

and government officials regularly relied on NGOs to provide shelter, counseling, food, and rehabilitation. The government continued to lack formalized procedures for identifying potential victims of trafficking and referring them to organizations providing protective services. The Office of Assistance to Women and Vulnerable Children continued its partnership with a network of anti-trafficking NGOs to respond quickly to tips on potential trafficking cases and provide care and protection to victims. UNICEF helped police establish the first-ever police station specifically designed to assist women and children, including trafficking victims, in Maputo. A dedicated toll-free number, "116," became fully operational in November 2009, allowing persons to report crimes against children, including trafficking. Line "116" received 5,239 calls from November through December 2009, though it is not known how many of these were related to human trafficking. An NGO managed the country's only permanent shelter for child trafficking victims, which operated on land donated by the Moamba District government. 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 being trafficked. The government did not provide legal alternatives to the removal of foreign victims to countries where they would face hardship or retribution.

to develop an anti-trafficking strategy for the 2010 World Cup, which may increase the incidence of trafficked Mozambicans transported to South Africa for commercial sexual exploitation, but implementation was poor. The government did not take any significant measures to reduce the demand for forced labor or commercial sex acts during the year.

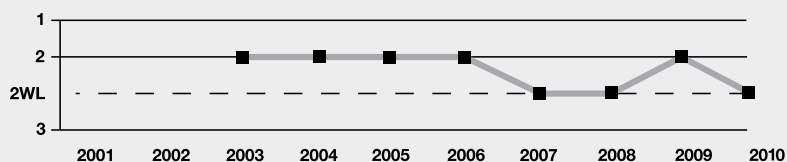
NAMIBIA (Tier 2)

Namibia is a country of origin, transit, and destination for foreign and Namibian women and children, and possibly for men subjected to trafficking in persons, specifically conditions of forced labor and forced prostitution. Traffickers exploit Namibian children, as well as children from Angola and Zambia, through forced labor in agriculture, cattle herding, involuntary domestic servitude, charcoal production, and commercial sexual exploitation. In some cases, Namibian parents unwittingly sell their children to traffickers. Reports indicate that vulnerable Namibian children are recruited for forced prostitution in Angola and South Africa, typically by truck drivers. There is also some evidence that traffickers move Namibian women to South Africa and South African women to Namibia to be exploited in forced prostitution. Namibian women and children, including orphans, from rural areas are the most vulnerable to trafficking. Victims are lured by traffickers to urban centers and commercial farms with promises of legitimate work for good wages they may never receive. Some adults subject children to whom they are distantly related to forced labor or commercial sexual exploitation. Small business owners and farmers may also participate in trafficking crimes against women or children. Victims are forced to work long hours to carry out hazardous tasks, and may be beaten or raped by traffickers or third parties.

The Government of Namibia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the year, the government created a national database on gender-based violence which will include statistics of trafficking and child labor victims, cooperated in a baseline study to assess the scope and scale of its trafficking in persons problem, investigated child labor cases, rescued child victims of labor trafficking, and began renovating buildings to use as shelters for trafficking victims. No suspected trafficking offenders, however, were prosecuted, and traffickers involved in cases of forced child labor received insufficient civil punishments.

Recommendations for Namibia: Use the new anti-trafficking legislation, the Prevention of Organized Crime Act, to prosecute sex and labor trafficking offenses and adequately punish trafficking offenders; conduct additional national anti-trafficking public awareness campaigns, particularly in the border areas; provide further training to law enforcement and social service personnel on the identification and provision of

MOZAMBIQUE TIER RANKING BY YEAR



Prevention

The government's prevention efforts remained weak during the reporting period. The government did not launch a nationwide campaign to foster awareness of trafficking among government officials and private citizens. As a result, most Mozambicans, including many law enforcement officials, reportedly lacked a clear understanding of what constitutes trafficking. Officials met regularly with the Anti-Trafficking Forum, which provided a mechanism through which the government and its NGO partners could discuss trafficking issues and coordinate their anti-trafficking activities. Most anti-trafficking educational workshops were run by NGOs with some government participation. Media coverage of trafficking cases or issues significantly diminished over the past year, although a sting operation which led to the arrest of eight Mozambican and Chinese sex traffickers in March 2010 was featured prominently in the news. Law enforcement officials and partner NGOs monitored major border crossings and immigration patterns for indications of potential trafficking victims, but these officials remained prone to complicity with traffickers. The Ministry of Justice worked with a network of NGOs

assistance to trafficking victims; increase communication and coordination among law enforcement, ministries, and federal agencies involved in trafficking issues; expand cooperation between national and local police; continue to dedicate adequate time and resources in order to complete the shelter and safe house renovations; and continue efforts to improve and expand record-keeping on specific human trafficking offenses.

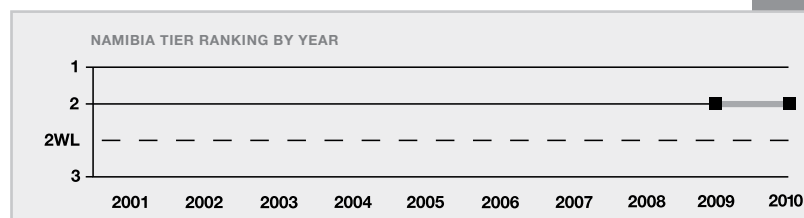
Prosecution

The Government of Namibia modestly increased its anti-trafficking law enforcement efforts during the year. National police and the Ministry of Justice handled no trafficking cases during the reporting period. In May 2009, the government enacted the Prevention of Organized Crime Act (POCA) of 2004, which explicitly criminalizes all forms of trafficking. Under the POCA, persons who participate in trafficking offenses or aid and abet trafficking offenders may be fined up to \$133,000 and imprisoned for up to 50 years. The Act does not differentiate between trafficking for commercial sexual exploitation and trafficking for non-sexual purposes. In addition, Section 4 of the Labor Act of 2007 prohibits forced labor and prescribes penalties of up to four years' imprisonment or a fine of up to \$2,700, or both. Section 3 of the Labor Act prohibits various forms of exploitative child labor, prescribing penalties equal to those for other forced labor offenses. Penalties for these crimes are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The draft Child Care and Protection Bill is expected to address child trafficking offenses, among other crimes. Government officials are working with the Southern African Development Community to develop model comprehensive anti-trafficking legislation which could be effectively adopted in countries throughout the region. The government neither opened a criminal investigation into any suspected trafficking offenses nor prosecuted any trafficking cases during the reporting period. Officials investigated several cases of child labor; in all instances, offenders were issued compliance orders in accordance with the 2007 Labor Act, but were not arrested or otherwise penalized. The Ministry of Labor removed 17 children found working on farms in Kavango in hazardous conditions and returned them to their parents. Police operated a toll-free hotline for the public to call in with tips on trafficking cases.

Protection

During 2009, the government increased its efforts to protect victims and ensure their access to appropriate services offered by non-governmental entities, as it continued to lack the financial resources and capacity to directly care for victims. During the reporting period, the Ministry of Labor and Social Welfare identified 17 cases of children illegally working in the charcoal industry, 88 cases of children performing hazardous labor in other work places, and 57 cases of children in forced labor. The Ministry of Gender Equality and Child Welfare (MGECW) handled three trafficking cases; the victims were Zambian

boys brought into the country by a Zambian trafficker, a girl from Walvis Bay forced into prostitution by her mother, and Namibian girls from Kavango and possibly the Caprivi region trafficked to wine farms in the south for forced labor as babysitters and domestic workers. In 2009, the MGECW created a national database on gender-based violence that will include statistics on trafficking and child labor victims.



The government has no specific formal procedures in place for referring trafficking victims for care, although the police are responsible for finding temporary shelter for all victims as well as medical assistance. The MGECW provided social workers to work in partnership with the police, who counsel or otherwise assist victims of violent crimes, including human trafficking. Law enforcement and other officials referred victims to NGOs and other entities that provided short-term shelter facilities. Officials were aware that the shelters are often full and cannot accommodate all victims who need assistance. Neither long-term shelter facilities nor services designed to meet the specific needs of victims of trafficking existed in Namibia. The Woman and Child Protection Unit (WACPU) of the Namibian Police Force designated examination rooms in major hospitals for treatment of victims of violent crimes that are staffed by physicians trained to deal with trauma victims, including victims of trafficking. WACPU also had referral agreements with two NGOs to provide victims of trauma with counseling and legal services that were available to trafficking victims. The government subsidized some shelter facilities for victims of gender-based violence and the worst forms of child labor which may have unknowingly aided trafficked women and children. Officials began renovating 13 government-owned buildings, one in each region, to be used as shelters for women and child victims of gender-based violence and human trafficking, but these facilities would most likely not provide services for men. The Namibian legal system provided protection to victims who wish to testify against their abusers, as well as a legal alternative to foreign victims' removal to countries where they may face hardship or retribution through provisions in other laws. Official understanding of what constitutes human trafficking remained limited, and it is possible that trafficking victims were jailed or prosecuted for violating laws related to immigration and prostitution before they were identified as victims.

Prevention

The Namibian government made efforts during the year to raise awareness of trafficking throughout the

country. The government conducted a media campaign against gender-based violence and trafficking, in which it encouraged victims and members of the public to report suspected trafficking offenders and assist in investigations and prosecutions. Fewer WACPU and MGECW officials received training to identify victims of trafficking in the reporting period than in previous years. The government did not provide specific training on identifying and assisting Namibian trafficking victims overseas to diplomats, but continued to encourage them to maintain relations with NGOs that follow trafficking issues. During the year, the Ministry of Home Affairs forged a partnership with UNICEF to open offices at hospitals and deploy mobile units throughout the country to provide birth certificates for newborns and identity documents for orphans and vulnerable children. The government made no discernible efforts to reduce the demand for commercial sex acts during the reporting period.

NEPAL (Tier 2)

Nepal is mainly a source country for men, women, and children who are subjected to trafficking in persons, specifically commercial sexual exploitation and forced labor within the country and abroad. NGOs continue to report an increase in both transnational and domestic trafficking, although a lack of reliable statistics makes the problem difficult to quantify. Some Nepali women and girls are subjected to forced prostitution in Nepal, India, and the Middle East, and also are subjected to forced labor in Nepal and India as domestic servants, beggars, factory workers, and, to a lesser extent, circus entertainers. Nepali women are also forced to work in Nepal's growing pornography industry. They are subjected to forced prostitution and forced labor in other Asian destinations, including Malaysia, Hong Kong, and South Korea. Nepali boys also are also exploited as forced domestic servants and – in addition to some Indian boys – are subjected to forced labor in Nepal, especially in brick kilns and the embroidered textiles industry. There is anecdotal evidence that Nepal's role as a destination for foreign child sex tourists is growing, possibly as efforts to confront this problem in traditional Southeast Asian destinations have become more effective. Several NGOs reported an increase in the number of teenage boys in Kathmandu engaged in prostitution; many of these boys are suspected to be trafficking victims. It is suspected that bonded labor remains a significant problem; many laborers who were freed in 2000 – when the government outlawed bonded labor – were not provided land as required by the law, leaving them vulnerable to falling back into exploitative labor.

According to the Department of Foreign Employment (DFE), approximately three million Nepalis have migrated to countries other than India for work, both through regular and irregular channels; India remains the most popular destination for Nepali workers. Many Nepali migrants seek work as domestic servants, construction

workers, or other low-skill laborers in Gulf countries, Malaysia, Israel, South Korea, and Afghanistan with the help of labor brokers and manpower agencies. They travel willingly but 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. Some are deceived about their destination country, the terms of their contract, or are subjected to debt bondage, which can in some cases be facilitated by fraud and high recruitment fees charged by unscrupulous agents. While some workers migrate through legal or regular channels from Nepal directly, many others migrate via India; this is illegal, due to the 2007 Foreign Employment Act that requires all workers to leave for overseas work via Nepal's sole international airport in Kathmandu. Many migrants leave in this manner to avoid the scrutiny of a labor migration desk in the airport which examines the papers of all workers heading overseas.

According to law enforcement officials, trafficking is increasingly dominated by well-organized syndicates that are often family-based and involved in other criminal activities such as drug trafficking. Trafficking offenders are usually acquainted with the victims and provide parents of victims a “salary advance” in order to place the victims in a state of indebtedness. This indebtedness may be used to compel those victims to perform labor or a service to avoid threatened serious harm, particularly financial harm. Traffickers generally target uneducated people, especially from lower castes and other socially marginalized groups. However, a growing number of victims are relatively well-educated and from high castes, a development that reflects an increasingly dire economic situation.

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 despite limited resources. The government continued modest efforts to prosecute traffickers and allocated financial support to NGO-operated rehabilitation centers. Trafficking-related complicity by government officials remained a serious problem in Nepal.

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

Prosecution

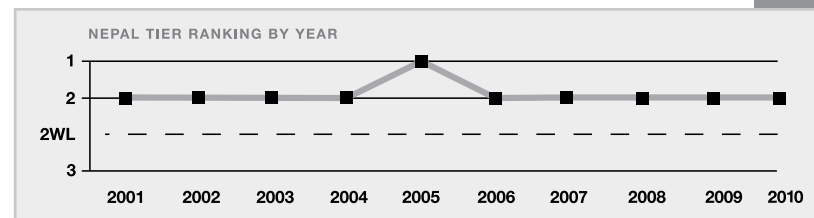
Nepal made some progress in its anti-trafficking law enforcement efforts over the reporting period. Through its 2007 Trafficking in Persons and Transportation (Control) Act, the government prohibits all forms of trafficking and prescribes penalties ranging from 10 to 20 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The 2007 Foreign Employment Act, through its Chapter 9, criminalizes the acts of an agency or individual sending workers abroad based through fraudulent recruitment promises or without the proper documentation, prescribing penalties of three to seven years' imprisonment for those convicted; fraudulent recruitment for the purpose of exploitation constitutes human trafficking. The Nepal Police Major Crimes Unit and the Office of Attorney General reported 12 convictions, two less than in the previous year. The government did not provide the number of prosecutions or acquittals and the punishments, and did not disaggregate whether convictions were for sex or labor trafficking.

Trafficking-related complicity by government officials remained a serious problem in Nepal, with traffickers using ties to politicians, business persons, state officials, police, customs officials, and border police to facilitate trafficking. Many dance bars, "cabin restaurants," and massage parlors in Kathmandu that facilitate sex trafficking are reportedly co-owned by senior police and army officials. The large number of genuine Nepali passports containing false information that Indian officials have encountered in trafficking cases may be the result of some Nepali officials working with traffickers to provide them with these documents. Despite these serious concerns, there were no investigations, prosecutions, or convictions of government officials complicit in trafficking during the reporting period. No Maoist official has yet been charged in connection with the recruitment of child soldiers, which was a common practice during the 10-year insurrection, nor is the issue of child soldiers addressed in the pending legislation aimed at establishing a Truth and Reconciliation Commission. The Nepal Police routinely provide its personnel specific training on investigating trafficking cases; however, due to a lack of resources, the number of personnel trained has been limited.

Protection

Nepal made limited efforts to protect victims of trafficking during the reporting period. The Government of Nepal does not have a formal system of proactively identifying victims of trafficking among high-risk persons with whom they come in contact. Police made arrests during indiscriminate raids on commercial sex establishments but did not attempt to identify victims. In late 2009, police conducted a series of "blind" raids on establishments suspected for being fronts for prostitution. Dozens of "employees" – including children – were

arrested. Despite indications that some of the women and most of the girls in those establishments were trafficking victims, the police made no effort to identify trafficking victims before releasing the women and girls. All facilities that assist trafficking victims were run by NGOs and most provided a range of services, including legal aid, medical services, psychosocial counseling, and economic rehabilitation. Even so, there were not facilities to meet the needs of all survivors. The Ministry of Women, Children and Social Welfare (MWCSW) allocated approximately \$110,000 in the 2009-2010 fiscal year for eight NGO-run shelter homes, three of which were already operating. MWCSW also allocated approximately \$275,000 to open 15 emergency shelters across the country for victims of abuse (including trafficking). The government rented several rooms near its embassies in Doha and Riyadh that were used as shelters for female migrant workers. District governments reportedly worked with NGOs to ensure that survivors were provided with available shelter and medical services; however, there was a severe shortage of facilities, and it was difficult to determine how many survivors received assistance because this number is not tracked. When 18 stranded Nepali workers were repatriated from Kuwait in December 2009, the Government of Kuwait provided the airline tickets and Nepal fed the workers for four months while arrangements for repatriation were made. In fiscal year 2008-2009, MWCSW used its small rehabilitation fund to assist in the repatriation of 16 trafficking victims from India. Nepal encouraged trafficking victims to participate in investigations against their traffickers but lacked sufficient resource to ensure their personal safety. Victims who were material witnesses in court cases were not permitted to obtain employment or leave Nepal until the case had concluded, and they were often pressured in their communities not to pursue a case; as such, many victims were reluctant to testify. Between early January to early February 2010, in a cooperative agreement between the Government of Nepal, the Maoists, and the UN, nearly 3,000 former child soldiers were released from UN-monitored Maoist cantonments, where they had been living since the signing of the November 2006 peace agreement. The Government of Nepal provided rehabilitation services to those released from the cantonments.



Prevention

Nepal made limited efforts to prevent human trafficking during the reporting period. The federal government

organized rallies to mark the third annual National Anti-Trafficking Day. Women Development Officers (WDOs) in trafficking-prone districts conducted awareness campaigns based on the direction of the federal government. The prime minister convened a cabinet-level task force on violence against women, including trafficking. A Joint Secretary and senior police officials participated in some high-level events to increase awareness of trafficking. In 2009, the government announced plans to post an additional five labor attachés in countries with a significant number of Nepali workers; however, this plan was stalled by a dispute between the Ministry of Labor and Transport Management and the Ministry of Foreign Affairs. Regardless, insufficient resources had limited the ability of attachés who had been posted to carry out their mandated duties. A National Human Trafficking Task Force exists but, according to senior government officials, had limited impact. The MWCSW was in the process of replacing its district task forces with anti-trafficking committees in all 75 districts, beginning with the 26 most trafficking-prone districts. In 2009, the MWCSW ordered its district-level women development officers to begin systematic tracking of trafficking-related developments, with assistance from these anti-trafficking committees. However, officials acknowledge that both the WDOs and the district committees will be constrained by insufficient resources. Despite national registration drives and committees responsible for registering births, the Central Child Welfare Committee in 2008 reported that only 40 percent of children had birth registration certificates. All Nepali military troops and police assigned to international peacekeeping forces were provided some pre-deployment anti-trafficking training funded by a foreign government. Nepal is not a party to the 2000 UN TIP Protocol.

