Lack of sufficient coordination among police, prosecutors, and immigration authorities on trafficking cases was reported during the past year. More proactive police techniques to identify locations where potential trafficking activity takes place would likely lead to greater arrests and prosecutions, as would raids and other undercover operations. The government maintained anti-trafficking training for law enforcement and co-sponsored training with international partners. The government collaborates with neighboring governments on international trafficking investigations, although such cooperation reportedly could be strengthened. No reports of official complicity with human trafficking activity have been received.

**Protection**

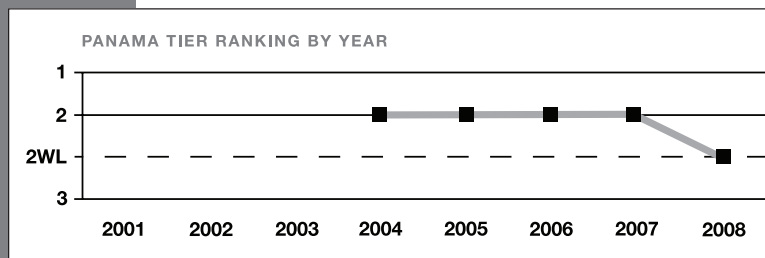
The Panamanian government continued limited efforts to assist trafficking victims during the reporting period. Most victim services were not available outside the capital. The government offered no dedicated shelter services for trafficking victims, but funded NGOs that operated two shelters accessible to trafficking victims and other victims of sexual

exploitation. The government agency in charge of anti-trafficking efforts reported limited funding for anti-trafficking activities, including victim services. The government does not have a formal mechanism for proactively identifying trafficking victims among vulnerable populations, although a new protocol on victim identification was distributed to social-service providers in the past year. Considering the high number of prostituted women in Panama’s sex trade, the development of more thorough victim identification procedures could facilitate rescue of greater numbers of trafficking victims. Panamanian authorities encourage victims to assist in the investigation and prosecution of their traffickers, and they provide legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution. However, some prosecutors indicated that foreign victims are repatriated involuntarily before they can fully assist with legal efforts in court. There were no reports of victims being penalized for unlawful acts committed as a direct result of being trafficked.

**Prevention**

The government showed mixed progress in prevention activities during the reporting period. Despite troubling reports of exploitation of foreign women holding *alternadora* visas, the government increased the issuance of these visas or work permits to 600 in the past year. While many foreign women using these visas understand they will be involved in prostitution, some do not realize that once they arrive in Panama they will experience conditions of involuntary servitude, such as having to surrender their passports to their employers and not being able to quit or leave. Two Colombian women recently filed suit in Colombia against their recruiters for misrepresenting the nature of their prospective jobs. Additionally, there are no reported government efforts to reduce consumer demand for commercial sex acts in Panama.

The government launched an innovative pilot program with ILO called “Direct Action” to prevent at-risk Panamanian youth from being trafficked or re-trafficked. The program targeted nearly 100 vulnerable adolescents for specialized medical and psychological assistance, in addition to vocational training and furnishing of basic equipment to sell empanadas, tamales, and other food products to develop an alternate source of income. Social workers monitor these youths, and file charges against suspected traffickers when possible. The government also sponsored workshops for journalists on anti-trafficking reporting and how to portray trafficking victims more respectfully, and collaborated with NGOs and international organizations on additional projects.



## PAPUA NEW GUINEA (Tier 3)

Papua New Guinea is a country of destination for women and children from Malaysia, the Philippines, Thailand, and the People's Republic of China (P.R.C.), trafficked for the purpose of commercial sexual exploitation to brothels in the capital and at isolated logging and mining camps. Some foreign women travel to Papua New Guinea willingly on tourist or business visas and may be aware they will engage in prostitution. Upon arrival, they are dispersed to various nightclubs, bars, or employee dormitories, and some may end up in a situation of involuntary servitude. Some of the logging camps bring Asian women into Papua New Guinea by indicating in their visa applications that they will work as cooks or secretaries. It is unclear whether these women are aware they will be induced into sexual servitude. Internal trafficking of women and children for the purposes of sexual exploitation and involuntary domestic servitude occurs. Women are occasionally sold as brides. Children are held in indentured servitude either as a means of paying a family debt or because the natural parents cannot afford to support the child. Some children may be given to another family of greater wealth to serve as a housekeeper or nanny—a practice that can lead to trafficking in persons. Children in prostitution are common in the bars and nightclubs in the larger cities. There are no official statistics kept on trafficking of persons, mainly because of the tendency of the communities to remain silent about the problem.

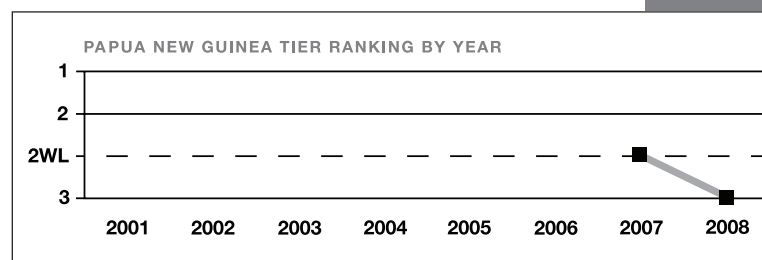
The Government of Papua New Guinea does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. While the government is becoming aware of trafficking as a challenge distinct from sexual violence or human smuggling, its current legal framework does not contain elements of crimes that characterize trafficking. Due to the lack of a legal definition of trafficking in persons, as well as resource constraints, no one has been arrested, prosecuted, or convicted for trafficking in persons, and there have not been any anti-trafficking operations conducted by any law enforcement agency. The government lacks victim protection services or a systematic procedure to identify victims of trafficking from among vulnerable populations, such as foreign women arrested for prostitution or children in prostitution.

**Recommendations for Papua New Guinea:** Work with international experts and donors as necessary to formulate anti-trafficking legislation that prohibits all forms of trafficking; collaborate with civil society, religious, and tribal leaders to raise awareness about trafficking, including the need to address demand; coordinate with the international

community as appropriate to develop and institute a formal procedure to identify victims of trafficking among vulnerable groups such as foreign women arrested for prostitution; ensure that victims of trafficking are not arrested, deported, or otherwise punished for acts committed as a result of being trafficked; and train law enforcement officers on victim identification and protection.

### Prosecution

The Government of Papua New Guinea did not report any progress in prosecuting or punishing trafficking offenses over the last year. Although Papua New Guinean law does not prohibit all forms of trafficking, its criminal code prohibits the trafficking of children for commercial sexual exploitation, slavery, and abduction. There are no specific penalties for crimes of trafficking adults for commercial sexual exploitation. While the penal code statute on slavery mentions trafficking, it does not specifically define its elements for the purpose of prosecution. There are no prescribed penalties for trafficking for sexual exploitation. The criminal code does not contain laws specifically addressing labor recruiters who engage in recruitment of laborers using knowingly fraudulent or deceptive offers to lure workers for the purpose of involuntary servitude. The government has not prosecuted anyone over the past year for trafficking. Prostitution is illegal in Papua New Guinea, but the laws are either selectively or rarely enforced, even with children who are victims of sex trafficking. Most internal trafficking-related crimes occur in rural areas and are referred to village courts which administer customary, rather than criminal law, resolving more cases through restitution paid to the victim. Rural complainants usually do not know about the law and the courts and are unable to access appropriate legal institutions, including the police. Wealthy business people, politicians, and members of the police are complicit in profiting from the operation of establishments profiting from prostitution. Police rarely raid them and when they do, the owners are frequently tipped off beforehand; those arrested are rarely prosecuted. Trafficking-related corruption seems to be most serious in the remote logging camps along the north coast. No public officials were investigated or prosecuted for trafficking-related crimes.