NETHERLANDS (Tier 1)

The Netherlands is primarily a source and destination country for men, women, and children subjected to trafficking in persons, specifically forced prostitution and forced labor, though, to a lesser extent, it is a transit country for such trafficking. Women from the Netherlands, Nigeria, Romania, Hungary, Bulgaria, and Guinea are the top six countries of origin for victims of sex trafficking in the country. Approximately 138 victims identified last year were male; these men and boys were subjected to forced prostitution and various forms of forced labor, including in: agriculture, horticulture, construction, food processing, catering, cleaning, and the drug trade. These male victims were primarily from Romania, China, Ghana, Indonesia, and Nigeria. Groups vulnerable to trafficking include single underage asylum seekers, women with dependent residence status obtained through fraudulent or forced marriages, women recruited in Africa, and East Asian women in massage parlors. Criminal networks are often involved in forced prostitution and forced labor involving foreigners, while those involved in forced prostitution of Dutch residents

work independently, often recruit through the Internet, and exploit one to two victims at a time.

The Government of the Netherlands fully complies with the minimum standards for the elimination of trafficking. The Dutch national anti-trafficking rapporteur and police continued to take a self-critical approach to addressing human trafficking, further enhancing Dutch anti-trafficking efforts. Officials demonstrated particular progress in the difficult task of identifying victims. The government also forged partnerships with other countries to enhance global anti-trafficking efforts.

Recommendations for the Netherlands: Vigorously investigate, prosecute, convict, and punish labor trafficking offenders; continue efforts to ensure traffickers receive sentences commensurate with the gravity of this human rights abuse; enhance overall awareness of trafficking crimes among judges; continue to closely monitor, scrutinize, and advance the government's response to human trafficking; and continue to share best practices with other countries, in particular on victim identification and assistance, protection of unaccompanied foreign minors, and establishment of rapporteurs, to enhance global anti-trafficking efforts.

Prosecution

The government demonstrated progress in convicting sex trafficking offenses, though prosecutions of labor trafficking offenses remained low. The Netherlands prohibits all forms of trafficking through Criminal Code Article 273. In July 2009, at the initiative of the Justice Minister, the government toughened the maximum sentences for trafficking in persons from 15 years' to 18 years imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes. The 2009 national rapporteur's report stated that the law does not precisely define where poor employment conditions end and labor trafficking begins. In 2009, eleven regional human trafficking prosecutors were appointed to handle complicated human trafficking cases. Police completed and referred for prosecution 215 human trafficking investigations in 2008, the last year for which trafficking statistics were available, compared with 281 in 2007. In 2008, verdicts were handed down in 116 cases, of which 79 were convictions, compared with 73 convictions in 2007. There were 33 acquittals, and 4 dismissals in 2008, compared with 14 acquittals and 2 dismissals in 2007. According to the national rapporteur, since 2006, when the definition of trafficking was expanded to include labor exploitation, the government has prosecuted 12 labor trafficking cases, resulting in convictions of two trafficking offenders in 2007, and one in 2008 and 2009. The average sentence for convicted sex trafficking offenders was approximately 21 months, the same average for sentences imposed in 2007. The highest sentence for labor trafficking – a four-year prison term – was handed down in 2009. During the year, the Justice Minister tightened the rules for granting parole to convicted criminals after two convicted trafficking offenders escaped during temporary parole. There were

no reports of trafficking-related official complicity during the reporting period. In 2009, the government-funded Judiciary Study Center began to offer special anti-trafficking courses to public prosecutors as well as judges. The Dutch government forged anti-trafficking partnerships with other governments by providing trafficking-specific technical expertise on investigating and prosecuting trafficking cases, specifically collaborating with the Netherlands Antilles, Aruba, Nigeria, Bulgaria, Romania, and Hungary.

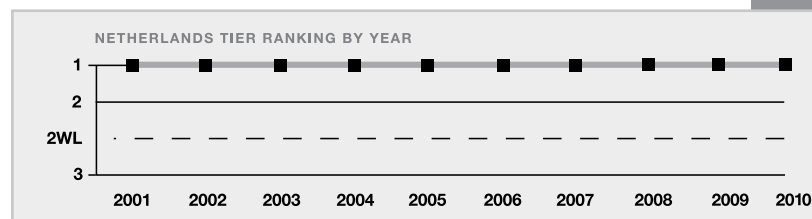
Protection

The Netherlands made clear progress in ensuring the protection of trafficking victims during the reporting period, specifically by identifying and assisting an increased number of victims. The government continued to provide training to help law enforcement officials, labor inspectors, immigration officers, and other authorities identify and assist trafficking victims, and in 2009, the government registered 909 victims, an increase from 826 victims in 2008. Local governments were responsible for regulating and inspecting legalized prostitution venues, on average six times per year; the national police monitored performance of this requirement.

The Netherlands has an extensive network of facilities providing a full range of trafficking-specialized services for children, women, and men; the government provided victims with legal, financial, and psychological assistance, shelter (in facilities that also serve victims of other crimes), medical care, social security benefits, and education financing. In addition, the Dutch national victim registration center gave workshops in the Netherlands Antilles and Curacao on setting up referral mechanisms for trafficking victims. Dutch authorities provided temporary residence permits to allow foreign trafficking victims to stay in the Netherlands during a three-month reflection period, a time for victims to receive immediate care and assistance while they consider whether to assist law enforcement, and separately, during the investigation and prosecution of their traffickers. The government provided permanent residence status to some victims, based on particular conditions. Since January 2008, the government has provided single underage asylum seekers with intensive counseling in secure shelters that protect them from traffickers; since then, the Justice Ministry has reported that fewer have disappeared from state care. The government encouraged victims to assist in the investigation and prosecution of traffickers. Nevertheless, victims were often reluctant to assist law enforcement personnel, due to fear of reprisals from traffickers. There were no reports that victims were punished for unlawful acts committed as a direct result of being trafficked. To facilitate safe and voluntary repatriation, the Ministry of Foreign Affairs has developed a system to evaluate victims' safety in five countries of return. The Ministry considers the country's legal framework, women's social and economic situation, availability of shelter and social reintegration programs, and the risk of reprisals, among other criteria.

Prevention

The government made progress in trafficking prevention during the reporting period. The Justice Ministry continued to fund a multimedia awareness campaign about trafficking targeted at people in, and clients, of prostitution, as well as residents, shopkeepers, and taxi-drivers in areas where prostitution occurs. An NGO that received government funding organized an open-air exposition in The Hague with pictures and stories of 20 trafficking victims. The government-funded, autonomous, national rapporteur on trafficking monitored the government's anti-trafficking efforts and, during the reporting period, published its seventh report. The government continued implementation of its national anti-trafficking action plan and maintained an inter-ministerial national task force, chaired by the chief public prosecutor of Amsterdam, to coordinate governmental anti-trafficking efforts. During the year, the Justice Minister launched a child sex tourism awareness campaign that informs Dutch tourists that child sex abuse is a punishable offense, and that they can report suspect situations to a special website. The government provided over \$2.7 million for anti-trafficking and anti-child sex tourism programs in many countries in various regions throughout the world during the reporting period. The Dutch military provided training to all military personnel on the prevention of trafficking and additional training on recognizing trafficking victims for Dutch troops being deployed abroad for duty as international peacekeepers.



NETHERLANDS ANTILLES (Tier 2)*

The five islands of the Netherlands Antilles are a transit and destination area for women and children who are subjected to trafficking in persons, specifically forced prostitution and for men and women who are in conditions of forced labor. The women in prostitution in the Netherlands Antilles' regulated and illegal sex trades are highly vulnerable to human trafficking, as are unaccompanied minors traveling to or through Curacao. Local authorities believe that men and women have also been subjected to involuntary domestic servitude and other forms of forced labor in the agriculture and construction industries. Groups vulnerable to this labor trafficking include foreign males in the agriculture, gardening, and construction sectors. Some migrants in restaurants and local businesses may be vulnerable to debt bondage.

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

The Government of the Netherlands Antilles does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government over the last year made progress in prosecuting and punishing trafficking offenders; it also boosted victim identification efforts. Comprehensive anti-trafficking legislation remained pending, and there were few specialized services available for trafficking victims.

Recommendations for the Netherlands Antilles: Enact legislation criminalizing all forms of human trafficking and prescribing punishment commensurate with other serious crimes; vigorously prosecute and convict sex and labor trafficking offenders in all five islands of the Netherlands Antilles; continue to build capacity for assisting trafficking victims throughout the Netherlands Antilles; expand awareness activities, including consideration of ways to educate clients of the sex trade and ultimate consumers of products resulting from the use of forced labor about the causes and consequences of trafficking; and explore the possible development of a hotline accessible to residents on all five islands.

Prosecution

The Government of the Netherlands Antilles improved anti-trafficking law enforcement efforts during the reporting period. The government has not yet passed comprehensive legislation prohibiting all forms of trafficking; however, during the reporting period, the government prosecuted at least 11 people in Curacao for human trafficking offenses and convicted nine trafficking offenders — a significant increase from the one conviction reported last year. The average prison sentence imposed on the eight offenders was 21 months. The government did not report any human trafficking prosecutions or convictions in St. Maarten, St. Eustatius, or Saba during the reporting period. There were no reports of trafficking-related complicity during the reporting period. The Curacao anti-trafficking coordinator provided training for law enforcement officials during the reporting period. Officials participated in a Kingdom-partnership training for Curacao, St. Maarten, and Bonaire law enforcement and immigration officials on identifying and treating victims of trafficking and investigating trafficking crimes.

reporting period. Curacao's anti-trafficking coordinator formally trained officials, including health officials working with women in a government-regulated brothel compound in Curacao, on identifying trafficking and providing victim assistance. The Bonaire anti-trafficking working group provided training for immigration officials on identifying trafficking victims. The government implemented a special trafficking victim referral mechanism to guide officials in referring potential trafficking victims to services. Government officials referred identified trafficking victims to limited, short-term assistance provided by a combination of government agencies and by NGOs that received government subsidies and to government-run care facilities for crime victims. The government placed child trafficking victims in facilities with their parents or in an institution for abused children. Government health care providers were available to assist foreign trafficking victims. The government did not officially offer access to legal aid for victims during the last year, though it had provided legal aid to some victims in the past.

The government maintained a policy of encouraging trafficking victims to participate in investigations and prosecutions of trafficking offenders; the legal system allowed witnesses to trafficking crimes to provide anonymous testimony or testimony from abroad. The government has the authority to issue temporary residency status for foreign trafficking victims as an alternative to their removal, though it did not report issuance of such status to victims over the last year. The government has not developed a policy regarding longer term residency for trafficking victims. The government tried to ensure that identified trafficking victims were not penalized for unlawful acts committed as a direct result of being trafficked. Trained law enforcement officials regularly visit prison and detention facilities to prevent potential trafficking victims from being punished. The anti-trafficking coordinator convened regular meetings with service providers and law enforcement to encourage anti-trafficking partnerships on victim assistance. Netherlands Antilles officials forged a partnership with Dutch authorities to establish new procedures allowing foreign women in Curacao's regulated brothel compound to maintain control of all of their travel documents. This was a significant development as international organizations have expressed strong concern about the working conditions — including possible involuntary servitude — at this brothel.

Prevention

The government continued modest efforts to raise awareness of human trafficking during the reporting period. The Justice Ministry added anti-trafficking content to its website. The public prosecutor and justice minister spoke publically about human trafficking, and the Curacao anti-trafficking coordinator gave lectures and presentations to live audiences and on television. The government continued to provide in-kind support for human trafficking hotlines in St. Maarten and Bonaire. The Netherlands Justice Ministry funded a sex trafficking



Protection

The government made limited progress in providing specialized services for trafficking victims but improved its efforts to identify victims. The government enhanced victim identification capability through training and, in a positive step, identified 16 trafficking victims during the

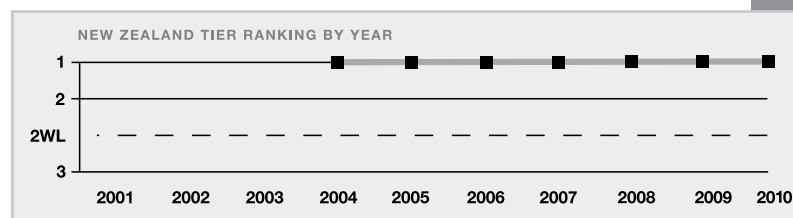
awareness campaign at schools throughout the Antilles and funded a six-week public service announcement radio campaign that resulted in a significant increase in hotline calls and two criminal investigations. Formal interagency anti-trafficking working groups operated in Bonaire, Curacao, Saba, St. Eustatius, and St. Maarten during the reporting period. The Curacao anti-trafficking coordinator conducted self-assessment meetings after trafficking investigations. There were no awareness campaigns specifically targeting potential clients of the sex trade in the Netherlands Antilles in an effort reduce demand for commercial sex acts.

NEW ZEALAND (Tier 1)

New Zealand is a source country for underage girls subjected to trafficking in persons, specifically forced prostitution, and a destination country for foreign men and women in forced labor. In the past New Zealand had reportedly been a destination country for women from Hong Kong, Thailand, Taiwan, China, other Asian countries, and Eastern Europe trafficked into forced prostitution, but no new information about such cases was reported in the past year. Of all persons in the legal sex industry, approximately 1.3 percent are children, some of whom are victims of sex trafficking. Some of these girls under 18 years old engage in prostitution occasionally on the street without the obvious control of a third party. Child trafficking victims, however, are found engaging in prostitution illegally in brothels, and other teenage girls who engage in prostitution on the street are closely controlled by local gangs. Unskilled Asians and Pacific Islanders migrate to New Zealand voluntarily to work legally or illegally in the agricultural sector, and women from the Philippines migrate legally to work as nurses. Some of these workers report that manpower agencies placed them in positions of involuntary servitude or debt bondage by charging them excessive and escalating recruiting fees, imposing unjustified salary deductions on them, restricting their travel by confiscating their passports, and significantly altering contracts or working conditions without their permission. Relative to the population of New Zealand, the estimated number of trafficking victims is modest, although no research has been conducted to determine the full extent of the trafficking problem in New Zealand.

The Government of New Zealand fully complies with the minimum standards for the elimination of trafficking. The government continued to fund and participate in international anti-trafficking initiatives, and introduced a national Plan of Action. New Zealand offers an extensive network of protective services to both internal and transnational trafficking victims, regardless of whether they are recognized as trafficking victims. It is possible, however, that citizens and foreigners in New Zealand exploited in forced labor and the legal or illegal commercial sex trade have not been identified by the government as trafficking victims.

Recommendations for New Zealand: Develop and implement a visible anti-trafficking awareness campaign directed at clients of the legal and illegal sex trades; identify child trafficking victims engaged in commercial sexual activity; continue to train law enforcement and labor officials to proactively identify trafficking victims in other vulnerable populations such as adults in prostitution and foreign laborers; and investigate and prosecute employment recruiting agencies or employers who subject foreign workers to positions of involuntary servitude or debt bondage.



Prosecution

The Government of New Zealand made little discernible progress in its anti-trafficking law enforcement efforts during the past year. New Zealand does not have a comprehensive anti-trafficking law, and authorities did not arrest or prosecute any trafficking offenders during the past year. Part 5 and various amendments of the Crimes Act of 1961 prohibit transnational sex and labor trafficking. Laws against sexual slavery, the receipt of financial gain from exploiting children in prostitution, and labor exploitation prohibit forms of internal trafficking. Such crimes are not specifically included within the anti-trafficking provisions of the Crimes Act and therefore cases of internal trafficking are not recognized by the government as trafficking crimes. Fraudulent employment and recruiting practices are prohibited under the Crimes Act of 1961 and the Wages Protection Act of 1983. New Zealand has never prosecuted trafficking offenders under these laws. Sufficiently stringent penalties of up to 20 years' imprisonment and/or a fine of \$250,000 under the above statutes are commensurate with those prescribed for other serious crimes. The government released no information about the progress or conclusion during the year of trafficking-related arrests and prosecutions opened during previous years. During the reporting period, the government continued prosecution of an accused sex trafficking offender who allegedly subjected two underage girls to prostitution in a brothel. One girl was a New Zealand citizen and one was a foreign exchange student. Since 2007, all Immigration Compliance Officers received training in identifying trafficking indicators in sectors considered high risk for the exploitation or trafficking of foreigners. Police constables, health and safety inspectors, and labor inspectors received training on how to identify exploitative offenses involving citizens and residents. In accordance with its Plan of Action, the government began developing programs to train front-line staff from the Department of Labor (DOL), Customs, and the New

Zealand Police to detect trafficking activity in the course of their routine duties involving both citizens and foreign nationals. The police also recently began to identify and train specialized interviewers for both trafficking victims and offenders. The government provided training in trafficking indicators to all new detectives in the Criminal Investigation Branch, and sent officers to Australia for training from trafficking specialists in the Australian Federal Police. Officials made two brothel compliance inspections during the past year, a significant decrease from the 29 compliance inspections it conducted in 2008. The government significantly decreased its efforts to monitor the agricultural sector for labor trafficking offenses. In 2008, it conducted 264 agricultural labor compliance checks, but reported conducting only 46 compliance visits and 90 educational visits during this reporting period.

Protection

The Government of New Zealand continued to provide strong support and social services for victims of all crimes through the New Zealand Council of Victim Support Groups. The government reports it did not assist any trafficking victims during the year, even though it provided support services for children involved in commercial sexual exploitation. No victims of trafficking were identified by the government during the reporting period, despite ongoing reports of children exploited in the commercial sex trade and foreign workers subjected to involuntary servitude and debt bondage. Under the Victim's Rights Act of 2002, police attend to victims' immediate welfare needs, such as food and shelter. There are currently no shelters specifically dedicated to trafficking victims. Youth and Cultural Development in Christchurch ran the "Street Youth Work Project" for girls and boys under 18 years of age at risk of or already engaging in commercial sex. The law allows foreign victims temporary legal residence and relief from prosecution for immigration offenses. In accordance with the national Plan of Action, the DOL began formulating a policy to regularize a foreign trafficking victim's immigration status to allow that person to lawfully remain in New Zealand long-term and continue to access a wide range of support services. No identified victims were jailed, fined, or deported. It is possible, however, that foreigners were deported instead of being investigated as possible trafficking victims because police and immigration officials do not routinely employ formal procedures for identifying trafficking victims among vulnerable populations such as illegal migrants and women engaging in prostitution. New Zealand contributed personnel and a significant amount of funding to victim protection programs in the Mekong Sub-Region and the Pacific Island region.

Prevention

The Government of New Zealand continued making efforts to prevent the transnational trafficking of foreigners into New Zealand, and made few discernible efforts to prevent internal trafficking. During the year,

it did not run campaigns in New Zealand to raise public awareness of trafficking risks, nor did it take steps to reduce demand for commercial sex acts in the decriminalized commercial sex industry. In July 2009 the New Zealand government released its Plan of Action to Prevent People Trafficking, developed in consultation with NGOs and relevant government agencies. The DOL, which coordinates anti-trafficking activity on behalf of the Inter-Agency Working Group, launched an intranet page dedicated to raising trafficking awareness among its frontline labor inspectors. It also began preparing educational materials to be given to airlines, NGOs, and other victim service providers. To date, the government's policies on trafficking and prostitution have failed to give adequate priority to the problems of adult and child sex trafficking. The government made significant efforts to reduce the participation of its nationals in sex tourism. In 2009, the government established the Online Child Exploitation Across New Zealand (OCEANZ) program. OCEANZ team members, working with international partner organizations, conducted investigations of potential child sex tourists when online activity uncovered links between online exploitation of children and child sex tourism. New Zealand remained active in international efforts to monitor and prevent trafficking. Immigration New Zealand provided the publication entitled "Information for Migrant Workers from the Philippines - A Guide to Work and Work Rights in New Zealand" to all work visa applicants in the Philippines. Its foreign assistance agency provided substantial funding to foreign countries and international organizations to build countries' anti-trafficking capacity, to prevent trafficking, and to provide services to victims. The government provided anti-trafficking training to military personnel prior to their deployment abroad on international peacekeeping missions. There were no reports of New Zealand peacekeeping personnel involved in trafficking or exploiting trafficking victims during the year.

NICARAGUA (Tier 2 Watch List)

Nicaragua is principally a source and transit country for women and children subjected to trafficking in persons, specifically forced prostitution and forced labor. Nicaraguan women and children are trafficked for commercial sexual exploitation within the country as well as in neighboring countries, most often to El Salvador, Costa Rica, Guatemala, Honduras, Mexico, and the United States. Trafficking victims are recruited in rural areas for work in urban centers, particularly Managua, and subsequently coerced into prostitution. Adults and children are subjected to conditions of forced labor in agriculture, the fishing industry, and for involuntary domestic servitude within the country and in Costa Rica. There are reports of some Nicaraguans forced to engage in drug trafficking. To a lesser extent, Nicaragua is a destination country for women and children recruited from neighboring countries for forced prostitution. Managua, Granada, Esteli, and San Juan del Sur are destinations for foreign child sex tourists from the United

States, Canada, and Western Europe, and some travel agencies are reportedly complicit in promoting child sex tourism. Nicaragua is a transit country for migrants from Africa and East Asia *en route* to the United States; some may fall victim to human trafficking.

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. Last year the government convicted two trafficking offenders and sentenced them to 12 years' imprisonment. Despite such efforts, the government showed little overall evidence of progress in combating human trafficking, particularly in terms of providing adequate assistance and protection to victims, confronting trafficking-related complicity by government officials, and increasing public awareness about human trafficking; therefore, Nicaragua remains on Tier 2 Watch List for the second consecutive year.

Recommendations for Nicaragua: Increase efforts to investigate and prosecute trafficking offenses, and convict and punish trafficking offenders, including government officials who may be complicit in trafficking crimes; increase law enforcement efforts against forced labor; institute clear, formal, and proactive procedures for identifying trafficking victims among vulnerable populations such as women and children in prostitution; dedicate additional resources for assistance to trafficking victims; provide adequate care for adult trafficking victims; and raise public awareness about human trafficking in general and child prostitution in particular.

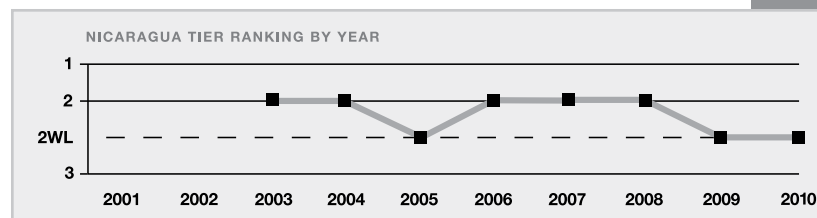
Prosecution

The Government of Nicaragua sustained modest efforts to combat human trafficking through law enforcement activities during the reporting period. Nicaragua criminalizes all forms of human trafficking. Article 182 of the Penal Code prohibits trafficking in persons for the purposes of slavery, sexual exploitation, and adoption, prescribing penalties of 7 to 10 years' imprisonment. A separate statute, Article 315, prohibits the submission, maintenance, or forced recruitment of another person into slavery, forced labor, servitude, or participation in an armed conflict; this offense carries penalties of five to eight years imprisonment. These prescribed punishments are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. During the reporting period, the government investigated nine trafficking cases and initiated three prosecutions, compared with 13 investigations and 10 prosecutions initiated in 2008. The government convicted two trafficking offenders, each of whom received a sentence of 12 years' imprisonment, which represents an increase in convictions from the previous year when no trafficking offenders were convicted. Nicaraguan authorities collaborated with the governments of neighboring countries to jointly investigate two trafficking cases over last year. Despite credible reports from NGOs and the local media regarding local officials' complicity in or tolerance of human trafficking, particularly in border

regions, the government did not investigate or prosecute any officials for suspected involvement in trafficking offenses. During the year, international organizations and NGOs reported a decrease in law enforcement efforts to combat trafficking, and authorities often did not take action or investigate cases, even when given specific details regarding the whereabouts of suspected traffickers.

Protection

The Nicaraguan government made inadequate efforts to protect trafficking victims during the last year, and NGOs and international organizations continued to be the principal providers of services to victims. The government provided basic shelter and services to some child trafficking victims, but such assistance was not readily accessible in all parts of the country, and the government reportedly decreased its already limited assistance to these shelters over the past year. There were no government-operated shelters for trafficking victims, though NGOs operated shelters for sex trafficking victims. Adult trafficking victims were largely unable to access any government-sponsored victim services, although the government provided limited legal, medical and psychological services to some victims. During the reporting period, eight Nicaraguan trafficking victims were repatriated from El Salvador and Guatemala; most victims receiving services were reported to be Nicaraguans who had been trafficked abroad. The government encouraged victims to participate in trafficking investigations and prosecutions, though most were reluctant to do so due to social stigma and fear of retribution from traffickers, as the government offers no witness protection for victims who serve as prosecution witnesses. While the rights of trafficking victims are generally upheld, some victims may not have been identified as victims of human trafficking by authorities. The government provided a temporary legal alternative to the removal of foreign victims to countries where they may face hardship or retribution. NGOs provided limited training on human trafficking to some law enforcement and immigration officials.



Prevention

The Nicaraguan government's efforts to prevent trafficking remained inadequate. The government conducted no anti-trafficking outreach or education campaigns in 2009, although NGOs and international organizations conducted public awareness campaigns with limited government collaboration. The government

converted a hotline formerly dedicated to human trafficking into a hotline for reporting on the general welfare of children. The government's interagency anti-trafficking committee was responsible for coordinating anti-trafficking efforts, but conducted few activities, and NGOs questioned the committee's capability and commitment to combat trafficking. Government partnership with NGOs on anti-trafficking activities is reported to be better at the local level. Authorities partnered with an NGO in northern Nicaragua to raise awareness about the commercial sexual exploitation of children; however, the government made limited efforts to combat child sex tourism. The government undertook no other initiatives to reduce demand for commercial sexual acts, such as conducting national awareness raising campaigns on child prostitution, and it did not report any efforts to reduce demand for forced labor.

NIGER (Tier 2 Watch List)

Niger is a source, transit, and destination country for children and women subjected to trafficking in persons, specifically forced labor and forced prostitution. Caste-based slavery practices, rooted in ancestral master-slave relationships, continue primarily in the northern part of the country. Children are trafficked within Niger for forced begging by religious instructors known as *marabouts*; forced labor in gold mines, agriculture, and stone quarries; as well as for involuntary domestic servitude and forced prostitution. The ILO estimates at least 10,000 children work in gold mines in Niger, many of whom may be forced to work. Nigerien children, primarily girls, are also subjected to commercial sexual exploitation along the border with Nigeria, particularly in the towns of Birni N'Konni and Zinder along the main highway, and boys are trafficked to Nigeria and Mali for forced begging and manual labor. There were reports Nigerien girls entered into "false marriages" with citizens of Nigeria, Saudi Arabia, and the United Arab Emirates: upon arrival in these countries, the girls are often forced into involuntary domestic servitude. Child marriage was a problem, especially in rural areas, and may have contributed to conditions of human trafficking. Niger is a transit country for women and children from Benin, Burkina Faso, Gabon, Ghana, Mali, Nigeria, and Togo *en route* to Northern Africa and Western Europe; some may be subjected to forced labor in Niger as domestic servants, forced laborers in mines and on farms, and as mechanics and welders. To a lesser extent, Nigerien women and children are trafficked from Niger to North Africa,

the Middle East, and Europe for involuntary domestic servitude and forced commercial 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 these efforts, including two convictions for traditional slavery offenses, the Nigerien government lagged in enforcing sentences and in providing victim assistance, particularly to victims of traditional slavery, during the last year; therefore, Niger is placed on Tier 2 Watch List.

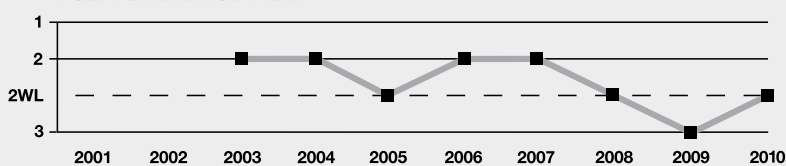
Recommendations for Niger: Enact draft comprehensive anti-trafficking legislation, which has been pending since 2007; strengthen efforts to prosecute and punish trafficking offenders, particularly those guilty of slavery offenses and child trafficking; enforce the judgments of the court; increase efforts to rescue victims of traditional slavery practices; establish a victim referral mechanism and enhance efforts to track victims who have been referred to NGOs for assistance; dedicate financial or in-kind support for NGOs providing shelter or services to trafficking victims; increase efforts of government anti-trafficking committees; and increase initiatives to raise public awareness about the law criminalizing traditional slavery practices.

Prosecution

The Government of Niger demonstrated improved but limited law enforcement efforts to address child trafficking and traditional slavery. Niger prohibits slavery through a 2003 amendment to Article 270 of its penal code and prohibits forced and compulsory labor through Article 4 of its labor code. Penal code Articles 292 and 293 prohibit procurement of a child for prostitution, and Article 181 prohibits encouraging child begging or profiting from child begging. Niger does not, however, prohibit other forms of trafficking, such as forced prostitution of adults. The prescribed penalty of 10 to 30 years' imprisonment for slavery offenses is sufficiently stringent. The penalty prescribed for forced labor, a fine ranging from \$48 to \$598 and from six days to one month's imprisonment, is not sufficiently stringent. The lack of clear anti-trafficking legislation impeded law enforcement efforts: a draft law prohibiting human trafficking written in 2007 remained pending.

In the last year, law enforcement authorities arrested several individuals suspected of trafficking children: two suspects were released without being charged, and others were charged with the abduction of minors. In one case, police and prosecutors rescued 78 trafficked children, but made no arrests because the children had been sent by their families to look for work. *Marabouts* arrested for exploiting children for economic purposes were released after their pretrial custody. Two alleged trafficking offenders arrested for recruiting six girls and two boys for a prostitution ring in Nigeria were released after serving two months in jail; it is unclear whether this was imprisonment imposed post-conviction or was pre-trial detention.

NIGER TIER RANKING BY YEAR



In November 2009, the Tribunal of N'Guigmi sentenced a man to five years' imprisonment in addition to a fine of \$20,000 in damages to the victim and \$2,000 both to the government and an anti-slavery NGO. The defendant was found guilty of maintaining the victim as a slave in his village: at the year's end, the defendant had not appealed the sentence and had not paid the amounts ordered by the court.

There were further developments in the slavery case of Hadidjtou Mani Koraou vs. Souleymane Naroua. In October 2008, the ECOWAS Court of Justice ruled the Government of Niger had failed to protect the victim, a former slave, and ordered damages in the amount of \$20,000. In July 2009, a local Nigerien court convicted and sentenced the defendant to a two-year suspended prison term and ordered him to pay \$2,000 in damages to the woman he had enslaved and \$1,000 to the Government of Niger. The defendant complained the sentence was excessive and filed an appeal before the Court of Appeals of Niamey: the same day, a human rights NGO also appealed before the same court, claiming the sentence against the trafficking offender was not sufficiently stringent. No date has been set for hearings, and the status of seven other women – who reportedly remained enslaved by the trafficking offender after the complaining victim's escape – is unknown. The whereabouts of the victim's two children, who were also enslaved by the trafficking offender, is also unknown. There were no reported developments in the 2006 slavery case *Midi Ajinalher vs. Hamad Alamine*.

Nigerien authorities collaborated with Malian, Togolese, and Nigerian officials in human trafficking investigations, and transferred one suspected trafficker to the custody of Interpol Mali. A local NGO trained 30 law enforcement officers in identifying and assisting trafficking victims. There is no evidence Nigerien officials were complicit in human trafficking crimes.

Protection

The Government of Niger demonstrated limited efforts to provide care to child trafficking victims and victims of traditional slavery practices. Authorities identified child trafficking victims in partnership with NGOs and international organizations, but did not report efforts to proactively identify victims of traditional slavery practices. The Ministry of the Interior continued to operate a program to welcome and provide temporary shelter – for about one week – to repatriated Nigeriens, some of whom may be trafficking victims. While ministry officials interviewed these citizens to assist with their reintegration, they did not attempt to identify trafficking victims among them. Due to lack of resources, the government did not operate its own victim shelter, but refers child trafficking victims to NGOs for assistance. While the government lacked a formal system for identification and referral of trafficking victims, authorities referred trafficking victims to NGOs for care on an *ad hoc* basis. In Agadez, local authorities partnered with UNICEF and a local NGO to rescue

and assist 78 exploited children. In partnership with another local NGO working in Makalondi and Niamey and international organizations, authorities rescued, rehabilitated, and returned to their families 141 exploited children. Out of these 219 children assisted by these two NGOs in 2009, 138 were Nigerien, and the remaining 77 children were from neighboring countries. During the previous year, authorities and NGOs reported assisting 81 child trafficking victims.

During the year, government officials reported no efforts to assist individuals subjected to traditional slavery practices, compared with providing assistance to 40 such victims during the previous reporting period. The government provided some basic health care to child trafficking victims and assisted in returning them to their home villages. Authorities encouraged trafficking victims to participate in investigations and prosecutions, and NGOs assisted victims in filing lawsuits and seeking legal action. The government did not provide legal alternatives to the removal of foreign victims to countries where they face hardship or retribution. Identified victims were not inappropriately incarcerated or fined for unlawful acts committed as a direct result of being trafficked.

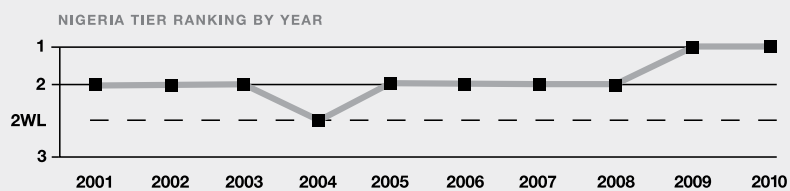
Prevention

The Government of Niger made limited efforts to prevent human trafficking through campaigns to educate the public about child trafficking during the reporting period. The government forged partnerships with NGOs and international organizations, and officials attended workshops and training sessions organized by these entities. During the reporting period, authorities supported a group of local NGOs and associations in organizing a conference on trafficking and exploitation. A multi-agency anti-trafficking commission and a national commission against forced labor and discrimination existed on paper, but were not fully operational. In 2008, the government partnered with UNICEF to establish regional committees to prevent child trafficking, although the outcome and actions of these committees remained unclear. A 2006 draft anti-trafficking agreement between Niger and Nigeria remained unsigned. The Nigerien government did not take measures to reduce demand for commercial sex acts during the year. Authorities did not report providing Nigerien troops deployed abroad as part of international peacekeeping missions with human trafficking awareness training prior to deployment.

NIGERIA (Tier 1)

Nigeria is a source, transit, and destination country for women and children subjected to trafficking in persons, specifically conditions of forced labor and forced prostitution. Trafficked Nigerian women and children are recruited from rural areas within the country's borders – women and girls for involuntary domestic servitude and forced commercial sexual exploitation, and boys for forced labor in street vending, domestic servitude, mining, and begging. Nigerian women and children are

taken from Nigeria to other West and Central African countries, primarily Gabon, Cameroon, Ghana, Chad, Benin, Togo, Niger, Burkina Faso, and The Gambia, for the same purposes. Children from West African states like Benin, Togo, and Ghana – where Economic Community of West African States (ECOWAS) rules allow for easy entry – are also forced to work in Nigeria, and some are subjected to hazardous jobs in Nigeria's granite mines. Nigerian women and girls are taken to Europe, especially to Italy and Russia, and to the Middle East and North Africa, for forced prostitution. Traffickers sometimes move their victims to Europe by caravan, forcing them to cross the desert on foot, and subjecting them to forced prostitution to repay heavy debts for travel expenses. During the reporting period, Nigerian girls were repatriated from Libya and Morocco, where they were reportedly held captive in the commercial sex trade.



The Government of Nigeria fully complies with the minimum standards for the elimination of trafficking. It demonstrated sustained progress to combat human trafficking during the reporting period. In 2009, the government convicted 25 trafficking offenders and provided care for 1,109 victims, increases over the previous reporting period. It also continued to undertake strong efforts to raise awareness of human trafficking. In addition, its National Agency for the Prohibition of Trafficking in Persons (NAPTIP) ceased the practice of interrogating trafficking suspects at the same Lagos facility housing its shelter for trafficking victims. To better ensure victims' rights are respected, NAPTIP formed a committee in mid-2009 to review victim care policies, aiming to strike a balance between ensuring victims' safety in shelters and promoting their freedom of movement. The Nigerian government in 2009 pledged over \$7 million in annual funds for NAPTIP's operation and activities; all government programs received partial payment pending budget approval by legislative and executive branches. Due to a four-month delay in approval of the 2010 national budget, funds were distributed to all federal agencies in April 2010.

Recommendations for Nigeria: In response to reports that labor trafficking, particularly among children, is nearly as widespread as Nigeria's sex trafficking problem, increase investigations, prosecutions, and convictions of labor trafficking offenses; investigate and prosecute, where appropriate, government officials suspected of trafficking-related corruption and complicity in trafficking offenses; work to strengthen penalties for labor trafficking offenses to equal those prescribed for sex

trafficking offenses; increase the provision of vocational training services to victims at government shelters; disburse assets confiscated from convicted trafficking offenders to victims through the Victims' Trust Fund; and begin to take measures to reduce the demand for commercial sex acts.