**Protection**

The Government of Papua New Guinea demonstrated limited efforts to protect or assist victims of trafficking. Due to severe resource constraints, the government relies on services provided by international organizations or NGOs. The government does not undertake efforts to proactively identify trafficking victims among vulnerable populations. The government does not provide any specialized training for government officials in recognizing trafficking or providing assistance to victims. Government officials would likely refer the victim to social groups, churches, or NGOs for assistance. Victims of internal trafficking often receive compensation payments from their exploiter in the form of cash or livestock, which is culturally acceptable in Papua New Guinea, and are therefore hesitant to bring charges against traffickers. The legislature recently passed the Lukautim Pikinini Act, formerly the Child Welfare Act of 2007, which promotes the rights and well-being of children and addresses the issues of identifying and removing children from women in sexual and forced labor exploitative situation. The Papua New Guinea Children’s Foundation published a National Action Plan Against Commercial Sexual Exploitation of Children, but both initiatives face potential problems of funding and enforcement.

**Prevention**

The Government of Papua New Guinea relied on international organizations and NGOs to conduct awareness activities about child prostitution, HIV/AIDS, and domestic violence. There have been no public awareness campaigns about trafficking in persons or efforts to reduce demand for commercial sex acts. 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. Paraguayan victims are trafficked abroad primarily to Argentina, Brazil, Bolivia, Spain, and Italy. Adult and child domestic servitude is a serious problem. Indigenous persons are vulnerable to labor exploitation, particularly in the Chaco region. Poor children are trafficked within the country from rural to urban centers for sexual

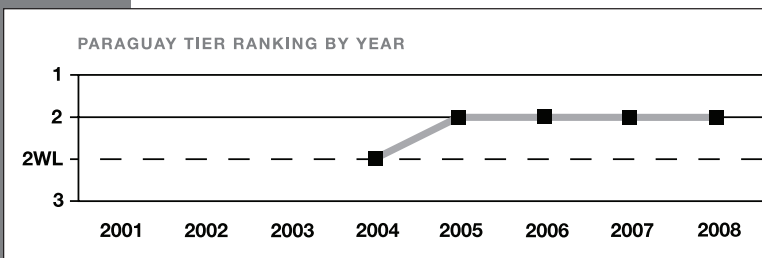
exploitation and domestic servitude. Street children and working children are common targets for trafficking recruiters. The ILO recently reported that traffickers coerce underage males, known locally as “taxi boys,” into transgendered prostitution. Some of these boys are trafficked abroad, particularly to Italy. Trafficking of Paraguayan and Brazilian women and girls, and increasingly boys, for sexual exploitation remains a problem in the Brazil-Paraguay-Argentina tri-border area.

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. During the reporting period, the government improved law enforcement efforts against traffickers and increased victim assistance. However, reported acts of official complicity with trafficking activity are an area for concern.

**Recommendations for Paraguay:** Intensify efforts to identify, prosecute, and punish trafficking offenders; launch criminal investigations of corrupt public officials who may facilitate trafficking activity; dedicate more resources for victim assistance; and increase efforts to raise public awareness about human trafficking, particularly among youth.

**Prosecution**

The Paraguayan government improved law enforcement actions against traffickers during the past year. Paraguay prohibits transnational trafficking through provisions of its 1997 Penal Code, but internal trafficking of adults is not specifically prohibited. The 1997 Penal Code prescribes penalties of up to 10 years’ imprisonment for trafficking crimes, which are sufficiently stringent and commensurate with penalties prescribed for other grave crimes. A new penal code, which was signed into law in January 2008 and will become effective in 2009, prohibits all forms of human trafficking consistent with the UN TIP Protocol. During the reporting period, Paraguayan authorities opened nine cases against suspected trafficking offenders, and achieved two convictions and sentences of two years of imprisonment for each case. The Attorney General’s office in Asuncion has one prosecutor dedicated full time to prosecuting trafficking cases, although prosecutors in other parts of the country investigate trafficking allegations also. The Paraguayan government continued to cooperate with Argentina, Brazil, Spain, and other countries on transnational trafficking cases. Some government officials, including police, border guards, judges, and elected officials, reportedly were involved with and facilitated trafficking crimes. However, no criminal investigations of such suspected corrupt activity have been opened by the government.





### Protection

The government improved its efforts to protect victims of trafficking over the reporting period, but overall assistance remained inadequate. The government provides short-term services such as medical, psychological, and legal assistance, in addition to temporary shelter care for adult victims and children. With U.S. assistance, the government in December 2007 opened a new shelter for female trafficking victims; the shelter can accommodate 18 victims. The government funds a small number of anti-trafficking NGOs, but relies on larger NGOs and outside sources to provide additional victim assistance. Paraguayan authorities encourage victims to assist in the investigation and prosecution of their traffickers. There were no reports of victims being jailed, deported, or otherwise penalized for acts committed as a result of their being trafficked. Paraguay does not provide legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution. Paraguay does not have a formal system for proactively identifying trafficking victims among vulnerable populations such as criminal detainees; it relies on Argentine and Brazilian authorities to screen for victims at border crossings.

### Prevention

The government conducted trafficking prevention activities during the reporting period, particularly through its interagency anti-trafficking roundtable, which sponsored 12 seminars across the country. The government also works closely with NGOs and international organizations on additional prevention efforts, including in the tri-border area. The government did not, however, make any discernable efforts to reduce consumer demand for commercial sex acts.

## PERU (Tier 2)

Peru is primarily a source country for women and children trafficked within the country for the purpose of commercial sexual exploitation. Most victims are girls and young women from the poorest and least developed regions of Peru, recruited and coerced into prostitution in urban nightclubs, bars, and brothels, often through false employment offers. Child labor remains a serious problem in Peru. Children and adults are also trafficked into conditions of forced labor in Peru's mining, logging, agriculture, fishing, and brick-making sectors, and as domestic servants. Traffickers typically use fraud and coercion to recruit victims through false job offers. Peruvians are trafficked to Ecuador, Spain, Japan, Italy, and the United States for sexual exploitation. The government acknowledges *child sex tourism* exists, particularly in the Amazon region of the country. 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. The Peruvian government showed inadequate efforts to combat trafficking in persons, particularly in the areas of investigating and prosecuting trafficking acts, fighting trafficking-related corruption, and improving victim protection. Although a comprehensive anti-trafficking law was passed in January 2007, the implementing regulations have not yet been approved. Peru also has a draft national law enforcement plan on trafficking that is awaiting approval.

**Recommendations for Peru:** Approve regulations to implement the January 2007 comprehensive anti-trafficking law and the national law enforcement plan; intensify efforts to prosecute and appropriately punish trafficking offenders; establish and implement formal victim identification procedures; train police officers on the use of victim identification procedures and the referral of trafficking victims to protection services; increase protection services for victims; and conduct a widespread awareness and prevention campaign targeted at consumers of the commercial sex industry and *child sex tourism*.

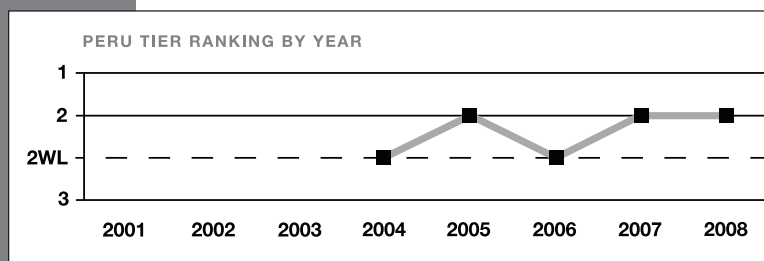
### Prosecution

The Government of Peru made modest efforts to combat trafficking through law enforcement in the last year. During the reporting period, the government did not approve the regulations required to implement the comprehensive anti-trafficking law enacted in January 2007. The new law defines trafficking in persons, strengthens sentencing guidelines, and provides protection for trafficking victims and witnesses. Without regulations for this law, however, effective police enforcement is not possible. The police in Peru's Trafficking in Persons Investigation section have received anti-trafficking information and training. Although the number of traffickers identified by police increased from 39 in 2006 to 96 in 2007, and prosecutions increased from seven to 15, no traffickers were convicted during the reporting period. In February 2008, the Peruvian Police announced that it would upgrade the Trafficking in Persons Investigation Unit to a Division, and increase its personnel from six to a projected 30 to 35 officers. In January 2007, 59 teenagers between the ages of 11 and 17 were discovered being forced to work harvesting asparagus in northern Peru. They were rescued by police, and the company is being investigated for violating child labor laws. There are numerous barriers to effective investigations of trafficking crimes, including the lack of shared information among divisions within the police at the local, metropolitan, and national levels, and the lack of witness protection in the Peruvian justice system. Corruption is a pervasive problem in Peru, and it is widely reported in Peruvian society that individ-

ual police officers tolerate the presence of children in prostitution and the operation of unregistered and unlicensed brothels. However, there were no reported investigations or prosecutions of incidents of officials' complicity in trafficking. Although some employment agencies, tourist agencies, and other apparently legitimate businesses are reported to be involved in trafficking, none were investigated or prosecuted during the reporting period. Over the past year, Peru requested the extradition of individuals in Uruguay, Spain, and Venezuela for trafficking crimes.

### Protection

The government provided limited protection for and assistance to victims of trafficking. The government does not have formal procedures for the identification of victims among vulnerable populations and for their referral to organizations that provide protection services. When detained by police, victims are rarely informed of their rights, and are not provided legal assistance or medical treatment. The police attempt to verify the identity of the victim and her age, and to contact parents if the victim is a minor. Victims usually lack personal identification documents and the police often release them without classifying them as trafficking victims or referring them to shelters.



Many minors involved in prostitution return to the brothels in search of shelter and food. During the reporting period, the government showed modest efforts in identifying victims and referring them to government-funded domestic violence shelters, although these facilities continue to lack specialized services for trafficking victims. Fourteen new assistance centers were created across the country, some outside of Lima where trafficking is a significant problem. The Government of Peru did not encourage victim participation in the investigation or prosecution of traffickers, nor did it provide protection to victims or witnesses in any trials. The government did not penalize victims for unlawful acts committed as a direct result of their being trafficked.

### Prevention

The government sustained anti-trafficking training and prevention efforts during the reporting period. The Ministry of Tourism ran a campaign against child sex tourism directed at the tourist industry and gave anti-trafficking awareness training to 100

drivers of motorcycle taxis in Iquitos who pledged to report suspected cases of trafficking to police, particularly child trafficking. As of August 2007, the Ministry of Interior assumed responsibility for paying the salaries of those who staff a toll-free IOM-assisted hotline for the reporting of trafficking crimes. The Ministry of Foreign Affairs continues to provide a training session for consular officials on trafficking issues and illegal migration. The government did not take steps to reduce the demand for commercial sex acts or *child sex tourism* during the reporting period.

## PHILIPPINES (Tier 2)

The Philippines is primarily a country of origin for men, women, and children trafficked for the purposes of 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, Canada, Cyprus, Hong Kong, Cote d'Ivoire, Japan, Kuwait, Malaysia, Palau, Qatar, Saudi Arabia, Singapore, South Africa, Turkey, and the United Arab Emirates. Women and children are also trafficked from poor communities in the Visayas and Mindanao to urban areas such as Manila and Cebu City for commercial sexual exploitation, or are subjected to forced labor as domestic servants or factory workers. Filipinas are also trafficked abroad for commercial sexual exploitation, primarily to Japan, Malaysia, Singapore, Hong Kong, South Korea, and countries in the Middle East and Western Europe. Traffickers used land and sea transportation to transfer victims from island provinces to major cities. A growing trend is the use of budget airline carriers to transport victims out of the country. Traffickers used fake travel documents, falsified permits, and altered birth certificates. A smaller number of women are occasionally trafficked from the People's Republic of China, South Korea, and Russia to the Philippines for commercial sexual exploitation. Child sex tourism continues to be a serious problem for the Philippines. Sex tourists reportedly came from Northeast Asia, 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. The government continued to demonstrate exemplary efforts to prevent trafficking of migrant workers and to protect those who were exploited abroad. However, the government demonstrated weak efforts to prosecute trafficking cases and convict trafficking offenders. There were only three convictions under the 2003 anti-trafficking law during the reporting period, a minimal increase from one conviction obtained last

year. Given the scope and magnitude of the internal trafficking problem, this number of convictions is troubling. Achieving tangible results in prosecuting trafficking cases and convicting trafficking offenders is essential for the Government of the Philippines to continue progress towards compliance with the minimum standards for the elimination of trafficking.

#### Recommendations for the Philippines:

Significantly improve the record of prosecutions, convictions, and punishments for traffickers; disseminate information on the 2003 law throughout the country; train law enforcement officers and prosecutors on the use of the 2003 law; and vigorously investigate and prosecute public officials complicit in trafficking.

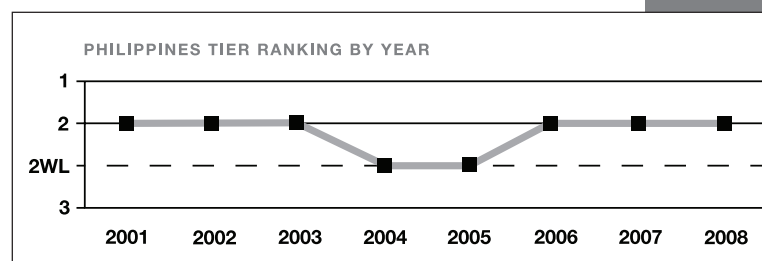
#### Prosecution

The Philippine government showed some improvement in prosecuting cases against traffickers. The Philippines criminally prohibits trafficking for both sexual and labor exploitation through its 2003 Anti-Trafficking in Persons Act, which prescribes penalties that are sufficiently stringent and commensurate with those for rape. In 2007, the government secured convictions under the 2003 law against three sex traffickers: two in Cebu City; and one in Davao. Each convicted trafficker was found guilty, sentenced to life imprisonment and ordered to pay fines ranging from \$50,000 to \$70,000. There were no criminal convictions for forced labor during the reporting period. Philippine law enforcement agencies reported 155 alleged trafficking cases to the Department of Justice (DOJ) in 2007, of which prosecutors initiated prosecutions in 56 of the cases. The remaining cases remain under preliminary investigation or were dismissed for lack of evidence. The government's ability to effectively prosecute trafficking crimes remained handicapped by a lack of resources, endemic corruption, and general ineffectiveness of the judicial system. However, the DOJ's Anti-Trafficking Task Force is composed of 17 prosecutors who focus specifically on trafficking, and an additional 72 prosecutors in regional DOJ offices handle trafficking cases. A high vacancy rate among judges significantly slowed trial times. In 2007, the Philippine Overseas Employment Agency (POEA) filed 469 administrative cases against licensed labor recruiters who used fraudulent deceptive offers to entice jobseekers abroad or imposed inappropriately high or illegal fees on prospective employees.