Prosecution

The Government of Nigeria sustained law enforcement efforts to combat trafficking during the last year. The 2003 Trafficking in Persons Law Enforcement and Administration Act, amended in 2005 to increase penalties for trafficking offenders, prohibits all forms of human trafficking. The law's prescribed penalties of five years' imprisonment and/or a \$670 fine for labor trafficking, 10 years' imprisonment for trafficking of children for forced begging or hawking, and 10 years to life imprisonment for sex trafficking are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Nigeria's 2003 Child Rights Act also criminalizes child trafficking, though only 23 of the country's 36 states, including the Federal Capital Territory, have enacted it. According to the Nigerian constitution, laws pertaining to children's rights fall under state purview; therefore, the Child Rights Act must be adopted by individual state legislatures to be fully implemented. NAPTIP reported 149 investigations, 26 prosecutions, and 25 convictions of trafficking offenses during the reporting period under the 2003 Trafficking in Persons Act. Sentences ranged from two months to 10 years, with an average sentence of 2.66 years' imprisonment; only two convicted offenders were offered the option of paying a fine instead of serving prison time. Together with international partners, the government provided specialized training to officials on how to recognize, investigate, and prosecute instances of trafficking. Police and immigration officials, including those who work at border posts and airports, at times allegedly accepted bribes to overlook trafficking crimes. NAPTIP dismissed two staff members from public service who were found to have diverted victims' funds; they were made to refund the money.

Protection

Nigeria continued its efforts to protect trafficking victims in 2009. Police, customs, immigration, and NAPTIP officials systematically employed procedures to identify victims among high-risk persons, such as young women or girls traveling with non-family members. Data provided by NAPTIP reflected a total of 1,109 victims identified and provided assistance at one of NAPTIP's eight shelters throughout the country during the reporting period; 624 were cases of trafficking for commercial sexual exploitation and 328 for labor exploitation. Various government agencies referred trafficking victims to NAPTIP for sheltering and other protective services: immigration referred 465; police referred 277; Social Services referred 192; and the State Security Service referred nine. Shelter staff assessed the needs of victims upon arrival and provided food, clothing, shelter,

recreational activities, and instruction on various skills, including vocational training; psychological counseling was provided to only the most severe cases. While at NAPTIP's shelters, 70 victims received vocational training assistance provided by government funding. NAPTIP estimated the government's 2009 spending on its shelter facilities to be \$666,000. The 2003 Trafficking in Persons Law Enforcement and Administration Act provides for treatment, protection, and non-discriminatory practices for victims. The law specified no trafficking victim could be detained for any offense committed as a result of being trafficked. During the reporting period, the government took steps to relocate victims' quarters a considerable distance from detention areas for trafficking offenders, greatly reducing the possibility traffickers could exert undue influence over their victims. Victims were allowed to stay in government shelters for six weeks. If a longer time period was needed, civil society partner agencies were contacted to take in the victim. Officials encouraged victims to assist with the investigation and prosecution of traffickers, and victims served as witnesses in all of NAPTIP's successful cases. Victims could theoretically seek redress through civil suits against traffickers, or claim funds from a Victims' Trust Fund set up in 2009 through which assets confiscated from traffickers are transferred to victims. The Trust Fund committee is chaired by the Minister of Justice and meets four times per year. The government provided a limited legal alternative to the removal of foreign victims to countries where they face hardship or retribution – short-term residency that cannot be extended.

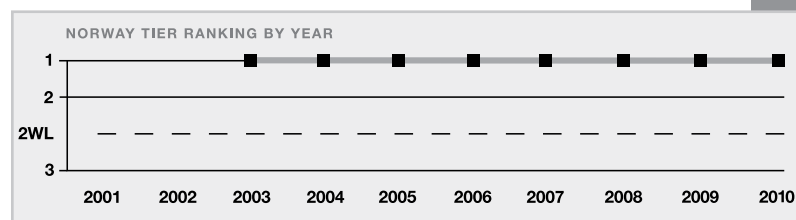
Prevention

The Government of Nigeria sustained strong efforts to raise awareness of human trafficking over the last year. NAPTIP's Public Enlightenment Unit worked throughout the reporting period on national and local programming to raise awareness. For example, in rural Benue, Kogi, and Edo States, NAPTIP introduced grassroots programs and held its first annual race against human trafficking in Edo State with 5,000 runners. On the national level, it convened the 2009 Model UN Conference for secondary students with a theme of combating human trafficking. Furthermore, a nine-state tour was launched to establish state working groups against human trafficking. The objective of these and several related programs was to sensitize vulnerable people, sharpen public awareness of trends and tricks traffickers used to lure victims, warn parents, and share ideas among stakeholders. Audiences ranged from 50 to 5,000 persons. NAPTIP worked with Immigration Services to monitor emigration and immigration patterns for evidence of trafficking. The long-established Stakeholder Forum continued quarterly meetings in Abuja to foster collaboration among agencies. In August 2009, NAPTIP held a stakeholders' workshop in Kaduna to set program priorities and cost estimates for implementing the National Plan of Action, which was established in 2008. Nigerian troops undergo mandatory human rights and human trafficking training in preparation for peacekeeping duties abroad.

The government did not take major action to reduce the demand for commercial sex acts, though officials moved to shut down two brothels in Lagos during the first quarter of 2010. At these brothels, authorities rescued 12 females, including six underage victims of trafficking. One property owner was convicted, sentenced to two years in prison, and required to forfeit his hotel; his case remained under appeal at the end of the reporting period. The second brothel owner's trial was ongoing and he remained free on bail.

NORWAY (Tier 1)

Norway is a destination and, to a lesser extent, a transit and origin country for women and girls subjected to trafficking in persons, specifically forced prostitution and men and women in conditions of forced labor in the domestic service and construction sectors. Some foreign migrants may also be subjected to forced labor in the health care sector. Victims identified in 2009 originated in 45 countries, but most originated in Nigeria, other African countries, and Eastern Europe. Often victims were from minority groups in their countries of origin. Criminal organizations were often involved in human trafficking in Norway, and trafficking schemes varied by victims' countries of origin. Children in Norwegian refugee centers and migrants denied asylum were vulnerable to human trafficking in Norway; 44 children went missing from refugee centers during the 2009 calendar year.



The Government of Norway fully complies with the minimum standards for the elimination of trafficking. The government continued to increase the number of victims identified and forge partnerships with NGOs in Norway and in countries where trafficking victims have originated. Norway convicted and punished a police officer under Norway's anti-trafficking law, sending a strong message of intolerance for trafficking-related official complicity.

Recommendations for Norway: Continue efforts to vigorously prosecute and convict both sex and labor trafficking offenders and analyze why some criminal investigations into suspected human trafficking offenses are dropped or downgraded to pimping; ensure male trafficking victims receive adequate protection services; improve partnerships between anti-trafficking authorities, local police, and child welfare officers; increase training for immigration authorities and refugee reception center staff on identifying and assisting human trafficking

victims; fund a national anti-trafficking awareness campaign; and establish a national anti-trafficking rapporteur to draft critical assessments of Norway's efforts to address human trafficking.

Prosecution

The government made some progress in prosecuting sex trafficking offenders and demonstrated a strong response to official complicity in human trafficking. Norway prohibits all forms of trafficking in persons through Criminal Code Section 224, which prescribes a maximum penalty of five years' imprisonment – a penalty sufficiently stringent and commensurate with punishments for other serious offenses, such as rape. Law enforcement officials initiated 31 sex trafficking and 7 labor trafficking investigations in 2009, compared with 41 sex trafficking and four labor trafficking investigations initiated in 2008. Norwegian authorities prosecuted seven people under Section 224 for sex trafficking and initiated no forced labor prosecutions in 2009, compared with one forced labor and five sex trafficking prosecutions in 2008. In 2009, six people were convicted of sex trafficking under Section 224, compared with six convictions obtained in 2008. All of the trafficking offenders convicted in 2009 received jail time; there were no suspended sentences. The average sentence was over 30 months' imprisonment. In January 2010, a Norwegian police officer was convicted and sentenced to 10 years' imprisonment for human trafficking under Section 224. Some government officials suggested that analysis on why some trafficking investigations do not progress to prosecutions or why other sex trafficking cases have been downgraded to charges of pimping would be useful. Some NGOs suggested police drop cases due to a lack of resources for investigations. Norwegian authorities forged partnerships with counterparts in at least 15 countries to advance specific trafficking investigations during the reporting period.

Protection

The Norwegian government made progress in the identification and protection of trafficking victims during the reporting period. Through employment of proactive identification procedures, government officials reported identifying 292 possible trafficking victims, 80 of whom were forced labor victims, in 2009 – an increase from 256 victims, 71 of whom were forced labor victims, identified in 2008. In September 2009, the government conducted a three-day seminar on trafficking victim identification for NGOs and over 200 officials, including police, prosecutors, child welfare specialists, asylum reception center workers, and immigration authorities. The government provided direct assistance services to victims as well as funding for NGOs offering victim services. The government gave trafficking victims in Norway shelter in domestic violence centers, medical care, vocational training, stipends, Norwegian classes, and legal assistance. The government encouraged victims to participate in trafficking investigations and prosecutions; all victims who assisted in the conviction of their

traffickers received \$20,000 or more in restitution from the government for their trafficking experiences. Victims were permitted to stay in Norway without conditions during a six-month reflection period, a time for victims to receive immediate care and assistance while they consider whether to assist law enforcement – 73 applied for the reflection period, of which 50 were approved and 23 were denied. After the reflection period and deciding to cooperate with the police, 20 victims applied for longer term residency permits, and 10 received such permits. Trafficking victims reportedly were not penalized during the reporting period for unlawful acts committed as a direct result of being trafficked. The government funded the IOM to provide voluntary and safe repatriation to foreign trafficking victims.

Prevention

The government made some progress in preventing human trafficking during the reporting period. The government acknowledged trafficking as a serious problem, but it did not fund a national anti-trafficking awareness campaign during the reporting period. In an effort to reduce the demand for commercial sex acts, Norway charged 334 people with the purchase or attempted purchase of sex services. Norway coordinated the government's anti-trafficking efforts through an anti-trafficking inter-ministerial commission chaired by a senior advisor at the Ministry of Justice. The inter-ministerial commission systematically monitored Norway's anti-trafficking efforts through annual statistical reports, which are available to the public. The government enhanced its global partnership against trafficking by disbursing approximately \$17.8 million in anti-trafficking aid over the last two years to international organizations and NGOs operating outside of Norway, including in Nigeria. The government provides funding to ECPAT in an effort to reduce the demand for participation in international child sex tourism by Norwegian nationals. The government provided anti-human trafficking training to Norwegian troops prior to their deployment overseas on international peacekeeping missions.

OMAN (Tier 2)

Oman is a destination and transit country for men and women, primarily from India, Pakistan, Bangladesh, Sri Lanka, the Philippines, and Indonesia, some of whom are subjected to trafficking in persons, specifically conditions indicative of forced labor. Most of these South and Southeast Asian migrants travel willingly to Oman with the expectation of employment in domestic service or as low-skilled workers in the country's construction, agriculture, or service sectors. Some of them subsequently face conditions indicative of forced labor, such as the 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 in migrants' original communities in South Asia, as well as labor brokers in the United Arab Emirates (UAE), Oman, and Iran, may deceive workers into accepting work that in some instances constitutes forced labor. Many of these agencies provide false contracts for employment either with fictitious employers or at fictitious wages, charge workers high recruitment fees (often exceeding \$1,000) at usurious rates of interest, and urge workers to enter Oman on tourist visas. Oman is also a destination and transit country for women from China, India, Morocco, Eastern Europe, and South Asia who may be forced into commercial sexual exploitation, generally by nationals of their own countries. Male Pakistani laborers, and others from India, Bangladesh, Sri Lanka, and East Asia, transit Oman *en route* to the UAE; some of these migrant workers are exploited in situations of forced labor upon reaching their destination.

The Government of Oman does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government's prosecution and conviction of trafficking offenders under its anti-trafficking legislation demonstrated an increased commitment to combating trafficking during the reporting period. Omani authorities continued to lack comprehensive procedures to proactively identify trafficking victims among undocumented migrants and women in prostitution.

Recommendations for Oman: Continue to increase investigations and prosecutions of trafficking offenses, and convictions and punishments of trafficking offenders, including recruitment agents and employers who subject others to forced labor; institute formal procedures for identifying trafficking victims among all vulnerable populations and transferring them to care facilities; enact and enforce penalties for employers who withhold their employees' passports as a measure to prevent labor trafficking; continue training government officials in all relevant departments to recognize and respond appropriately to human trafficking crimes; and complete construction and support the operation of a permanent shelter to provide appropriate protection services – including shelter and medical, psychological, and legal assistance – to both labor and sex trafficking victims, and to those suspected victims whose alleged traffickers have not yet been indicted for trafficking crimes.

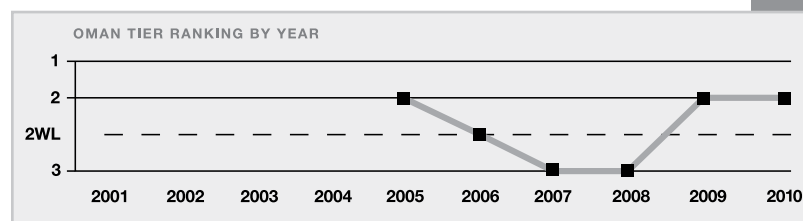
Prosecution

The Omani government made clear progress in its law enforcement efforts against sex trafficking over the last year. Royal Decree No. 126/2008, the Law Combating Human Trafficking, prohibits all forms of trafficking and prescribes punishments of three to 15 years' imprisonment, in addition to financial penalties. These punishments are sufficiently stringent and commensurate with penalties prescribed for other serious crimes. A legally enforceable circular prohibits employers' withholding of migrant workers' passports, a practice contributing to forced labor; the circular, however, does

not specify penalties for noncompliance, and this practice continues to be widespread.

The Government of Oman indicted nine Omanis and 13 foreigners for trafficking in seven cases during the reporting period. Oman convicted one Omani for labor trafficking and another Omani for involuntary manslaughter after forcing an expatriate to work on a fishing vessel. The victim was pushed from the boat, hit his head, and drowned; the case was awaiting final sentencing. The remaining six cases involved trafficking for sexual exploitation; two of these cases were still in progress. Of the four cases completed, nine people were convicted of trafficking and given sentences ranging from two years' imprisonment, to seven years' imprisonment with a fine of \$26,000. Five people were convicted of trafficking related crimes, and one person was acquitted for lack of evidence.

In February 2010, the Royal Oman Police conducted a week-long seminar for police, public prosecutors, and judges led by a counter-trafficking expert. The seminar promoted awareness on trafficking and included sessions on victim identification. The Police Academy, public prosecution training center, and police officers' institute trained government officials on human trafficking; this training was incorporated into the initial police training curriculum.



Protection

The Government of Oman made some progress protecting victims of human trafficking. Overall, the government continued to lack formal procedures to proactively identify victims of trafficking among all vulnerable groups, including migrants detained for immigration violations and women in prostitution. Omani authorities made some efforts, however, to identify victims among particular groups. For example, Ministry of Manpower (MOM) representatives interviewed all employees who ran away from sponsors to determine if they experienced a labor violation, and the MOM had a mechanism in place to identify trafficking victims as part of inspections of private companies. Immigration officials also interviewed all migrant workers leaving Oman to determine if there were outstanding labor complaints. However, it is unknown how many victims were identified using these methods.

The government placed identified trafficking victims into government-run shelter facilities. The country continued to lack permanent shelter facilities to provide protection services to both labor and sex trafficking victims.

However, during the reporting period, the government provided shelter, legal and medical assistance, and psychological care to 21 identified sex trafficking victims at a small shelter in Muscat, and rented villas in other areas of Oman. The government encourages potential trafficking victims to assist in the investigation and prosecution of crimes against them. Due to a lack of comprehensive victim identification procedures, Oman may not have ensured expatriates subjected to forced labor and prostitution were not inappropriately incarcerated, fined, or otherwise penalized for unlawful acts committed as a direct result of being trafficked. Government officials indicated the government paid for airfare and spending money for the victims to return home if they wished at the completion of legal procedures. One hundred sixty MOM labor inspectors received ILO training on victim identification during inspections of private companies.

Prevention

The government made some progress in preventing human trafficking. Oman published amendments via Royal Decree 63/2009 to Omani Labor Law 35/2003 in November 2009. While the amendments are meant to combat illegal “free” visas which may contribute to human trafficking, they did not loosen the restrictions on expatriate workers working for anyone other than their sponsor. The amendments also provided further protections to employees who are unfairly terminated.

In 2009, MOM’s labor inspectorate inspected 2,226 business establishments representing 36 percent of expatriate workers in Oman. Education on human trafficking took place at 41 percent of the visited sites. Oman continued to distribute brochures in numerous languages highlighting the rights and services to which workers are legally entitled to source country embassies and to new migrant laborers at airports, recruitment agencies, and in their places of work. Other brochures in multiple languages were distributed, summarizing the trafficking law and providing detailed information on how to report a trafficking crime and the types of assistance available to victims. The National Committee to Combat Human Trafficking (NCCHT) met regularly during the reporting period. In October 2009, the NCCHT launched a website, which received over 25,000 visits a month, and provided information on pertinent legislation, tools for identifying trafficking victims, and a method for reporting trafficking cases to the relevant authorities. The NCCHT also launched a trafficking-specific hotline; it received ten calls, primarily related to labor law violations. It also published Oman’s National Plan to Combat Human Trafficking. The government continued its public awareness campaign, which included placement of at least one article or editorial each week in the press about trafficking, press interviews on trafficking, and six hours of radio and two hours of TV on national stations addressing trafficking issues. In April 2010, Oman released its first anti-human trafficking report, which

included details on prosecutions, victim care, prevention efforts, and public awareness efforts. The government recently issued a decision to gender segregate massage facilities not associated with hotels; such standalone businesses are often a front for prostitution.

Twelve senior officials from the Government of Oman attended a two-day anti-trafficking workshop led by the ILO in October 2009. In April 2010, the Ministry of Social Development (MoSD) conducted training, in conjunction with UNSAFE, on preventing child trafficking. MoSD also worked with the Omani Women’s Associations to conduct lectures for Omani women on the human trafficking law, with an emphasis on domestic servants. Two members of the NCCHT attended the UNODC conference in Geneva and also attended a conference on trafficking held in Qatar.

PAKISTAN (Tier 2)

Pakistan is a source, transit, and destination country for men, women, and children subjected to trafficking in persons, specifically forced labor and prostitution. The largest human trafficking problem is bonded labor, concentrated in the Sindh and Punjab provinces in agriculture and brick making, and to a lesser extent in mining and carpet-making. Estimates of bonded labor victims, including men, women, and children, vary widely, but are likely well over one million. In extreme scenarios, when laborers speak publicly against abuse, landowners have kidnapped laborers and their family members. Boys and girls are also bought, sold, rented, or kidnapped to work in organized, illegal begging rings, domestic servitude, prostitution, and in agriculture in bonded labor. Illegal labor agents charge high fees to parents with false promises of decent work for their children, who are later exploited and subject to forced labor in domestic servitude, unskilled labor, small shops and other sectors. Agents who had previously trafficked children for camel jockeying in the United Arab Emirates (UAE) were not convicted and continue to engage in child trafficking. Girls and women are also sold into forced marriages; in some cases their new “husbands” move them across Pakistani borders and force them into prostitution. NGOs and police reported markets in Pakistan where girls and women are bought and sold for sex and labor. Non-state militant groups kidnap children or coerce parents with fraudulent promises into giving away children as young as 12 to spy, fight, or die as suicide bombers. The militants often sexually and physically abuse the children and use psychological coercion to convince the children that the acts they commit are justified.

Many Pakistani women and men migrate voluntarily to the Gulf States, Iran, Turkey, South Africa, Uganda, Greece, and other European countries for low-skilled employment such as domestic work, driving or construction work; once abroad, some become victims of labor trafficking. False job offers and high fees charged

by illegal labor agents or sub-agents of licensed Pakistani Overseas Employment Promoters increase Pakistani laborers' vulnerabilities and some laborers abroad find themselves in involuntary servitude or debt bondage. Employers abroad use practices including restrictions on movement, non-payment of wages, threats, and physical or sexual abuse. Moreover, traffickers use violence, psychological coercion and isolation, often seizing travel and identification documents, to force Pakistani women and girls into prostitution in the Middle East and Europe. There are reports of child and sex trafficking between Iran and Pakistan; Pakistan is a destination for men, women and children from Afghanistan, Azerbaijan and Iran who are subjected to forced labor and prostitution.

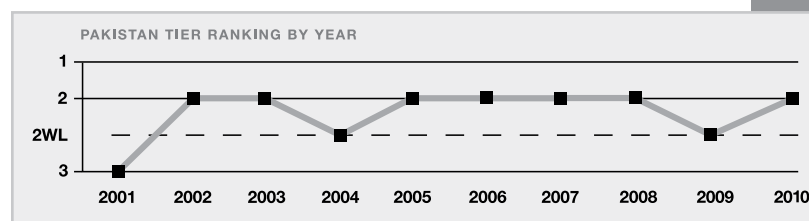
The Government of Pakistan does not fully comply with the minimum standards for the elimination of human trafficking, but is making significant efforts to do so. The government's prosecutions of transnational labor trafficking offenders and substantive efforts to prevent and combat bonded labor – a form of human trafficking – demonstrated increased commitment, but there were no criminal convictions of bonded labor offenders or officials who facilitated trafficking in persons. It also continued to lack adequate procedures to identify trafficking victims among vulnerable populations and to protect these victims.

Recommendations for Pakistan: Significantly increase law enforcement activities, including imposing adequate criminal punishment for labor and sex traffickers, as well as labor agents who engage in illegal activities; vigorously investigate, prosecute and convict public officials at all levels who participate in or facilitate human trafficking, including bonded labor; sensitize government officials to the difference between human trafficking and smuggling; improve efforts to collect, analyze, and accurately report counter-trafficking data; improve methods for identifying victims of trafficking, especially among vulnerable persons; consider increasing collaboration with civil society, the Bureau of Emigration and the Ministry of Overseas Pakistanis' Community Welfare Attachés to identify and protect trafficking victims; consider replicating the successes of the Federal Investigation Agency (FIA) office in Oman to other labor-importing countries; and consider replicating Punjab's project to combat bonded labor in the other provinces.

Prosecution

The Government of Pakistan made progress in law enforcement efforts to combat human trafficking in 2009. While the lack of comprehensive internal anti-trafficking laws hindered law enforcement efforts, a number of other laws were used to address some of these crimes. Several sections in the Pakistan Penal Code, as well as provincial laws, criminalize forms of human trafficking such as slavery, selling a child for prostitution, and unlawful compulsory labor, with prescribed offenses ranging from fines to life imprisonment. Pakistan prohibits all forms of transnational trafficking in persons with the Prevention

and Control of Human Trafficking Ordinance (PACHTO); the penalties range from seven to 14 years' imprisonment. Government officials and civil society report that judges have difficulty applying PACHTO and awarding sufficiently stringent punishments, because of confusion over definitions and similar offenses in the Pakistan Penal Code. In addition, the Bonded Labor (System) Abolition Act (BLAA) prohibits bonded labor, with prescribed penalties ranging from two to five years' imprisonment, a fine, or both. Pakistani officials have yet to record a single conviction and have indicated the need to review and amend the BLAA. Prescribed penalties for above offenses vary widely; some are sufficiently stringent and commensurate with those for other serious crimes such as rape. Others – with minimum sentencing of a fine or less than a year in prison – are not sufficiently stringent.



During 2009, the government convicted 385 criminals under PACHTO – 357 more than 2008. The government did not disclose the punishments given to the trafficking offenders. Reported sentences under this law in previous years were not sufficiently stringent. Moreover, despite reports of transnational sex trafficking, the FIA reported fewer than a dozen such cases under PACHTO. Government officials also often conflated human smuggling and human trafficking, particularly in public statements and data reported to the media. In 2009, Pakistan reported 2,894 prosecutions and 166 convictions under the vagrancy ordinances and various penal code sections which authorities sometimes use to prosecute trafficking offenses; it is unclear how many of these prosecutions and convictions involved trafficking. It is confirmed that the government convicted at least three child traffickers; it is unknown whether these convictions were for forced prostitution or labor and what the imposed penalties were. The government prosecuted at least 500 traffickers: 416 for sex trafficking, 33 for labor trafficking, and 51 for either sex or labor trafficking. Only one person was prosecuted under the Bonded Labor System Abolition Act, with no conviction.

Some feudal landlords are affiliated with political parties or are officials themselves and use their social, economic and political influence to protect their involvement in bonded labor. Furthermore, police lack the personnel, training and equipment to confront landlords' armed guards when freeing bonded labors. Additionally, media and NGOs reported that some police received bribes from brothel owners, landowners, and factory owners who subject Pakistanis to forced

labor or prostitution, in exchange for police to ignore these illegal human trafficking activities. In 2009, 108 officials were disciplined, 34 given minor punishments, four permanently removed, and one was compulsorily retired for participating in illegal migration and human smuggling; some of these officials may have facilitated human trafficking.

In efforts to enhance victim identification practices, FIA officials and more than 250 law enforcement officers participated in anti-human trafficking training in 2009, provided in partnership with NGOs and governments of other countries. Various Pakistani government agencies provided venue space, materials, and travel and daily allowances, and law enforcement officers led and taught some of the training workshops. Police and FIA officials continued to receive anti-trafficking training in their respective training academies.

Protection

The Government of Pakistan made some progress in its efforts to protect victims of human trafficking. The government continued to lack adequate procedures and resources for proactively identifying victims of trafficking among vulnerable persons with whom they come in contact, especially child laborers, women and children in prostitution, and agricultural and brick kiln workers. The FIA and the police referred vulnerable men, women and children, many of whom were trafficking victims, to federal and provincial government shelters and numerous NGO-operated care centers. There are reports, however, that women were abused in some government-run shelters. Shelters also faced resource challenges and were sometimes crowded and under-staffed. Sindh provincial police freed over 2,000 bonded laborers in 2009 from feudal landlords; few charges were filed against the employers. The FIA expanded protection services overseas and provided medical and psychological services to Pakistani trafficking victims in Oman. Some NGOs provided food, legal, medical, and psychological care to vulnerable children, including child trafficking victims, in facilities provided by and partially staffed by the Government of Pakistan. Some NGOs and government shelters, like the Punjab Child Protection and Welfare Bureau, also rehabilitated and reunited children with their families. Female trafficking victims could access 26 government-run Shaheed Benazir Bhutto Centers and the numerous provincial government "Darul Aman" centers offering medical treatment, vocational training, and legal assistance. In September 2009, the government opened a rehabilitation center in Swat, which included a team of doctors and psychiatrists, to assist child soldiers rescued from militants.

The federal government, as part of its National Plan of Action for Abolition of Bonded Labor and Rehabilitation of Freed Bonded Laborers, continued to provide legal aid to bonded laborers in Punjab and Khyber-Pakhtunkhwa (formerly the North West Frontier Province), and expanded services to Balochistan and Sindh provinces. The Sindh provincial government continued to implement

its \$116,000 project (launched in 2005) which provided state-owned land for housing camps and constructed 75 low-cost housing units for freed bonded laborer families.

The government encouraged foreign victims to participate in investigations against their traffickers by giving them the option of early statement recording and repatriation or, if their presence was required for the trial, by permitting them to seek employment. During 2009, all foreign victims opted for early statement recording and did not have to wait for or testify during the trial. The government did not provide foreign victims with legal alternatives to removal to countries where they may face hardship or retribution. Foreign victims reportedly were not prosecuted or deported for unlawful acts committed as a direct result of being trafficked. Not all trafficking victims were identified and adequately protected. Pakistani adults deported from other countries, some of whom may have been trafficking victims, were fined up to \$95, higher than one month's minimum wages. Due to lack of sufficient shelter space and resources, police sometimes had to keep freed bonded laborers in the police station for one night before presenting them to a judge the next day.

During 2009, the Government of Pakistan completed a four-year project to repatriate and rehabilitate child camel jockeys who had been trafficked to the United Arab Emirates. The federal and provincial governments also collaborated with NGOs and international organizations to provide training on human trafficking, including victim identification, protective services, and application of laws.

Prevention

The Pakistani government made progress in its efforts to prevent human trafficking. The Punjab provincial government continued implementation of its \$1.4 million project, Elimination of Bonded Labour in Brick Kilns (launched in 2008). To date, this project helped nearly 6,000 bonded laborers obtain Computerized National Identification Cards, in collaboration with the government National Database and Registration Authority. It has also provided \$140,000 in no-interest loans to help free laborers from debt and established 60 on-site schools that educated over 1,500 children of brick kiln laborers. The Bureau of Emigration continued to give pre-departure country-specific briefings to every Pakistani who traveled abroad legally for work; these briefings included information on how to obtain assistance overseas. The Punjab Child Protection and Welfare Bureau continued to fund 20 community organizations aimed at preventing child labor trafficking. The federal and provincial governments developed and began implementation of the Child Protection Management Information System, a national monitoring system that collects district-level data in five thematic areas, including child trafficking.

In 2009, all 250 Pakistani UN Peacekeeping Mission forces received training in various government training academies that included combating human trafficking.

The government also took measures to reduce the demand for commercial sex acts, some of which may have been forced prostitution, by prosecuting, but not convicting, at least 64 clients of prostitution. Government officials also participated in and led various public events on human trafficking during the reporting period. In February 2010, the federal government hosted an inter-agency conference for more than 30 federal and provincial officials that focused on practices for identifying and combating child trafficking, transnational trafficking, and bonded labor. Pakistan is not a party to the 2000 UN TIP Protocol.

PALAU (Tier 2)

Palau is a transit and destination country for a undetermined, but relatively small, number of women from countries in the Asia-Pacific region who are subjected to trafficking in persons, specifically forced prostitution and, to a lesser extent, men from the Philippines, China, and Bangladesh who are in conditions of forced labor. Some employers recruit foreign men and women to work in Palau through fraudulent representation of contract terms and conditions of employment. These foreign workers willingly migrate to Palau for jobs in domestic service, agriculture, or construction but are subsequently coerced to work in situations significantly different than what their contracts stipulated – excessive hours without pay, threats of physical or financial harm, confiscation of their travel documents, and the withholding of salary payments are used as tools of coercion to obtain and maintain their compelled service. Some women migrate to Palau expecting to work as waitresses or clerks, but are subsequently forced into prostitution in karaoke bars and massage parlors. Non-citizens are officially excluded from the minimum wage law making them vulnerable to involuntary servitude and debt bondage.

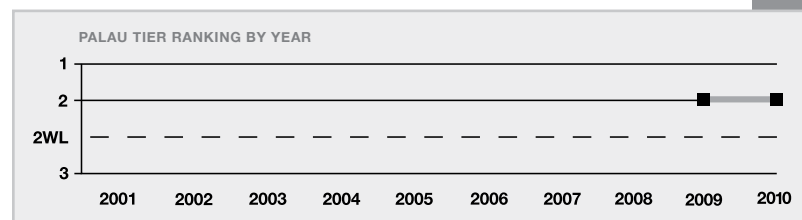
The Government of Palau does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Available information suggests that the extent of Palau's trafficking problem continues to be modest. Although the government began useful actions to address trafficking during the previous reporting period, in the past year it did not make similar efforts to prosecute trafficking offenders, identify victims, ensure victims' access to appropriate victim services, or educate the public on the dangers of human trafficking.

Recommendations for Palau: Investigate, prosecute, and punish trafficking offenders; develop a national plan of action; monitor employment agents recruiting foreign men and women for work in Palau for compliance with existing labor laws to prevent their facilitation of trafficking; establish formal procedures to identify and refer trafficking victims to protective services; work with NGOs or international organizations to provide

additional services to victims; and develop and conduct anti-trafficking information and education campaigns.

Prosecution

The Government of Palau made minimal progress in its anti-human trafficking law enforcement efforts during the reporting period. Palau's Anti-Smuggling and Trafficking Act of 2005 prohibits all forms of trafficking in persons, and prescribes sufficiently stringent penalties for these offenses, ranging from 10 to 50 years' imprisonment and fines up to \$500,000; these are commensurate with penalties prescribed for other serious crimes, such as rape. The convictions of four traffickers successfully prosecuted in 2007 were overturned in 2008 and 2009 because the court felt the foreign defendants had been offered insufficient translation services during the trials, and the cases have not yet been re-filed by the government or re-prosecuted, available options under governing Palau laws. These convicted traffickers had forced 15 Filipinas and nine Chinese waitresses into prostitution, subjecting them to food deprivation, confinement, and illegal salary deductions. Since winning his appeal, one of the traffickers has re-opened the karaoke bar where he had previously exploited trafficking victims. Allegations of labor recruiters, facilitators, and employers importing foreign trafficking victims to Palau were not investigated, and no labor trafficking offenders were prosecuted or punished. The government did not train law enforcement officers to proactively identify victims or to identify trafficking victims among vulnerable populations, such as foreign women in prostitution.



Protection

The Government of Palau offered minimal protective services to victims of trafficking over the reporting period. No long-term protective services were available to victims, and Palauan government agencies did not employ formal procedures to identify and refer trafficking victims to available services. The government did not identify or assist any victims of trafficking during the year, though it has done so in the past. A faith-based organization provided limited assistance to victims of any crime. In the past their services were accessible to trafficking victims and would be made available again, as needed. Palauan authorities did not penalize potential trafficking victims for illegal acts committed as a direct result of being trafficked and has previously encouraged victims to assist in the investigation and prosecution of trafficking offenders. The government did not remove victims to

countries where they may face hardship or retribution. In the past, the government did not provide victims with financial assistance, but allowed them to remain in Palau and seek legal employment if they did not wish to return home.

Prevention

The government made no discernible efforts to prevent human trafficking through planned campaigns to educate the public about its dangers. The government did not take steps to establish a national anti-trafficking policy, action plan or multi-agency coordination mechanism. Agencies, however, have informally cooperated with each other, with foreign governments, and with international organizations on trafficking matters in the past and continued to do so. In August 2009, the government charged the Chief of the Division of Labor in the Ministry of Commerce and Trade and the Director of the Department of Immigration with alien smuggling, falsification of travel documents, bribery, and misconduct in public office. Although authorities have not yet shown that the cases clearly involved the transnational movement of trafficking victims, the officials were assisting irregular migrants in avoiding standard immigration procedures; these migrants were from populations which had been identified as trafficking victims in Palau in the past. The government made no discernible efforts to address the demand for commercial sex acts or the demand for forced labor during the reporting period. Palau is not a party to the 2000 UN TIP Protocol.

PANAMA (Tier 2 Watch List)

Panama is a source, transit, and destination country for women and children subjected to trafficking in persons, specifically forced prostitution. Although some Panamanian women and girls are found in forced prostitution in other countries in Latin America and in Europe, most Panamanian trafficking victims are exploited within the country. Although statistics were lacking, both NGOs and government officials anecdotally reported that commercial sexual exploitation of children was greater in rural areas and in the city of Colon than in Panama City. NGOs report that some Panamanian children, mostly young girls, are subjected to involuntary domestic servitude. Most foreign sex trafficking victims are adult women from Colombia, the Dominican Republic, and neighboring Central American countries; some victims migrate voluntarily to Panama to work but are subsequently forced into prostitution. Weak controls

along Panama's borders make the nation an easy transit point for irregular migrants, from Latin America, East Africa, and Asia, some of who may fall victim to human trafficking.

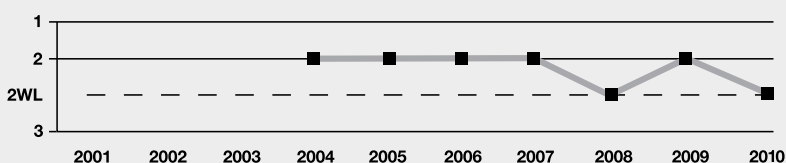
The Government of Panama does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period authorities increased public awareness about the prostitution of children through seminars in schools and an outreach campaign with the tourism sector. Despite such efforts, the government showed little evidence of progress in combating human trafficking. Law enforcement efforts remained weak, the Panamanian penal code did not prohibit trafficking for forced labor, and the government failed to provide adequate assistance to victims and to identify trafficking victims among vulnerable populations; therefore, Panama is placed on Tier 2 Watch List.

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

Prosecution

The Government of Panama maintained its law enforcement efforts against trafficking crimes during the reporting period. Article 178 of the Panamanian penal code, which was updated in 2008, prohibits the internal and transnational movement of persons for the purpose of sexual servitude or forced commercial sexual activity. The prescribed sentence is four to six years imprisonment, which is increased to six to nine years if trafficking offenders use deceit, coercion, or retain identity documents, and is further increased to 10 to 15 years if the victim is under 14 years of age. Article 177 prohibits sexually exploiting another person for profit. Under aggravated circumstances of threat, force, or fraud, this constitutes human trafficking as defined by international protocol, and carries a sentence of eight to 10 years. Article 180 prohibits the internal and transnational trafficking of minors for sexual servitude, prescribing prison terms of eight to 10 years imprisonment, and Article 179 prohibits subjecting an individual to sexual servitude using threats or violence. Prosecutors may also use other statutes, such as anti-pimping laws, to prosecute trafficking crimes. The above punishments are sufficiently stringent and commensurate with those prescribed for rape. Panamanian law, however, does not specifically prohibit human trafficking for the purpose of forced labor, including domestic servitude. During the reporting period, the government investigated eight human trafficking cases and seven cases of commercial

PANAMA TIER RANKING BY YEAR



sexual exploitation of a child, which is comparable with last year's efforts. During the year, however, authorities achieved only one conviction, compared with two achieved during the previous reporting period. The trafficking offender was sentenced to 72 months for pimping a child, which was reduced to 48 months incarceration for unreported reasons. This sentence does not appear to meet the standards established in the Panamanian penal code for this crime

Authorities maintained a small law enforcement unit to investigate sex trafficking and related offenses, and Panamanian law required that one prosecutor in each of Panama's 13 provinces be trained to prosecute trafficking crimes. One prosecutor based in Panama City was dedicated exclusively to prosecuting trafficking crimes. There were no reports of partnerships with foreign governments in joint investigations of trafficking crimes during the reporting period, although Panamanian authorities met with Colombian officials to exchange information. The government opened no formal trafficking-related corruption investigations during the reporting period. Some judges received training on sex trafficking. There were no reports of training for the members of the diplomatic corps abroad.