Under certain circumstances and with the approval of the court, the Philippines allows private attorneys to prosecute cases under the direction and control of a public prosecutor. The private prosecutors serve on behalf of the victims. In addition to the DOJ's ongoing cases, one NGO initiated 32

criminal cases and achieved one conviction in 2007; 14 cases remained on trial; eight were in preliminary hearings; eight were under investigation; and one was archived. The government cooperated with other countries in the investigation and prosecution of trafficking cases, particularly in Malaysia, Hong Kong, New Zealand, and Australia.

Widespread corruption at all levels of the government permitted many organized crime groups, including traffickers, to conduct their illegal activities. Corruption among law enforcement agents remained a particular obstacle to better anti-trafficking performance. It is widely believed that some government officials are involved in, or at least permit, trafficking operations within the country. During the year, a trial concluded against police officer Dennis Reci, charged in 2005 for allegedly trafficking minors for commercial sexual exploitation at his night club in Manila. Reci remained in detention while the case was pending the court's decision. In 2007, the Office of the Ombudsman created the Ombudsman Against Government



Employees Involved in Trafficking (TARGET), composed of special investigators and prosecutors tasked to investigate cases against government officials engaged in trafficking or trafficking-related corruption. In February 2007, the Task Force Against Trafficking at Ninoy Aquino International Airport was formed to combat trafficking at the airport by intercepting undocumented passengers, assisting victims, and monitoring involvement of airport personnel. The Task Force filed one case of trafficking involving an immigration employee at the airport and referred two other cases of trafficking-related corruption involving four immigration personnel to the Office of the Ombudsman.

#### Protection

The Philippine government sustained its strong efforts to protect victims of trafficking in 2007, including through partnerships with NGOs and international organizations that provide services to victims. The law recognizes trafficked persons as victims and does not penalize them for crimes related to acts of trafficking; nonetheless, police sometimes brought charges of vagrancy against victims. The government actively encourages victims to assist in the investigation and prosecution of trafficking and related crimes. Victims can file civil suits or seek legal action against traffickers.

Foreign trafficking victims or victims who transit the Philippines are entitled to the same assistance as citizens. The government provides temporary residency status, relief from deportation, shelter, and access to legal, medical, and psychological services. The Department of Social Welfare and Development operated 42 temporary shelters for victims throughout the country. Thirteen of these shelters were supported by a non-profit charity organization. The Philippine Ports Authority provided the building and amenities at halfway houses for trafficking victims at ports in Batangas, Davao, Manila, Sorsogon, and Zamboanga, which were managed by an NGO; the Ports Authority, police, and the Coast Guard referred victims and potential victims to the halfway houses.

The Department of Foreign Affairs (DFA) extended assistance to Philippine citizens trafficked abroad and managed repatriations. In coordination with the Department of Labor and Employment (DOLE), the DFA took the lead through its embassies in protecting the rights of migrant workers abroad. DOLE also deployed 41 labor attachés who served in 35 cities around the world to help protect migrant workers; in addition, DOLE's Overseas Workers Welfare Administration (OWWA) sent 40 welfare officers abroad to support the work of labor attachés. Due to budget constraints, the Department of Social Welfare and Development (DSWD) reduced the number of social workers in the Philippines' diplomatic missions in 2007, but maintained one social welfare attaché in Malaysia to provide psycho-social counseling to overseas Filipino workers.

### Prevention

The Philippine government demonstrated continued efforts to raise awareness and prevent trafficking in persons, mainly for migrant workers. In 2007, POEA conducted nearly 1,000 pre-employment orientation seminars for more than 50,000 departing overseas Filipino workers in 2007. POEA also trained diplomatic staff and overseas labor and social welfare officers in methods for assisting trafficking victims abroad. To protect overseas Filipino domestic workers from fraudulent or otherwise illegal recruitment offers, foreign employers are required to undergo pre-qualification screening by the Philippine Overseas Labor Office and submit a written statement committing themselves to the fair and humane treatment of their domestic workers. The government, through the Inter Agency Council Against Trafficking (IACAT), broadcast anti-trafficking infomercials that aired on local television networks in three provinces. The infomercials provided basic information about trafficking as well as how to report incidents of trafficking. In November and December 2007, the government

held three sub-national conferences on trafficking in Davao, Cebu, and Manila that brought together government officials, law enforcement, NGOs, and international organizations.

The government continued efforts to reduce demand for *child sex tourism* by cooperating with the prosecution of American nationals under terms of the U.S. PROTECT Act of 2003. At the end of the reporting period, Immigration and Customs Enforcement of the U.S. Department of Homeland Security had nine ongoing PROTECT ACT investigations in collaboration with Philippine law enforcement. The Philippines deployed a total of 725 military and police personnel in nine UN peacekeeping missions. There were no reports of Philippine peacekeepers engaging in or facilitating trafficking in persons. Prior to deployment of troops for peacekeeping operations, the Department of National Defense and the Philippine National Police (PNP) conduct seminars and training for peacekeepers, including a training module on trafficking. The Department of Foreign Affairs also provides pre-departure orientation seminars to foreign service officers and other government personnel before being assigned abroad.

## POLAND (Tier 1)

Poland is a source, transit, and destination country for women trafficked from Ukraine, Moldova, Romania, Belarus, Lithuania, Russia, Bulgaria, Cameroon, Somalia, Uganda, Kenya, Nigeria, and Vietnam to and through Poland to Austria, Belgium, Denmark, Germany, Greece, Italy, the Netherlands, Spain, Sweden, and Japan for the purpose of commercial sexual exploitation. Polish men and women are trafficked to Italy, Austria, Germany, Belgium, France, Spain, Sweden, the Netherlands, and Israel for purposes of forced labor and sexual exploitation. In 2007, there were 880 identified Polish victims of forced agricultural labor in Italy.

The Government of Poland fully complies with the minimum standards for the elimination of trafficking. Poland continued to show progress in its law enforcement efforts, notably ensuring that a majority of convicted traffickers served some time in prison. The government also continued to improve its trafficking prevention efforts; however, there was an inadequate number of shelters available to victims during the reporting period.

**Recommendations for Poland:** Continue training for prosecutors and judges to ensure trafficking offenders are convicted and serve time in prison; increase the number of victims receiving assistance; increase the number of trafficking shelters; and vigorously investigate, prosecute, convict, and sentence government officials for trafficking complicity.



### Prosecution

The Government of Poland demonstrated clear progress in its overall law enforcement efforts. Poland prohibits all forms of trafficking in persons. Article 203, Sections 3 and 4 of Article 204, and Article 253 are used to prosecute sex trafficking cases. Article 253 and organized crime statutes are used to prosecute labor trafficking cases, though there are no provisions in the criminal code 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. Police conducted 122 new investigations and prosecuted at least 58 trafficking suspects in 2007, compared to 21 investigations and 36 prosecutions conducted under Article 203 and Section 4 of Article 204 in 2006. In 2007, 70 traffickers were convicted, compared to 16 convictions under Article 203 and Section 4 of Article 204 in 2006. In 2006, the most recent year for available sentencing data, 14 out of 16 convicted trafficking offenders were sentenced to time in prison: two were sentenced to 12 months' imprisonment; four were sentenced to one to two years' imprisonment; three were sentenced to three years' imprisonment; and five were sentenced to three to five years' imprisonment. This is an improvement from 2005 when only nine out of 37 convicted traffickers served time in prison. During the reporting period, 120 judges were provided training by the Ministry of Interior and NGOs, including on application of the UN Protocol definition of trafficking in persons under Article 253. Notwithstanding the significant increases in numbers of investigations, prosecutions, and sentences from last year, some law enforcement officials and NGOs reported that the lack of a clear legal definition of trafficking in Poland's criminal code hampers prosecutions of trafficking crimes. There were unconfirmed reports of police accepting bribes to tolerate trafficking activity; however, there were no cases of law enforcement officials punished for such complicity in trafficking during the reporting period.

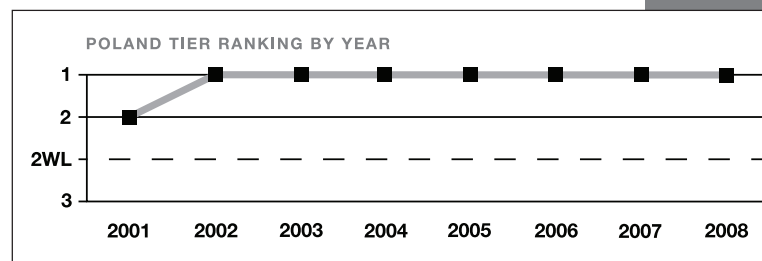
### Protection

The government provided limited assistance to foreign and domestic trafficking victims. Poland continued to fund victim assistance programs at both the national and local level; however, only 276 out of 1,015 identified trafficking victims received government-funded assistance in 2007. Although the government provided space and funding to NGOs to operate trafficking shelters, the number of shelters remained inadequate and NGOs frequently resorted to temporary arrangements to

provide medical, psychological, and legal assistance to victims. There are reports that border guards and police sometimes regard victims of trafficking as criminals, resulting in punishment or automatic deportation for acts committed as a result of being trafficked. The government encouraged victims to assist in trafficking investigations and prosecutions.

### Prevention

The government continued to improve its trafficking prevention efforts. During the reporting period, the government funded several trafficking awareness raising activities including a Ministry of Interior-run information campaign on forced labor. The government increased posters and billboards and funded NGOs to produce awareness materials. In 2007, the government adopted its third national action plan for combating human trafficking. However, the government carried out no measures to reduce the 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. The government began developing a child sex tourism prevention campaign during the reporting period.



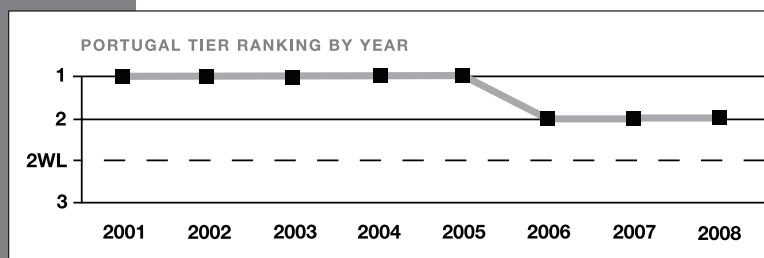
## PORTUGAL (Tier 2)

Portugal is primarily a destination and transit 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. Male victims from Eastern European countries are trafficked for forced labor into the farming and construction industries. Some trafficking victims transit through Portugal to other European countries.

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 made significant progress in its law enforcement response to trafficking by incorporating anti-trafficking legislation in its penal code, demonstrating significant improvements in coordination among its agencies, and greatly improving its collection of comprehensive anti-trafficking law enforcement data. However, nearly

all traffickers convicted during the reporting period were given suspended sentences and not required to serve time in jail.

**Recommendations for Portugal:** Ensure convicted trafficking offenders receive prison sentences commensurate with the heinous nature of the offense committed; continue to implement procedures to proactively identify trafficking victims, and consider providing data on the number of victims identified and who accept assistance; and conduct specific anti-trafficking prevention training for military personnel going abroad.



### Prosecution

The Government of Portugal strengthened its penal code in 2007 to broaden the definition of trafficking in Portugal and increased prescribed penalties for traffickers. Portugal prohibits transnational and internal trafficking in persons for both labor and sexual exploitation through Article 160, which prescribes penalties that are sufficiently stringent and commensurate with those for other serious crimes. Notably, the penal code revisions provide for criminal punishment for labor recruiters in source countries whose knowing use of fraudulent or deceptive offers result in workers being trafficked in the destination country. Despite these legislative improvements, punishments imposed by Portuguese courts continue to be inadequate; the majority of traffickers' sentences are suspended. According to the latest statistics available, the government prosecuted 65 traffickers in 2006. Out of 49 convicted trafficking offenders, only eight actually served any jail time, with 38 receiving suspended sentences and three receiving fines. There were no reported cases of government officials complicit in trafficking.

### Protection

The Government of Portugal sustained its efforts to protect trafficking victims throughout the reporting period. Victims are allowed a 30-60-day reflection period to decide whether or not they wish to press charges against traffickers and, regardless of their decision, they have the right to a one-year residency permit. Once detained and identified by authorities, victims reportedly are transferred to shelter facilities and do not face penalties for unlawful acts committed as a direct part of their being trafficked. Police continued to receive training on how to recognize

trafficking victims and are required to fill out a standard detailed form with information when they encounter suspected trafficking cases. The government reported that police counsel all potential victims on the assistance available to them, including legal and medical remedies. The government reported that few trafficking victims opted to receive protection and assistance from NGOs and the government shelter – only 10 received assistance in 2007. The government's 20 immigrant support centers located throughout the country provide ad hoc support services to approximately 1,200 immigrants a day, a figure that reportedly includes trafficking victims. The government reported it distributed anti-trafficking pamphlets at these centers to potential trafficking victims. The government continued to fund the majority of costs for an NGO-run shelter, and provided a fixed subsidy for each victim, including their children, for another.