Protection

The Panamanian government sustained limited efforts to assist trafficking victims during the reporting period, though overall victim services remained inadequate, particularly for adult victims. Authorities did not employ systematic procedures for identifying trafficking victims among vulnerable populations, such as women in prostitution or detained irregular migrants. Panamanian law requires the National Immigration Office's trafficking victims unit to provide assistance to foreign trafficking victims. During the reporting period, however, authorities did not report extending victim services to repatriated Panamanian victims or foreign victims of trafficking, and the Immigration Office indicated that there were no foreign victims of trafficking over the past year. The government continued to provide partial funding to an NGO-operated shelter with dedicated housing and social services for child trafficking victims. This shelter, in addition to another NGO shelter working with at-risk youth, and the government's network of shelters for victims of abuse and violence could provide services to child victims of trafficking, although the government did not report assisting any child victims last year. A shelter for child trafficking victims, funded by a foreign government, was in the process of being constructed. There was no shelter care available exclusively for adult victims of trafficking. The government could house adult victims in hotels on an *ad hoc* basis but did not report doing so or providing any legal, medical, or psychological services or long-term care to adult trafficking victims during this reporting period. In past years, Panamanian authorities encouraged victims to assist with the investigation and prosecution of trafficking offenders, although few victims chose to do so. The government did not provide foreign victims with legal alternatives to

their return to countries where they may face hardship or retribution, although in past years foreign victims were allowed to remain in country during investigations. Trafficking victims were not penalized for unlawful acts committed as a direct result of being trafficked; however, due to the lack of victim identification strategies, not all foreign victims may have been identified before deportation.

Prevention

The government maintained efforts to prevent human trafficking during the reporting period. To raise awareness about commercial sexual exploitation of children, the government conducted seminars in 84 schools, reaching 6,900 students, 230 teachers, and 140 parents. In collaboration with the ILO, the National Commission for the Prevention of Crimes of Sexual Exploitation, a multi-agency task force, sent 300 letters to the tourism sector to raise awareness of commercial sexual exploitation of children. Child sex tourism is prohibited by law, though there were no reported prosecutions of sex tourists during the reporting period. During the reporting period, the government implemented its National Plan for Prevention and Elimination of Commercial Sexual Exploitation of Children and Adolescents by publishing a comprehensive guide on health care of children and adolescent victims of commercial sexual exploitation and through supporting a study of sex trafficking in Panama. The government undertook no initiatives to reduce demand for forced labor.

PAPUA NEW GUINEA (Tier 3)

Papua New Guinea is a source, destination, and transit country for men, women, and children subjected to trafficking in persons, specifically forced prostitution and forced labor. Women and children are subjected to commercial sexual exploitation and involuntary domestic servitude; trafficked men are forced to provide labor in logging and mining camps. Children, especially young girls from tribal areas, are most vulnerable to being pushed into commercial sexual exploitation or forced labor by members of their immediate family or tribe. Families traditionally sell girls into forced marriages to settle their debts, leaving them vulnerable to involuntary domestic servitude, and tribal leaders trade the exploitative labor and service of girls and women for guns and political advantage. Young girls sold into marriage are often forced into domestic servitude for the husband's extended family. In more urban areas, some children from poorer families are prostituted by their parents or sold to brothels. Migrant women and teenage girls from Malaysia, Thailand, China, and the Philippines are subjected to forced prostitution and men from China are transported to the country for forced labor.

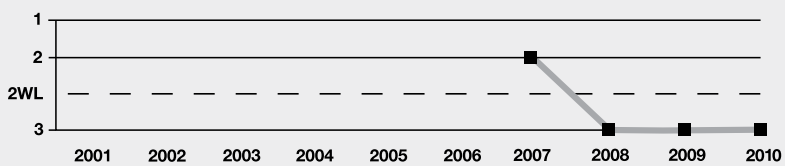
Asian crime rings, foreign logging companies, and foreign businessmen arrange for some women to voluntarily enter Papua New Guinea with fraudulently issued tourist or business visas. Subsequent to their

arrival, the smugglers turn many of the women over to traffickers who transport them to logging and mining camps, fisheries, and entertainment sites where they are exploited in forced prostitution and involuntary domestic servitude. Foreign and local men are exploited for labor at mines and logging camps, where some receive almost no pay and are compelled to continue working for the company indefinitely through debt bondage schemes. Employers foster workers' greater indebtedness to the company by paying the workers sub-standard wages while charging them artificially inflated prices at the company store; employees' only option becomes to buy food and other necessities on credit. Government officials facilitate trafficking by accepting bribes to allow illegal migrants to enter the country or to ignore victims forced into prostitution or labor, by receiving female trafficking victims in return for political favors, and by providing female victims in return for votes.

The Government of Papua New Guinea does not fully comply with the minimum standards for the elimination of trafficking, and is not making significant efforts to do so. Despite the establishment of an interagency anti-trafficking committee, initial efforts to address forced child labor, and new programs to educate the public about trafficking, the government did not investigate any suspected trafficking offenses, prosecute or convict any trafficking offenders under existing laws in Papua New Guinea, or address allegations of officials complicit in human trafficking crimes.

Guinea does not have a comprehensive anti-trafficking law, and the penal code does not prohibit all forms of trafficking. Its criminal code does not specifically prohibit the trafficking of adults, but prohibits trafficking of children for commercial sexual exploitation and slavery. Penalties prescribed for trafficking children of up to life imprisonment are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The Criminal Code prescribes various penalties for the forced prostitution of women. Low fines or sentences of up to two years' imprisonment for these offenses, including holding a woman in a brothel against her will, are not sufficiently stringent. Prescribed penalties of up to seven years' imprisonment for perpetrators who use fraud, violence, threats, abuse of authority, or drugs to procure a person for purposes of forced prostitution are sufficiently stringent and commensurate with penalties prescribed for other serious crimes. Labor laws prohibit forced labor and fraudulent employment recruiting. Prescribed penalties of up to two years' imprisonment are not sufficiently stringent. The government showed no signs of investigating suspected trafficking offenses or prosecuting trafficking offenders. The Ministry of Justice continued to deliberate on a comprehensive anti-trafficking law, which will include implementation and monitoring guidance. Trafficking-related crimes in rural areas were referred to village courts, which administered customary law, rather than criminal law, and resolved cases through restitution paid to the victim rather than criminal penalties assigned to the trafficking offender. Wealthy business people, politicians, and police officials who benefit financially from the operation of commercial sex establishments where trafficking victims are reportedly exploited were not prosecuted. Most law enforcement offices and government offices remained weak as the result of corruption, cronyism, a lack of accountability, and a promotion system based on patronage.

PAPUA NEW GUINEA TIER RANKING BY YEAR



Recommendations for Papua New Guinea: Complete drafting, passage, and enactment of legislation prohibiting and punishing all forms of trafficking; increase collaboration with civil society, religious, and tribal leaders to raise awareness and reduce demand for forced labor and commercial sex acts; investigate, prosecute, and punish officials who facilitate or directly benefit from trafficking; develop and institute a formal procedure to identify victims of trafficking among vulnerable groups, especially children in prostitution and foreign women at ports of entry; ensure victims of trafficking are not arrested, deported, or otherwise punished for acts committed as a direct result of being trafficked; and train law enforcement officers to identify and protect victims.

Prosecution

The Government of Papua New Guinea showed negligible progress in its anti-trafficking law enforcement efforts during the year. No trafficking offenders were arrested or prosecuted during the year. Papua New

Protection

The Government of Papua New Guinea maintained minimal efforts to protect and assist victims of trafficking during the reporting period. Due to severe resource and capacity constraints, it continued to rely on NGOs to identify and provide most services to potential victims. The government did not proactively identify trafficking victims among vulnerable populations, and did not regularly refer victims to NGO service providers. Potential victims who came to the attention of police could be jailed. Immigration inspectors at ports of entry who suspected foreigners would engage in illegal prostitution denied them entry without first determining whether they might be victims of sex trafficking. Officials informally referred crime victims to appropriate service providers, who reported that some of these appear to be victims of trafficking. The government contributed some funds to a shelter for victims of domestic violence in Port Moresby run by an NGO, which could provide shelter and legal aid to trafficking victims, although it did not knowingly do so during the year. The Public Solicitor's office could provide

free legal advice and representation to victims. Women's shelters in Port Moresby and Lae could also house foreign and local victims. The Department of Health, with NGO assistance, continued to set up support centers in hospitals throughout the country to provide trafficking victims with counseling and short-term medical care. Survivors of internal trafficking often received customary compensation payments from the offender and were reluctant to notify police or bring additional criminal charges against their traffickers.

Prevention

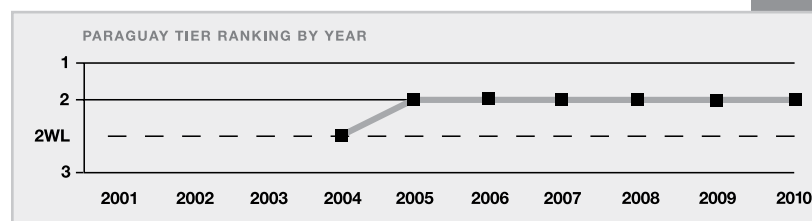
During the past year, the Papua New Guinean government made few efforts of its own to prevent trafficking during the reporting period. The government did, however, sustain partnerships with international organizations and NGOs to raise public awareness. The Constitutional Law Reform Commission (CLRC) took the lead in coordinating and communicating on trafficking issues, and established an inter-agency Anti-Trafficking Committee including foreign government and NGO members. In partnership with IOM, the CLRC conducted the first National Human Trafficking and Smuggling Conference in March 2009, involving over 120 participants from both the government and NGO groups. Participants produced a resolution to ratify the 2000 UN TIP Protocol and harmonize the country's laws with bilateral law enforcement cooperation agreements already forged with surrounding countries. The Department of Labor addressed issues of child labor trafficking in partnership with the ILO as part of the TACKLE Project, and became a partner in the Government of Australia's efforts to prevent the labor trafficking of migrant workers from Papua New Guinea through the Pacific Seasonal Worker Pilot Scheme. Officials took steps to reduce the demand for commercial sex acts through public awareness campaigns against prostitution, the proliferation of pornographic material, and the country's growing HIV/AIDS epidemic. Papua New Guinea is not a party to the 2000 UN TIP Protocol.

PARAGUAY (Tier 2)

Paraguay is a source and transit country for women and children subjected to trafficking in persons, specifically sex trafficking, as well as a source and transit country for men, women, and children in forced labor. Most Paraguayan trafficking victims are found in Argentina, Spain, and Bolivia; smaller numbers of victims are exploited in Brazil, Chile, France, Korea, and Japan. In one case last year, 44 suspected Paraguayan trafficking victims were detained at the international airport in Amsterdam, and Dutch authorities arrested the alleged trafficking offender. In another case, 13 Paraguayan women were found in conditions of forced prostitution in a brothel in La Paz, Bolivia. Paraguay was a destination country for 30 Indonesian orphans, who were allegedly brought into the country for a long-term soccer camp, but whom the government suspects are trafficking victims.

The involuntary domestic servitude of adults and children within the country remains a serious problem. Indigenous persons are particularly at risk of being subjected to forced labor or forced prostitution both in Paraguay and abroad. Poor children from rural areas are subjected to forced commercial sexual exploitation and domestic servitude in urban centers such as Asuncion, Ciudad del Este, and Encarnacion, and a significant number of street children are trafficking victims. Many undocumented migrants, some of whom could be trafficked, travel through the Tri-Border Area of Paraguay, Argentina, and Brazil.

The Government of Paraguay does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government increased law enforcement efforts against sex trafficking offenders, but lagged in providing adequate services to trafficking victims. Revisions in the Penal Code strengthened the government's ability to prosecute international cases of trafficking, but failed to adequately prohibit internal cases of forced labor or forced prostitution. Paraguayan authorities made no discernible progress in confronting acts of official complicity.



Recommendations for Paraguay: Address deficiencies in anti-trafficking laws to prohibit internal trafficking for both forced labor and commercial sexual exploitation; intensify efforts to identify and prosecute trafficking offenses, including forced labor crimes, as well as efforts to convict and punish trafficking offenders; dedicate more resources for victim assistance; launch criminal investigations of public officials who may have facilitated trafficking activity; and increase efforts to raise public awareness about human trafficking, particularly among those seeking work abroad.

Prosecution

The Paraguayan government increased its anti-trafficking law enforcement actions overall during the past year, but made little progress against official complicity in human trafficking. Paraguay's penal code does not sufficiently prohibit all forms of trafficking in persons. Article 129 of the 1997 penal code prohibits the transnational movement of persons for the purpose of prostitution, prescribing penalties of six years' imprisonment. Articles 129(b) and (c) of a new penal code, which came into force in July 2009, prohibit transnational trafficking for the purposes of prostitution and forced labor through means of force, threats, deception, or trickery, prescribing penalties up to 12 years' imprisonment. All of these prescribed penalties are sufficiently stringent and

commensurate with penalties prescribed for other serious crimes, such as rape. Although Paraguayan law does not specifically prohibit internal trafficking, prosecutors can draw on exploitation of prostitution and kidnapping statutes, as well as other penal code provisions, to prosecute cases of trafficking for commercial sexual exploitation or forced labor that occur entirely within Paraguay. During the reporting period, Paraguayan authorities opened investigations into at least 138 possible trafficking cases, compared with 43 cases in 2008. Authorities indicted 47 trafficking offenders and secured the convictions of two trafficking offenders, who both received sentences of two years. These efforts represent a decrease in the number of convictions and the length of sentences from the previous year, when four trafficking offenders were each sentenced to six years in prison.

In addition to the trafficking in persons division in Asuncion and an existing unit in Puerto Elisa, the police established anti-trafficking units in Colonel Oviedo, Encarnacion, Caaguazu, and Ciudad del Este in 2009. The government dedicated a total of 33 employees to anti-trafficking law enforcement efforts. During the past year, however, some government officials, including police, border guards, judges, and elected officials, reportedly facilitated trafficking crimes by accepting payments from trafficking offenders. Other officials reportedly undermined investigations, alerted suspected trafficking offenders of impending arrests, or released trafficking offenders from incarceration. Paraguayan authorities took no discernible steps to investigate or prosecute these acts of trafficking-related complicity. The government continued to work closely with foreign governments in their law enforcement efforts: Paraguayan authorities extradited one trafficking offender to Argentina, and a government prosecutor worked closely with Bolivian government counterparts in the case of 13 Paraguayans subjected to forced prostitution in La Paz.

Protection

The government maintained efforts to protect victims of trafficking, but victims' assistance remained inadequate. Authorities did not employ a formal system for proactively identifying trafficking victims among vulnerable populations such as prostituted women, domestic servants, or street children. They did, however, identify several trafficking victims and arrested 24 suspected trafficking offenders during 26 raids on brothels in 2009. The government ran one women's shelter and supported other assistance programs to provide some short-term services, such as medical, psychological, and legal assistance, including three drop-in centers – these services can collectively accommodate 100 victims at a time. The government could not, however, meet the demands for services, and most victim assistance is funded at least in part by NGOs and international donors. The Paraguayan government did not have shelter facilities for male victims. The government provided limited assistance to foreign trafficking victims as well as limited

legal, medical, psychological, and shelter assistance to Paraguayans trafficked abroad and later repatriated to the country. During the reporting period, authorities identified 138 trafficking victims, and provided assistance to 78 victims, 30 of which were children, compared with 51 victims assisted in the previous year. Paraguayan authorities encouraged victims to participate in the investigation and prosecution of their traffickers, and some victims filed complaints to open investigations. Victims generally avoided the court system, however, due to social stigma, fear of retaliation, and lack of confidence in the judicial system. Victims generally were not jailed, deported, or otherwise penalized for acts committed as a direct result of being trafficked. Paraguay offered temporary or permanent residency status for foreign trafficking victims on a case-by-case basis.

Prevention

The Paraguayan government sustained prevention activities last year and focused its efforts on training officials. The government maintained partnerships with NGOs and international organizations on anti-trafficking efforts and worked with one international partner on a campaign advertising the contact numbers for hotlines used by anti-trafficking police units. The government also forged partnerships with the governments of neighboring countries, and hosted two anti-trafficking seminars with Brazilian and Argentinian anti-trafficking experts; 300 individuals attended the seminar in Asuncion. The Women's Secretariat conducted 12 regional workshops highlighting the local government response to human trafficking, with a total of 1,000 participants. The government sponsored an anti-trafficking expert to train Paraguayan consular officers in Spain, Italy, and Argentina on how to handle human trafficking cases. The government reported no efforts to reduce demand for commercial sex acts or forced labor. Paraguay was not a well known destination for child sex tourists, though foreign citizens from neighboring countries are reported to engage in commercial sexual exploitation of children in Ciudad del Este. The government provided human rights training, which included a human trafficking component, to troops deployed on international peacekeeping missions.

PERU (Tier 2)

Peru is a source, transit, and destination country for men, women, and children subjected to trafficking in persons, specifically forced labor and forced prostitution. Several thousand persons are estimated to be subjected to conditions of forced labor within Peru, mainly in mining, logging, agriculture, brick making, and domestic servitude. Many trafficking victims are women and girls from impoverished rural regions of the Amazon, recruited and coerced into prostitution in urban nightclubs, bars, and brothels, often through false employment offers or promises of education. Indigenous persons are particularly vulnerable to debt bondage. Forced child

labor remains a problem, particularly in informal gold mines, cocaine production, and transportation. There were reports the terrorist group Sendero Luminoso, or Shining Path, recruited children as soldiers and drug mules. To a lesser extent, Peruvians are subjected to forced prostitution in Ecuador, Spain, Italy, Japan, and the United States, and forced labor in Argentina, Chile, and Brazil. Peru also is a destination country for some Ecuadorian and Bolivian females in forced prostitution, and some Bolivian citizens in conditions of forced labor. Child sex tourism is present in Iquitos, Madre de Dios, and Cuzco. Traffickers reportedly operate with impunity in certain regions where there is little or no government presence.

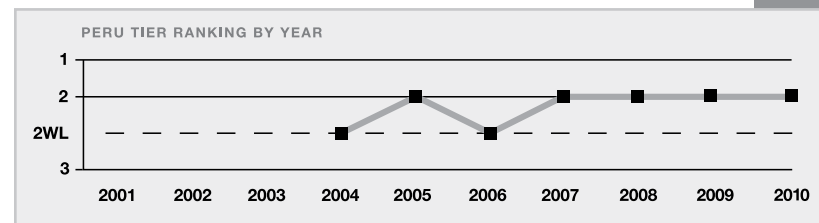
The Government of Peru does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Last year, the government increased law enforcement efforts against trafficking crimes and maintained public awareness initiatives. However, the government failed to provide adequate victim services and made insufficient efforts to address the high incidence of labor trafficking in the country.