### Prevention

The Government of Portugal continued its proactive efforts to prevent trafficking in 2007. For example, in November 2007, the Foreigners and Borders Service (SEF), in cooperation with the Council of Europe, launched the campaign, "You are not for Sale" and SEF teams traveled throughout the country and to Brazil to disseminate and publicize the campaign. The government took some steps to reduce demand for commercial sex acts by sponsoring awareness campaigns that incorporated anti-demand aspects. In an additional effort to reduce demand, the government amended its criminal code in 2007 to provide specific penalties for clients who knowingly procure the services of a trafficking victim for sexual purposes. Although the Government of Portugal contributes troops to international peacekeeping efforts abroad, it did not conduct specific anti-trafficking prevention training targeted at its military. While there is no specific evidence that Portugal is a source or destination for child sex tourism, the government did not take any discernable steps to raise awareness among or prevent its nationals from engaging in child sex tourism abroad.

## QATAR (Tier 3)

Qatar is a destination 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 of involuntary servitude. These conditions include bonded labor; 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. Nepali and Indian men are reportedly recruited for work in Qatar as domestic servants, but are then coerced or forced into labor in Saudi Arabia as farm workers. 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.

The Government of Qatar does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Provisions of the Sponsorship Law condone forced labor activities and slave-like conditions. In addition, Qatar failed to enforce criminal laws against traffickers, lacks an effective victim identification mechanism to identify and protect victims, continues to detain and deport the large majority of victims rather than providing them with protection, and sometimes penalized workers who complained about working conditions or non-payment of wages.

**Recommendations for Qatar:** Significantly increase criminal law enforcement efforts against abusive employers and those who force women into commercial sexual exploitation, including prosecutions, convictions, and prison sentences; expand and consistently apply a formal mechanism to distinguish victims of trafficking among those arrested for immigration violations or prostitution; enact legal reforms to prohibit all forms of trafficking, including forced labor, commercial sexual exploitation, and the use of force, fraud, or coercion in the recruitment process; and abolish or significantly amend sponsorship regulations that condone forced labor activities and slave-like conditions.

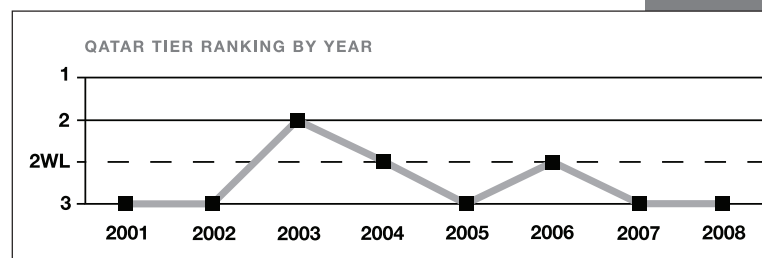
### Prosecution

The Government of Qatar made little progress in investigating trafficking offenses or punishing trafficking offenders during the reporting period. Qatar does not prohibit all acts of trafficking, but it criminalizes slavery under Section 321 and forced labor under Section 322 of its Criminal Law. The prescribed penalty for forced labor—up to six months' imprisonment—is not sufficiently stringent, however. Article 297 prohibits the forced or coerced prostitution of a minor below age 16; the prescribed penalty is up to 15 years' imprisonment. In addition, the government banned the use of child camel jockeys in 2005, prescribing a penalty of three to 10 years' imprisonment. To increase awareness of these laws, a government committee trained police, prosecutors, judges and

legal educators. Nonetheless, restrictive sponsorship regulations and common practices such as withholding of workers' passports contribute to forced labor and slave-like conditions in the country. Qatar provided evidence of investigating only one case of fraudulent recruitment, and did not report any criminal prosecutions, convictions, or sentences for trafficking, despite a serious and significant problem of trafficking for forced labor. Similarly, the government failed to report any law enforcement efforts against trafficking for commercial sexual exploitation.

### Protection

Qatar failed to adequately protect victims of trafficking during the reporting period. The government incorporated anti-trafficking in persons training into basic and continuing curriculum at the police academy, including training on dealing with victims of trafficking. Nonetheless, evidence indicates that during the last year authorities made only limited attempts to systematically identify trafficking victims among vulnerable people, such as foreign workers awaiting deportation and women arrested for prostitution, and that as a result, victims are often punished and automati-



cally deported without being offered protection. The Ministry of Interior recently agreed to send foreign domestic workers arrested for illegal immigration to the government shelter. Nonetheless, Qatar commonly fines and detains trafficking victims for unlawful acts committed as a direct result of being trafficked, such as immigration violations and running away from their sponsors, without determining the underlying causes. Though the waiting period is reportedly shorter than before, some victims remain in deportation centers for years pending resolution of their cases, permission from their sponsors to leave the country, or in retaliation for seeking to recover unpaid wages or request a new sponsor. Despite operating a shelter for victims of trafficking, the government protected only 14 victims during the reporting period. Victims often prefer to seek shelter in their embassies, but the embassies do not have sufficient resources or host government permission to operate shelters. The government forcibly shut down at least one independent shelter and deported the resident victims. Two of the victims died awaiting deportation. The government did not routinely encourage victims to assist in traf-

ficking investigations or offer victims alternatives to deportation to countries in which they may face retribution.

### Prevention

Qatar made limited efforts to prevent trafficking in persons during the reporting period. The government produced informational brochures in several targeted languages, posters, and radio and TV commercials as part of its "No to Trafficking" public awareness campaign. The government, however, did not take any reported measures to reduce the demand for commercial sex acts. Similarly, Qatar did not undertake any known public awareness campaigns targeting citizens traveling to known child sex tourism destinations abroad. Qatar has not ratified the 2000 UN TIP Protocol.

## ROMANIA (Tier 2)

Romania is a source, destination, and transit country for men, women, and children trafficked for the purposes of commercial sexual exploitation and forced labor. Romanian men, women, and children are trafficked to Italy, Spain, Switzerland, the Czech Republic, Greece, Germany, France, the Netherlands, Turkey, Austria, and Israel for the purposes of commercial sexual exploitation and forced labor in the agriculture, construction, and hotel industries. There has been an increase in trafficking of persons from Romania for labor exploitation, likely related to Romania's entrance into the European Union and new opportunities for Romanians from rural parts of the country to work abroad. Romanian men, women, and children are also trafficked internally for the purposes of commercial sexual exploitation, forced labor, and forced begging. Women from Moldova, Ukraine, and Russia are trafficked to Romania for commercial sexual exploitation. Men from other European countries may travel to Romania to sexually exploit Romanian children.

The Government of Romania does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In 2007, the Romanian government, led by the National Agency against Trafficking in Persons (NAATIP), made efforts to combat

child sex tourism and provided some funding to NGOs providing victim assistance. Nonetheless, the government was not able to report significant efforts to address labor trafficking, since this was a newly identified phenomenon, or to institute formal procedures to identify victims of trafficking throughout the country and refer them to service providers. The number of trafficking convictions remained stable; however, the government reported a significant decrease in the total number of trafficking prosecutions, and the number of traffickers serving time in prison also decreased.