Recommendations for Peru: Vigorously investigate and prosecute trafficking offenses, and convict and punish trafficking offenders, including corrupt officials who may facilitate trafficking activity; increase investigations and prosecutions of forced labor crimes; fund a shelter for victims or fund NGOs with capacity to provide trafficking victims, including adult males, with specialized care; increase anti-trafficking training for prosecutors, judges, and law enforcement personnel; and increase public awareness of the dangers of human trafficking, possibly through civil society partnerships.

Prosecution

The Government of Peru improved efforts to combat human trafficking through law enforcement last year. Law 28950 prohibits all forms of trafficking in persons, prescribing penalties of eight to 25 years' imprisonment depending on the circumstances. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. During the reporting period, police investigated 137 trafficking cases; of these, 34 involved forced labor and 103 involved sex trafficking, with a total of 185 reported victims. Authorities brought forth 78 trafficking cases to the judiciary and secured the convictions of nine sex trafficking offenders, who received sentences ranging from three to 30 years' imprisonment, in addition to fines. In comparison, Peruvian authorities prosecuted 54 cases and convicted five sex trafficking offenders the previous year. However, there were very few prosecutions and no convictions reported for forced labor offenses, despite an estimated high incidence of forced labor in the country. The government's dedicated anti-trafficking police unit consisted of approximately 30 officers. Police maintained and expanded the use of an electronic case

tracking system for human trafficking investigations, although this system did not track judicial activity, such as prosecutions and convictions. Corruption among low-level officials enabled trafficking in certain instances, and individual police officers tolerated the operation of unlicensed brothels and the prostitution of children. No investigations or allegations of official complicity with trafficking activity were reported last year. The government provided training on human trafficking to law enforcement officials, immigration officials, diplomats, and legal officials, among others. The government collaborated with foreign governments on anti-trafficking initiatives and investigations



Protection

The government provided limited assistance to trafficking victims last year. The government did not employ a formal mechanism for identifying trafficking victims among vulnerable populations, such as adult women in prostitution. While the government had no formal process for referring trafficking victims for treatment, authorities could refer child victims of trafficking to government-operated children's homes for basic shelter and care, two of which provide specialized care to victims of commercial sexual exploitation. Similarly, the government operated general shelters for adult female victims of abuse, which some trafficking victims accessed during the reporting period. NGOs provided care to sexually exploited women; however, specialized services and shelter for trafficking victims remained largely unavailable. The government did not provide financial assistance to anti-trafficking NGOs, though it provided in-kind support; adequate victim services remained unavailable in many parts of the country. Foreign victims had access to the same services as Peruvian victims. Last year, Peruvian authorities identified 185 trafficking victims, 159 women and 26 men – though the number of victims in the country is thought to be much higher – and provided 19 of these victims with legal, social, and psychological services. Some trafficking victims were not advised of their rights or provided with medical treatment, and some police officers released them without recognizing their victim status or referring them to shelters; some of these victims ended up returning to brothels in search of shelter and food. Lack of victim participation in the investigation or prosecution of traffickers remained a problem, in addition to the lack of a witness protection program. Some victims may not have pursued legal redress because they could not afford legal

representation. The government did not penalize victims for unlawful acts committed as a direct result of being trafficked. Trafficking victims were eligible for temporary and permanent residency status under Peruvian refugee law, and at least 11 victims were granted such permanent residency. During the year, authorities assisted foreign trafficking victims with voluntary repatriation. Many of the country's 412 labor inspectors have received training on forced labor; in 2009, the government created an elite team of five inspectors to address forced labor in the Amazon, but the team found their budget was insufficient to complete the mission.

Prevention

The Government of Peru sustained anti-trafficking prevention efforts. The government maintained an anti-trafficking campaign and operated and promoted a hotline for trafficking-related crimes and information, which received 44 reports of trafficking in 2009. The government continued to air anti-trafficking videos in transportation hubs, warning travelers of the legal consequences of engaging in trafficking activity or consuming services from trafficked persons. Although some areas of the country are known child sex tourism destinations and Peruvian laws prohibit this practice, there were no reported convictions of child sex tourists. The government trained 710 government officials and tourism service providers about child sex tourism, conducted a public awareness campaign on the issue, and reached out to the tourism industry to raise awareness about child sex tourism; to date, 60 businesses have signed code of conduct agreements nationwide. No efforts to reduce demand for commercial sex acts or forced labor were reported. The government provided Peruvian peacekeepers with human rights training prior to deployment.

PHILIPPINES (Tier 2 Watch List)

The Philippines is a source country, and to a much lesser extent, a destination and transit country for men, women, and children who are subjected to trafficking in persons, specifically forced prostitution and forced labor. A significant number of Filipino men and women who migrate abroad for work are subjected to conditions of involuntary servitude worldwide. Men, women, and children were subjected to conditions of forced labor in factories, construction sites, and as domestic workers in Asia and increasingly throughout the Middle East. Women were subjected to sex trafficking in countries such as Malaysia, Singapore, Hong Kong, South Korea, Japan, and various Middle Eastern countries. Within the Philippines, people were trafficked from rural areas to urban centers including Manila, Cebu, the city of Angeles, and increasingly to cities in Mindanao. Hundreds of victims are trafficked each day in well-known and highly visible business establishments. Women and children were trafficked internally for forced labor as domestic

workers, small-scale factory workers, beggars, and for exploitation in the commercial sex industry. Traffickers, in partnership with organized crime syndicates and complicit law enforcement officers, regularly operate through local recruiters sent to villages and urban neighborhoods to recruit family and friends, often masquerading as representatives of government-registered employment agencies. There were reports that organized crime syndicates were heavily involved in the commercial sex industry, and that international syndicates transited victims from mainland China through the Philippines to third country destinations. Traffickers continue to use budget airlines and inter-island ferries and barges to transport their victims to major cities within the country. Trafficked Filipino migrant workers were often subject to violence, threats, inhumane living conditions, non-payment of salaries, and withholding of travel and identity documents. Child sex tourism remained a serious problem in the Philippines, with sex tourists coming from Northeast Asia, Australia, Europe, and North America to engage in the commercial sexual exploitation of children.

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 significantly increased the number of trafficking cases filed in courts and, with the help of NGOs, increased the number of sex trafficking convictions it achieved. Though the government filed several labor trafficking cases for prosecution, it has never convicted any offenders of labor trafficking, a significant problem for Filipinos within the country and around the world. The government also convicted its first official for trafficking-related complicity, but further efforts need to be taken to address the significant level of corruption that allows serious trafficking crimes to continue. Despite these overall efforts, the government did not show evidence of significant progress in convicting trafficking offenders, particularly those responsible for labor trafficking. The Philippines therefore remains on Tier 2 Watch List for the second consecutive year. Greater progress in prosecution and conviction of both labor and sex trafficking offenders is essential for the Government of the Philippines to demonstrate significant and increasing progress toward compliance with the minimum standards for the elimination of trafficking.

Recommendations for the Philippines: Demonstrate greater progress on efficiently investigating, prosecuting, and convicting both labor and sex trafficking offenders involved in the trafficking of Filipinos in the country and abroad; increase efforts to vigorously investigate and prosecute government officials complicit in trafficking; dedicate more resources and personnel to prosecuting trafficking cases; devote increased resources to victim and witness protection, including for shelters; increase efforts to engage governments of destination countries through law enforcement and diplomatic channels in the investigation and prosecution of trafficking offenders; ensure the terms of Memorandums of Understanding (MOUs) with foreign countries hiring Filipino workers

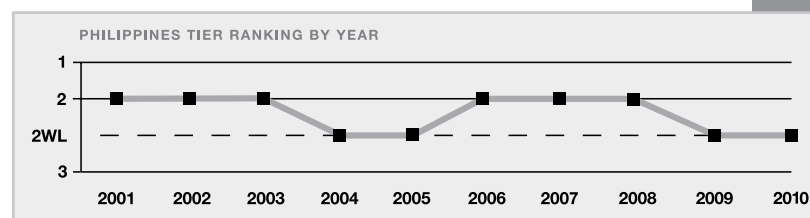
are met such that workers are adequately protected while abroad; assess methods to measure and address domestic labor trafficking; and continue to disseminate information on the 2003 Anti-Trafficking in Persons Act throughout the country and train law enforcement and social service officials, prosecutors, and judges on the use of the law.

Prosecution

The Government of the Philippines demonstrated some progress in convicting sex trafficking offenders during the reporting period, but failed to convict any offenders of labor trafficking. The Philippines criminally prohibits both sex and labor trafficking through its 2003 Anti-Trafficking in Persons Act, which prescribes penalties that are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. During the reporting period, law enforcement agencies referred 228 alleged trafficking cases to the Philippines Department of Justice (DOJ), of which prosecutors initiated prosecutions in 206 cases, a significant increase from the previous year. However, only eight individuals in five sex trafficking cases were convicted during the year, including two individuals who remain at large. Four of the eight convictions were a result of cases filed and prosecuted by an NGO on behalf of victims in a system whereby the Philippine government allows private attorneys to prosecute cases under the direction and control of public prosecutors. In this arrangement, NGO lawyers carry the vast majority of the prosecution workload. Convicted offenders were sentenced to 10 years' to life imprisonment. In September 2009, in a case filed and prosecuted by an NGO with government participation, two trafficking offenders, including a police officer, were sentenced to life in prison and each fined \$40,000 for trafficking children at the police officer's Manila nightclub in 2005. This marked the country's first public official ever convicted for human trafficking. The Philippines government has yet to obtain a labor trafficking conviction since the 2003 law's enactment. In June 2009, the Acting Justice Secretary ordered Department of Justice prosecutors to prioritize trafficking cases, but the court system, which is managed by the Supreme Court, does not have a method to fast-track trafficking cases. Philippine courts currently have over 380 pending or ongoing trafficking cases. Despite legal provisions designed to ensure a timely judicial process, trafficking cases in the Philippines take an average of three to four years to conclude. Widespread corruption and an inefficient judicial system continue to severely limit the prosecution of trafficking cases. The vast majority of initiated trafficking prosecutions are usually unsuccessful, largely due to lack of evidence after victims disappear or withdraw cooperation. NGOs continue to report a lack of political will to take on entrenched trafficking interests, and a lack of understanding of trafficking and the anti-trafficking law among judges, prosecutors, social service and law enforcement officials remains an impediment to successful prosecutions. In February 2010, the Philippine government forged

a partnership with three NGOs – through the signing of a formal Memorandum of Understanding – to jointly prosecute corrupt government officials and train government employees in agencies vulnerable to trafficking-related corruption. To date there have not been any criminal cases filed against officials under this program. Government and law enforcement agencies had few personnel dedicated exclusively to anti-trafficking efforts, but increased the number of dedicated personnel in 2009.

Corruption remained pervasive in the Philippines, and there were reports that officials in government units and agencies assigned to enforce laws against human trafficking permitted trafficking offenders to conduct illegal activities, either tacitly or explicitly. It is widely believed that some government officials partner with traffickers and organized trafficking syndicates, or at least permit trafficking operations in the country, and that law enforcement officers often extract protection money from illegal businesses, including brothels. During the reporting period, there were allegations that police officers conducted indiscriminate raids on commercial sex establishments to extort bribe money from managers, clients, and sex workers. In some cases, police reportedly extorted sexual services in addition to money by threatening sex workers with imprisonment for vagrancy. In November 2009, the Department of Justice filed trafficking charges against an immigration officer for her role in facilitating the illegal movement of domestic workers through an airport to Malaysia. The case remains pending. Nevertheless, efforts to investigate and prosecute such cases have been infrequent and under-resourced.



Protection

The Philippine government continued efforts to provide some support services to victims. While the government encouraged victims to assist in the investigation and prosecution of trafficking crimes, extreme poverty, fear of retaliation by traffickers and the government's lack of victim and witness protection throughout the lengthy trial process caused many victims to decline cooperation with authorities and recant testimony. Some applications for witness protection were still pending with the Department of Justice more than a year after being filed. The Department of Social Welfare and Development (DSWD) and its partners at the local government level continued to operate 61 temporary shelters for victims of all types of crimes. The number of trafficking victims who used these shelters is not clear. The government's capacity to provide shelter and protection, however, is severely limited due to inadequate budgets, and there are regular

instances where victims are unable to access government protection services. DSWD also continued to refer victims to accredited NGOs for care, though the quality of the referral process varied by location. The Philippine Port Authority and the Manila International Airport Authority provided building space for halfway houses run by an NGO for trafficking victims. The government provides foreign victims immigration relief when necessary and gives them access to legal, medical, and psychological services. In 2009, law enforcement units strengthened a partnership with an NGO, conducting 25 raid-and-rescue operations throughout the country, leading to the rescue of 87 children in prostitution and 47 women identified as trafficking victims. In April 2010, the Inter-Agency Council Against Trafficking (IACAT) – the government’s national body for the coordination of all anti-trafficking efforts in partnership with civil society chaired by the Undersecretary of Justice – conducted its first independent raid-and-rescue operation, through which 90 women and five girls were rescued from a sex-tourism operation, 25 of whom were identified as trafficking victims. The government reported identifying 182 trafficking victims overseas, most of whom were identified in Malaysia, the United Arab Emirates, and Singapore. Authorities identified an additional 210 victims of illegal recruitment who may have also been victims of trafficking. Most of these victims were in China, Lebanon, and Qatar. The government allocated \$3.15 million to the Department of Foreign Affairs (DFA) for emergency assistance to trafficking victims overseas. The Department of Labor and Employment continued to deploy 44 labor attaches who served in embassies around the world to help protect migrant workers.

Prevention

The Philippine government continued efforts to prevent trafficking in persons during the reporting period. The Philippine Overseas Employment Agency (POEA) filed 173 administrative cases against licensed labor recruiters who used fraudulent and deceptive offers to lure workers or imposed illegal fees on prospective employees and referred an additional 20 cases to the Department of Justice for possible criminal prosecution. These cases are still pending. In 2009, POEA conducted 823 pre-employment orientation seminars and 1,185 pre-departure seminars for over 74,000 prospective and outbound Filipino overseas workers. DFA and POEA continue to train officials *en route* to foreign embassies to recognize and respond to trafficking cases. While these officials posted abroad played a key role in helping provide Filipino victims with shelter and compensation for lost wages or damages, the officials seldom advocated for criminal charges to be filed against abused workers’ employers in the foreign country. IACAT and government agencies continued to partner with NGOs, international organizations, and foreign donors on efforts to train police, prosecutors, and other officials on anti-trafficking efforts. Despite significant local demand in the country’s thriving commercial sex industry, the government’s

efforts to reduce the demand for commercial sex acts in the Philippines were limited, as were the government’s efforts to address the demand for forced labor. In June 2009, the Bureau of Immigration began disseminating a public warning against human trafficking at airports and on immigration cards. In a notable failing of political support for the nation’s anti-trafficking effort, the Philippine Congress did not allocate fiscal year 2010 funding to IACAT. Member agencies also failed to earmark funding for the IACAT, but did allocate staff resources, personnel time and funding for specific IACAT initiatives. In 2009, the Philippine Amusement and Gaming Corporation, a government agency, donated \$200,000 to IACAT, which in turn donated \$126,000 to five NGOs. In December 2009, IACAT launched a multi-agency trafficking database to report and track trafficking cases in courts and assistance given to victims. The government assisted U.S. authorities in several sex and labor trafficking cases prosecuted in the United States, including the December 2009 conviction in Florida of an American citizen who traveled to the Philippines to have sex with children. The government provided training, including a module on human trafficking, to Philippine troops prior to their deployment abroad on international peacekeeping missions.

POLAND (Tier 1)

Poland is a source and destination country for men and women subjected to trafficking in persons, specifically conditions of forced labor and for women and children in forced prostitution. Men and women from Poland are subjected to conditions of forced labor in Italy and Sweden. Women and children from Poland are trafficked for forced prostitution within Poland and also in Belgium, Germany, Italy, the Netherlands, Spain, and Sweden. Women and children from Moldova, Ukraine, Bulgaria, Romania, Belarus, and Russia are trafficked to Poland for forced prostitution. Men and women from Bangladesh, China, and the Philippines are found in conditions of forced labor in Poland. Men and women from Thailand, Nigeria, Iraq, Ukraine, Belarus, Romania, Bulgaria, Moldova, Mongolia, Vietnam, Turkey, Djibouti, and Uganda are found in conditions of forced labor, including forced begging and debt bondage, and also forced prostitution in Poland.

The Government of Poland fully complies with the minimum standards for the elimination of trafficking. The government sustained its law enforcement efforts and undertook important steps to improve victim access to government-funded assistance by establishing the National Intervention Consultation Center in April 2009. The government also made specific efforts to ensure identified male victims of forced labor were provided with shelter and necessary assistance, a notable improvement from the previous reporting period.

Recommendations for Poland: Continue training for prosecutors and judges on the application of the existing

trafficking law; ensure that a majority of trafficking offenders serve time in prison; ensure child victims of sex trafficking are provided with adequate assistance and rehabilitative care; continue to increase the shelter system's capacity to assist victims, including men and children; amend Article 253 of the criminal code to define human trafficking; increase the number of trafficking offenses prosecuted and convicted under Article 253; continue trafficking training for both prosecutors and judges; and conduct additional awareness campaigns to reduce the demand for commercial sex acts.

Prosecution

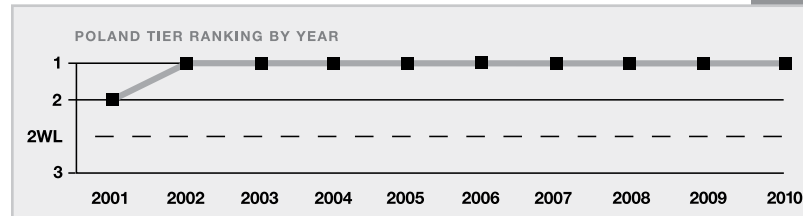
The Government of Poland demonstrated progress in its overall anti-human trafficking law enforcement efforts during the reporting period. Poland prohibits all forms of trafficking through Article 253, Article 204 Sections 3 and 4, and Article 203 of the criminal code. Article 253 and organized crime statutes are used to prosecute labor trafficking cases, though there are no provisions that specifically define and address trafficking for forced labor. 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 serious crimes, such as rape. Law enforcement officials and NGOs continued to report that the lack of a clear legal definition of trafficking in Poland's criminal code limits effective prosecutions. Prosecutors rely on trafficking definitions in the 2000 UN TIP Protocol when pursuing prosecutions against traffickers. Police investigated 105 alleged trafficking offenses in 2009 under Articles 253, 203, and 204 (Sections 3 and 4), compared with 119 alleged trafficking violations in 2008. Polish authorities prosecuted 79 individuals in 2009 under Articles 253, 203, and 204 (Sections 3 and 4), compared with 78 prosecutions in 2008. In 2009, 52 trafficking offenders were convicted in Courts of First Instance under Articles 253 and 203, compared with 46 convictions in 2008. Post-appeal sentences, which are considered final, are collected for Articles 253, 203, and 204 (Sections 3 and 4). In 2008, the most recent year for post-appeal sentencing data, 30 out of 57 convicted traffickers – or 53 percent – received suspended sentences. The remaining 27 convicted traffickers were issued sentences ranging from one to five years' imprisonment. In 2007, 24 out of 42 – or 57 percent – of convicted traffickers had their sentences suspended.