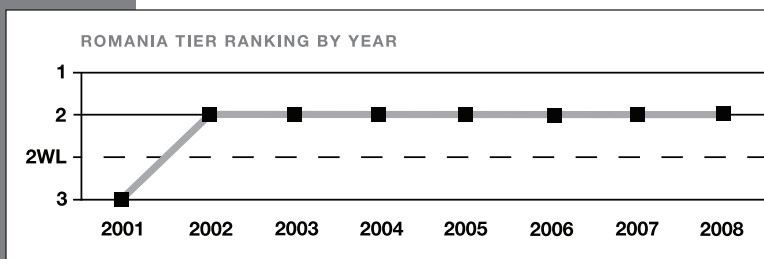
**Recommendations for Romania:** Take concerted steps to investigate and punish acts of trafficking for forced labor; increase efforts to prosecute and convict trafficking offenders; sustain efforts to ensure convicted sex traffickers receive adequate punishments; increase efforts to investigate and punish acts of government officials' complicity in trafficking; develop and employ a uniform national victim identification and referral system; and train police to ensure that victims are identified and not inappropriately fined or otherwise penalized.

### Prosecution

Romania sustained, but did not improve on, efforts to prosecute and punish traffickers during the reporting period. Romania prohibits all forms of trafficking in persons through Law no. 678/2001, which prescribes penalties of three to 15 years' imprisonment. These penalties are sufficiently stringent and commensurate with penalties prescribed for other grave crimes, such as rape. In 2007, authorities investigated 232 trafficking cases both domestically as well as with foreign law enforcement counterparts, compared to 61 investigations in 2006. The government prosecuted 398 people for trafficking, a significant decrease from 780 prosecutions in 2006. During the reporting period, Romania convicted 188 individuals for trafficking offenses, similar to 187 convictions in 2006; 144 of these convicted traffickers served time in prison, a decrease from 2006 when 164 traffickers served some time in prison. One trafficker was sentenced to six to 12 months' imprisonment, 76 traffickers were sentenced to one to five years' imprisonment, 66 traffickers were sentenced to five to 10 years' imprisonment, and one trafficker was sentenced to 10 to 15 years' imprisonment. The government did not provide a breakdown of data for arrests, prosecutions, convictions, and sentences related to trafficking for forced labor. Labor trafficking appears to be increasing in Romania. Romania did not report any efforts to investigate, prosecute, or convict government officials complicit in trafficking.

### Protection

Romania continued to improve its victim protection efforts during the reporting period. Toward the end of 2007, the government provided \$72,000





in support to NGOs to provide assistance to victims of trafficking. In 2007, the government assisted 669 victims of trafficking out of 1,662 identified, a significant increase from the 476 victims assisted in 2006. Of these, 69 victims received care—42 in temporary state-run shelters and 27 in long-term NGO-run shelters. In 2007, there were at least 780 identified victims of forced labor and at least 680 identified victims of sexual exploitation. The government continued to operate eight shelters for victims of trafficking, but their quality varied. Victims are encouraged to participate in investigations against their traffickers; foreign victims receive a 90-day reflection period to decide whether they would like to cooperate in a criminal proceeding, and all victims are entitled to remain in government shelters for the duration of the trial. In practice, however, victims are often hesitant to cooperate in fear of retribution by their traffickers. No victims of trafficking were assisted by Romania's witness protection program during the reporting period. Although some law enforcement agencies have victim identification procedures, there are no national victim identification or referral procedures to systematically transfer victims to NGOs or state-run shelters. The total number of victims identified by the government significantly decreased from 2,285 in 2006 to 1,662 in 2007. Some law enforcement officers may refer victims based on personal relationships with local NGOs. Nonetheless, victims were sometimes not identified by authorities when detained for unlawful acts they committed as part of their being trafficked; as a result, victims were penalized for these acts. The Government of Romania funded the repatriation of both Romanian victims from abroad and foreign victims in 2007.

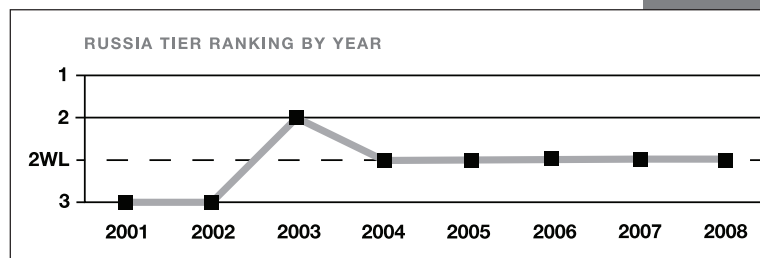
### Prevention

Romania increased its efforts to prevent incidents of human trafficking during the reporting period. The government conducted two national anti-trafficking public awareness campaigns that included messages on reducing demand for commercial sex acts, although they did not specifically target "clients" of the sex trade. The government also worked with NGOs and the tourism industry to continue a project to prevent trafficking of Romanian children for child sex tourism. There were no reported investigations, prosecutions, convictions, or sentences of foreign visitors engaging in such sexual exploitation of Romanian children in 2007. The government provided all Romanian troops with trafficking awareness training prior to their deployment abroad on international peacekeeping missions. In 2007, the national trafficking database was instrumental in identifying trafficking trends, particularly concerning the trafficking of Romanian victims to the Czech Republic for the purpose of labor exploitation.

## RUSSIA (Tier 2 Watch List)

Russia is a source, transit, and destination country for men, women, and children trafficked for various forms of exploitation. Men and women from the Russian Far East are trafficked to China, Japan, the Middle East, and South Korea for purposes of sexual exploitation, debt bondage, and forced labor, including in the agricultural and fishing industries. Russian women are trafficked to Turkey, Greece, Germany, Italy, Spain, Malta, the United States, Canada, Vietnam, Thailand, Australia, New Zealand, Costa Rica, and the Middle East for the purpose of sexual exploitation. Moscow and St. Petersburg are destination centers for children trafficked within Russia and from Ukraine and Moldova for purposes of sexual exploitation and forced begging. Moscow continues to be a significant destination for men and women trafficked within Russia and from Kyrgyzstan, Tajikistan, Uzbekistan, Ukraine, Moldova, and Belarus for purposes of sexual exploitation and forced labor, including work in the construction industry; in 2007, the number of Belarusian men trafficked to Moscow increased for purposes of forced labor in the construction, textile, and food industries. The ILO reported that an estimated one million illegal migrant workers may be victims of labor trafficking in Russia. Moscow remains a transit point for women trafficked from Uzbekistan and Armenia to the United Arab Emirates for purposes of sexual exploitation. Men from Western Europe and the United States travel to Western Russia, specifically St. Petersburg, for the purpose of child sex tourism; however, law enforcement authorities report a decrease in the number of cases of child sex tourism and attribute this to aggressive police investigations and Russian cooperation with foreign law enforcement.

The Government of the Russian Federation does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Russia is placed on Tier 2 Watch List for a fifth consecutive year for its failure to show evidence of increasing efforts to combat trafficking over the previous year, particularly in providing assistance to victims of trafficking. Comprehensive trafficking victim assistance



legislation, which would address key deficiencies, has been pending before the Duma since 2003 and was neither passed nor enacted in 2007. Although a few municipalities across Russia have victim identification and referral systems, relatively few victims assisted were referred by government officials in 2007. During the reporting period, the federal government provided no funding to anti-trafficking NGOs while it gave approximately \$40 million to other NGOs involved in civic and social work issues throughout Russia; during the previous reporting period, the Public Chamber reportedly provided funding to three anti-trafficking NGOs. Russia again increased the total number of trafficking investigations and demonstrated improved efforts to identify labor trafficking cases. Although modest improvements were noted in particular regions, the Russian government has yet to provide comprehensive victim assistance, covering the entire process from victim identification through reintegration and support systematically and throughout the country. Victim identification and assistance remains the weakest component of Russia's anti-trafficking efforts.

**Recommendations for Russia:** Develop a comprehensive national strategy that acknowledges the gravity of Russia's multi-faceted human trafficking problem and allocates adequate resources to address deficiencies in victim assistance; designate funding from the national budget and coordinate responsibilities to relevant ministries to carry out anti-trafficking efforts; establish an official coordinating body with the authority to implement a national strategy and evaluate ministerial efforts to combat trafficking; make significant national efforts to coordinate and enact victim assistance, protection, and rehabilitation; increase the number of communities with formal procedures for victim identification and referral; consider passing regulations that permit assets seized from convicted traffickers to be allocated to programs that assist and protect victims of trafficking; and create a central repository for prosecution, conviction, and sentencing data for trafficking cases.

### Prosecution

The Government of the Russian Federation demonstrated progress in its law enforcement efforts over the last year. Article 127 of the criminal code prohibits both trafficking for commercial sexual exploitation and forced labor. Other criminal statutes may be used to prosecute and convict traffickers. Article 127 provides punishments of up to five years' imprisonment for trafficking crimes, and aggravating circumstances may extend penalties up to 10 years' imprisonment; these penalties are sufficiently stringent and commensurate with punishments prescribed for other grave crimes, such as rape. In 2007, police conducted 139 traf-

ficking investigations; 104 of these investigations were sexual exploitation cases and 35 were forced labor cases. This total is a 10 percent increase from the 125 investigations conducted in 2006 and continues the annual trend of increased prosecutions since the statute was passed in 2003. It is difficult to ascertain the exact number of prosecutions and convictions conducted in 2007 because the government did not collect and maintain such statistics; prosecution, conviction, and sentencing data was obtained by analyzing media coverage of known trafficking cases. Authorities conducted at least 36 prosecution cases—involving 103 traffickers—during the reporting period, compared to 26 prosecution cases in 2007. Likewise, at least 46 traffickers were convicted in 2007, an increase from 13 in 2006. At least 45 traffickers faced imposed prison sentences. Despite this progress, some police noted that the anti-trafficking law remains underutilized because national directives on its implementation have not yet been issued. In July 2006, the Duma passed asset forfeiture legislation that permits prosecutors to seize the assets of convicted persons, including traffickers; however, there were no reports that the law was used against traffickers in 2007. Russia identified a total of four civilian government officials complicit in human trafficking. Of those four complicit officials, one was convicted and sentenced to four years and six months' imprisonment; the remaining three were arrested and their cases were still pending at the time of this report.

Forced labor of young conscripts within Russia's military remained a concern. In 2007, five military officials were investigated and arrested for labor exploitation of military conscripts under their command.

### Protection

Russia demonstrated no significant progress in improving its inadequate efforts to protect and assist victims. Russia's Foreign Ministry reported assisting the return to Russia of some victims of trafficking from other countries. Although several municipalities across Russia have cooperation agreements between NGOs and local authorities to refer victims for assistance, relatively few of the 226 victims assisted in 2007 were referred by government officials. A large portion of assisted victims were identified abroad and referred by foreign NGOs or IOM for assistance; the number of victims identified in Russia remained low, suggesting that Russia's current ability to identify victims is inadequate.

Although some local governments provided in-kind and financial support to some anti-trafficking NGOs, the majority of aid to NGOs providing victim assistance continued to be provided by

international donors. Most government-provided assistance to victims is from regional and municipal-run domestic violence and homeless shelters; the quality of these shelters vary and, because they are not trafficking-specific, they are ill-equipped to provide for the specific legal, medical, and psychological needs of trafficking victims. Also, foreign and Russian victims found in regions where they do not reside legally are often denied access to state-run general health care and social assistance programs, as local governments restrict these services to local residents. In 2007, there were reported cases of sympathetic and enthusiastic local law enforcement referring victims to local NGOs that did not have the resources to provide the necessary services—shelter, and psychological, medical, and legal assistance—requested by the police. Russia lacks a government program for the specific assistance of victims of trafficking. A general witness protection program has been inadequate in helping trafficking victims; it only helped two during the reporting period. The comprehensive anti-trafficking legislation, in development since 2003 would strengthen assistance to trafficking victims, better define the rights of trafficking victims, allocate specified funding for anti-trafficking programs; and create a centralized authority to coordinate national anti-trafficking efforts. Police in various communities continued to encourage victims to participate in trafficking investigations and prosecutions, a positive trend noted in the past few years. Victims are permitted to reside in Russia pending the investigation and prosecution of their trafficker.

### Prevention

Russia demonstrated minimal prevention efforts during the reporting period. A few local governments provided modest funding or in-kind support to NGOs to conduct public awareness campaigns targeting at-risk populations. Various national ministries continued operating informational websites about trafficking. State-controlled media aired several documentaries about trafficking and featured frequent stories throughout Russia during the reporting period which aided public awareness. Russia actively monitors immigration and emigration patterns for signs of trafficking. The government did not take specific steps to reduce the demand for commercial sex acts. Russian law permits the government to prosecute Russian nationals who travel abroad to engage in child sex tourism. In 2007, one Russian man was charged and incarcerated by the Cambodian government for the commercial exploitation of a child; the case was pending at the time of this report.

## RWANDA (Tier 2)

Rwanda is a source country for women and children trafficked for the purposes of forced labor and sexual exploitation. Rwandan girls are trafficked within the country for domestic servitude, as well as for commercial sexual exploitation by loosely organized prostitution networks. Small numbers of children from Rwanda's Eastern Province may be trafficked to Uganda for work on tea plantations or use in commercial sexual exploitation. During the reporting period, recruiters for a renegade Congolese general, fraudulently promising civilian employment, conscripted an unknown number of Congolese boys and men from Rwanda-based refugee camps, as well as Rwandan children from towns in Rwanda, for forced labor and soldiering in the Democratic Republic of the Congo (D.R.C.).

The Government of Rwanda does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. While the government's efforts to prevent human trafficking markedly increased during the reporting period, its anti-trafficking law enforcement efforts remained extremely limited. The government did not provide data on actions, if any, taken against traffickers during the year.

**Recommendations for Rwanda:** Enact and enforce the anti-trafficking provisions of the draft Penal Code through investigations and prosecutions of traffickers; take additional steps to remove children from prostitution and domestic servitude and to provide for their care; request that an NGO or international organization protection partner independently follow up with a cross-section of former child combatants, including victims of trafficking, to assess their reintegration; and request an independent assessment of the conscription of children by armed groups along the Rwanda–D.R.C. border.

### Prosecution

The government's anti-trafficking law enforcement efforts were very limited during the reporting period; no prosecutions or convictions of traffickers were reported. Rwandan law does not prohibit all forms of trafficking in persons, though existing statutes prohibit slavery, child labor, kidnapping, forced prostitution, and child prostitution, under which traffickers could be prosecuted. Comprehensive draft anti-trafficking legislation was incorporated into penal code revisions that passed Parliament's first review in September 2007 and remain under consideration by Parliament's Political Committee. The existing Child Protection Law is also undergoing reform; during the year, a draft law intended to protect street children by criminalizing the actions of hotels and cinema halls that provide venues for child prostitution was