The government provided training on trafficking awareness and victim identification to officers in the national police, Border Guard, and the Internal Security Agency. In March 2009, the National School for Judges and Prosecutors provided trafficking-specific training for 60 prosecutors. Additional anti-trafficking training and victim identification and treatment training was provided to at least 614 police officers, border guard officials, and social workers. In partnership with a local NGO, the Ministry of Labor and Social Policy focused significant

training for law enforcement and social workers on child trafficking issues, including identification and the special needs of children exploited in the sex trade.

Protection

The government continued to improve efforts to assist trafficking victims during the reporting period. During the reporting period, the government identified at least 206 victims of trafficking – including 123 children in prostitution – compared with 315 victims identified by NGOs and government authorities in 2008. In total, 193 victims received some government-funded assistance. The government referred 22 victims for assistance in 2009. In April 2009, the government established the National Intervention Consultation Center, which expanded the ability of authorities to assist victims. The NGO-operated center established a 24-hour hotline, provided direct assistance to victims of trafficking, and served as a consultation point for law enforcement working with victims of trafficking. The national center enhanced victim protection available to foreign victims of trafficking. Previously, only foreign victims who agreed to cooperate with law enforcement were eligible for government-funded emergency assistance. With the establishment of the national center, both Polish and foreign victims were no longer required to be identified by or cooperate with local law enforcement in order to receive government-funded emergency assistance through Poland's victim assistance program.



In 2009, the government allocated approximately \$298,000 for victim assistance, including \$59,000 for a shelter for use by adult female victims of trafficking. In response to criticism that there were no shelters dedicated to assisting male victims of trafficking, the government housed seven male trafficking victims in a government-run crisis center in January 2010 and enrolled them in the Victim/Witness Protection Program, ensuring they had access to necessary care. Under Polish law, all foreign victims are permitted to stay in Poland during a three-month reflection period, during which time they are eligible to access victim services while they decide whether or not to cooperate with law enforcement. In 2009, no victims took advantage of the 90-day reflection period. Those foreign victims who choose to cooperate are permitted to stay in Poland during the investigation and prosecution process. In 2009, two foreign victims were granted temporary residency permits to remain in Poland pending completion of the prosecution process. However, some trafficking experts expressed concern that some

victims who chose not to cooperate with law enforcement may not have been given victim status and therefore may not have received emergency victim assistance. Police encouraged victims to cooperate with law enforcement. In 2009, 22 victims assisted law enforcement, compared with 21 victims in 2008. There were no reports that identified victims were penalized for unlawful acts committed as a direct result of being trafficked.

Prevention

The government demonstrated adequate efforts to prevent trafficking through awareness-raising activities during the reporting period. The Ministry of Interior forged partnerships with IOM and MTV Polska to develop and air televised public service announcements entitled “Trafficking is a Fact” from October through November 2009. The government funded NGOs to conduct training for school teachers to discuss the basics of human trafficking with students. The government also published and distributed 100,000 copies of a leaflet titled “You are Not For Sale,” targeted at high school and vocational students, educating them about their rights. The Ministry of Labor conducted an information campaign for Polish citizens looking to work abroad, including interactive question and answer sessions on its website that provided information about legal assistance and advice on how to determine the legitimacy of job offers abroad. The government did not conduct a specific campaign to reduce the demand for commercial sex acts targeted at potential clients of prostitution.

PORTUGAL (Tier 2)

Portugal is a destination, transit, and source country for women, men, and children subjected to trafficking in persons, specifically forced prostitution and forced labor. Trafficking victims in Portugal are from Brazil, Eastern Europe, and Africa. According to one NGO, some Portuguese girls are subjected to forced prostitution within the country. Men from Eastern European countries and Brazil are subjected to forced labor in agriculture, construction, hotels, and restaurants. According to local observers and media reports, Portuguese men and women are subjected to forced labor and/or forced prostitution after migrating to other destinations in Europe. Children from Eastern Europe, including Roma, are subjected to forced begging, sometimes by their families.

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 prosecuted a landmark trafficking case in 2009 resulting in significant jail time for eight convicted sex traffickers. It stepped up its anti-trafficking training for law enforcement and labor inspectors, improved collection of comprehensive national data on trafficking, and provided shelter and assistance to an increased number of trafficking victims. Despite these notable efforts, the government neither provided complete data

on the overall number of trafficking offenders sentenced, nor indicated whether the majority of traffickers received jail time—a long-standing problem in Portugal. Furthermore, it did not systematically employ a victim-centered approach to front-line victim identification, which continued to result in few victims receiving care and assistance in 2009.

Recommendations for Portugal: Consider including victim trauma experts and NGOs in the initial identification process to ease victims’ fear and foster more trust with law enforcement; continue the best practice of including NGOs to help stabilize potential victims in a post-raid environment; ensure adequate funding for all NGOs providing critical assistance and comprehensive care to victims, including resources for safe and responsible repatriations; ensure specialized services for child trafficking victims; continue to improve outreach to locate more potential trafficking victims, including men in forced labor and women and children engaged in prostitution; and provide yearly, complete data on law enforcement efforts to demonstrate adequate punishment of trafficking offenders.

Prosecution

The Government of Portugal made some important progress towards meeting the minimum standards during the reporting period. In 2009, the government achieved a significant milestone in its anti-trafficking law enforcement efforts by aggressively prosecuting a sex trafficking case resulting in the highest penalties ever handed down for a trafficking crime in Portugal. In this case, the government convicted eight trafficking offenders for forcing 23 Romanian girls into prostitution, resulting in an average sentence of 12 years in prison. Portugal prohibits trafficking in persons for both forced labor and commercial sexual exploitation through Article 160, which prescribes penalties of three to 12 years’ imprisonment – which are sufficiently stringent and commensurate with those for other serious crimes. Although the government prohibits slavery and exploitation of prostitution by means of force, fraud, and coercion under Articles 159 and 169 respectively, it used its broader Article 160 to prosecute traffickers. During 2008 and 2009, police conducted 83 investigations of possible cases of trafficking. During the same time period, the government reported it prosecuted 207 suspected traffickers, convicting 298 under Article 160; the government reported this data was preliminary. This data could also include broader crimes involving sexual exploitation. The government did not provide sentencing information for all convicted traffickers to demonstrate that the majority of those convicted for trafficking received jail time in 2009. In previous years, courts suspended the sentences for the majority of convicted traffickers in Portugal. The government provided specialized anti-trafficking training to judges in December 2009 and trained labor inspectors in January 2010. Law enforcement officials continued to receive

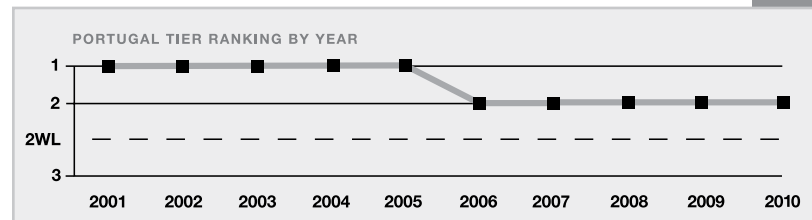
periodic specialized anti-trafficking training. There were no reported cases of government officials complicit in trafficking; however an NGO reported Portuguese girls engaged in prostitution often possess forged government documents to indicate they are older than 18.

Protection

The Government of Portugal improved its efforts to protect identified trafficking victims. Authorities identified 272 potential victims during 2008 and 2009, confirming 48 as official victims during this two year period. During the reporting period, the government continued to employ a standardized method for collecting information on trafficking victims and informing those victims about available assistance while temporarily detaining them. The government's shelter took in 12 of these identified victims in 2009. One NGO reported assisting eight trafficking victims with government funding in 2009 and another reported assisting 30 trafficking victims; the government provided a stipend for each victim. The government continued to report very few victims accepted law enforcement's offers for protection and assistance while detained; thus, many confirmed trafficking victims continued to be exploited by their traffickers or potentially deported after showing indicators of trafficking. The government reportedly worked informally with labor inspectors to identify and refer victims of forced labor. According to local experts, victims' fear of traffickers and the stigma attached to prostitution render potential victims, particularly victims from Brazil and Nigeria, reluctant to disclose elements of their exploitation to law enforcement. To help address this, law enforcement included NGO shelter staff on three "smart" raids during the reporting period to help stabilize victims immediately after the operation.

The government continued to fund an NGO-run specialized trafficking shelter; other NGOs assisting trafficking victims received a fixed subsidy from the government for each victim. One NGO received approximately 80 percent of its budget from the government. However, NGOs report overall funding is inadequate in order to provide critical specialized care required for trafficking victims. The government encouraged victims to participate in investigations and prosecutions of trafficking offenders; six victims assisted in the investigation against their traffickers in 2009. The government reported all identified victims are permitted a 30- to 60-day reflection period during which to decide whether they wished to participate in a criminal investigation. The government provided foreign victims of trafficking with short-term legal alternatives to their removal; victims are given a limited time to legalize their residency status or are repatriated by government shelter staff on an *ad hoc* basis. The Portuguese chapter of the IOM also reported it can reintegrate and return trafficking victims through its Assisted Voluntary Return program and it is currently working with the government and NGOs to create a reintegration/return

program specifically tailored for trafficking victims. The IOM reported it had no cases of return during the reporting period. The government reported it granted six permanent residency permits to victims of trafficking in 2009. The government has a stated policy of not punishing victims for unlawful acts committed as a direct result of their being trafficked. The government reported police made proactive efforts to identify sex trafficking victims within the legal prostitution sectors; unidentified victims are likely deported or continue to be subjected to exploitation. According to local experts, lack of awareness regarding the trafficking of children hindered the government's response and ability to protect these children.



Prevention

The Government of Portugal continued to take steps to prevent trafficking during the reporting period. It took the lead in coordinating and implementing an EU-wide database to develop, consolidate, and share common indicators on trafficking among partner countries. The government continued to fund public service ads warning against trafficking. It also broadcast a daily program on state television to raise awareness among migrants in Portugal on a wide range of issues, including trafficking. Portugal continued to train healthcare professionals on victim identification in 2009. The government set a date to begin developing a campaign to target demand during the reporting period, but did not conduct specific awareness campaigns to educate clients of prostitution about trafficking and forced prostitution in Portugal. The government conducted anti-trafficking awareness training to troops before their deployment on international peacekeeping efforts abroad.

QATAR (Tier 2 Watch List)

Qatar is a transit and destination country for men and women subjected to trafficking in persons, specifically forced labor and, to a much lesser extent, forced prostitution. Men and women from Nepal, India, Pakistan, Bangladesh, the Philippines, Indonesia, Vietnam, Sri Lanka, Ethiopia, Sudan, Thailand, Egypt, Syria, Jordan, and China voluntarily travel to Qatar as laborers and domestic servants, but some subsequently face conditions indicative of involuntary servitude. These conditions include threats of serious physical or financial harm; job switching; the withholding of pay; charging workers for benefits for which the employer is responsible;

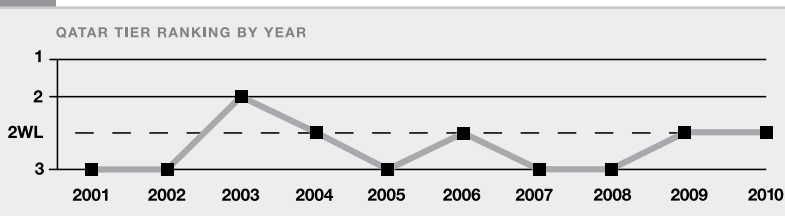
restrictions on freedom of movement, including the confiscation of passports and travel documents and the withholding of exit permits; arbitrary detention; threats of legal action and deportation; false charges; and physical, mental, and sexual abuse. In some cases, arriving migrant workers have found that the terms of employment in Qatar are wholly different from those they agreed to in their home countries. Individuals employed as domestic servants are particularly vulnerable to trafficking since they are not covered under the provisions of the labor law. A small number of foreign workers transit Qatar and are forced to work on farms in Saudi Arabia. Qatar is also a destination for women who migrate and become involved in prostitution, but the extent to which these women are subjected to forced prostitution is unknown.

The Government of Qatar does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government took steps to implement its sponsorship law, including through the granting of an exit permit to one migrant laborer without permission from his sponsor. Although the government has not yet enacted necessary anti-trafficking legislation, during the reporting period it reaffirmed its commitment to this goal over the next year. Despite these efforts, the government did not show evidence of overall progress in prosecuting and punishing trafficking offenders and identifying victims of trafficking; therefore, Qatar is placed on Tier 2 Watch List for the second consecutive year.

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. Article 297 prohibits forced or coerced prostitution, and the prostitution of a child below age 15, even if there was no compulsion or redress; the prescribed penalty is up to 15 years' imprisonment, which is commensurate with penalties prescribed for other serious crimes, such as rape. The government has yet to enact a comprehensive trafficking law as anticipated during the last year, though it has reaffirmed its commitment to do so over the coming year, a commitment underscored by its ratification of the 2000 UN TIP Protocol in April 2009. The government reported the prosecution of sex trafficking offenders, but did not provide additional details. An unconfirmed report indicated four traffickers were charged with fraudulently issuing visas to workers who they then exploited. Two were reportedly deported, and two were reportedly convicted. The government neither confirmed nor denied the existence of this case. The government-established but independent Qatar Foundation for Combating Human Trafficking (QFCHT) and the Human Rights Office of the Ministry of Interior conducted a workshop on the legal, social, and security dimensions of trafficking. Participants included police officers, Internal Security Force staff, and others. The police academy trained police officers on the identification of trafficking victims and procedures to refer victims to Qatar's trafficking shelter. QFCHT also provided training for prosecutors and judges on how to manage trafficking cases.

Protection

Qatar made minimal progress in protecting victims of trafficking during the reporting period. Although health care facilities reportedly refer suspected abuse cases to the government's anti-trafficking shelter for investigation, the government lacked a systematic procedure for law enforcement to identify victims of trafficking among vulnerable populations, such as foreign workers awaiting deportation and women arrested for prostitution; as a result, victims may be punished and automatically deported without being identified as victims or offered protection. The government reported the MOI has a process by which it refers victims to the trafficking shelter; however, this process was underutilized in practice. The trafficking shelter assisted 24 individuals during the reporting period and provided them with a wide range of services, including full medical treatment and legal and job assistance. While this was an increase in the number of individuals served over the past year, it was not confirmed that all were trafficking victims. It was unknown how many of those cases were the result of law enforcement referrals. During the reporting period, the shelter assisted five victims in filing civil charges against their employers. The shelter also assisted one victim in filing criminal charges against her sponsor for sexual abuse under Articles 296 and 297. A criminal court



Recommendations for Qatar: Enact the draft comprehensive anti-trafficking legislation; significantly increase efforts to investigate and prosecute trafficking offenses, and convict and punish trafficking offenders; institute and consistently apply formal procedures to identify victims of trafficking among vulnerable groups, such as those arrested for immigration violations or prostitution; enforce the sponsorship law's criminalization of passport-withholding and mandate that employees receive residence cards within one week; abolish or significantly amend provisions of Qatar's sponsorship law to prevent the forced labor of migrant workers or strongly implement other provisions that make up for the law's shortcomings; implement and publicly disseminate the national plan of action; and collect, disaggregate, analyze and disseminate counter-trafficking law enforcement data.

Prosecution

The Government of Qatar made minimal efforts to investigate and prosecute trafficking offenses during

convicted the sponsor and sentenced him to five years imprisonment. Qatar commonly fined and detained potential 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 whether the individuals were victims of trafficking. Most potential victims remain in deportation centers for weeks or months pending resolution of their cases, but some remain in centers for up to one year. This prolonged period often depends on when an employer will approve an exit visa, but it also depends on pending resolution of their cases or retaliation for seeking to recover unpaid wages or request a new sponsor. Some employers and sponsors threatened victims in an attempt to keep them from seeking legal redress. Domestic workers are not permitted to file civil suits against their employers under the labor law since they are not covered by it. Civil suits can only be filed for failure to meet the financial obligations of the sponsor toward domestic help; in practice, civil suits are rare.

Qatar sometimes offered temporary relief from deportation to enable victims to testify as witnesses against their employers. However, victims were generally not permitted to leave the country if there was a pending case. The government did not routinely encourage victims to assist in trafficking investigations or consistently offer victims alternatives to removal to countries where they may face retribution or hardship.

Prevention

Qatar made modest progress in preventing trafficking in persons during the reporting period. The QFCHT continued to produce and distribute informational anti-trafficking brochures and posters in several targeted languages, gave radio and television interviews, produced commercials in regional media outlets, and launched a media campaign entitled “No to Trafficking.” The QFCHT distributed a circular to all applicable departments in the Ministry of Interior and other applicable ministries in an effort to raise government awareness about the trafficking victim status of workers who willingly migrate to Qatar and are subsequently subject to forced labor. In March, Qatar hosted a two-day regional workshop meant to establish a dialogue between scholars, government officials, and stakeholders to discuss regional and international efforts to combat trafficking in persons and how to help victims.

While the government made no apparent effort to amend provisions of Qatar’s sponsorship law – enacted in March 2009 – to help prevent the forced labor of migrant workers, the government did start to enforce other parts of the law to the benefit of migrant workers. One provision in the sponsorship law continues to require foreign workers to request exit permits from their sponsors in order to leave Qatar. Although this may increase migrant workers’ vulnerability to forced labor, the law created a new process through which a laborer who was not granted an exit permit due to a sponsor’s refusal or other circumstances could seek an exit permit

by other means. While this process is burdensome, the government reported the Ministry of Interior granted two workers – one of whom was a laborer – exit permits without permission of their employers since the passage of this law. Furthermore, four individuals temporarily transferred their sponsorship without approval from their previous employer; it was unclear whether they were white-collar workers or blue-collar laborers – a group vulnerable to trafficking. While the sponsorship law criminalizes the withholding of passports, passport confiscation was still a common practice; employers often made their employees sign waivers allowing them to hold passports. Although the sponsorship law requires an employer to secure a residence card for laborers within seven days, reports indicated that this often does not happen. Migrant workers need residence cards to get access to low cost health care, to lodge complaints at the labor department, and for increased protection from abuse of the legal process by their employers.

The government worked with labor attachés from South Asian countries to resolve cases of labor disputes via conflict mediation. However, Qatar restricted foreign government access to its nationals after labor concerns were raised. Qatar has a national plan of action to address trafficking in persons, but did not publicly disseminate the plan or take steps to implement it during the reporting period. The government did not undertake any public awareness campaigns aimed at reducing the demand for commercial sex acts in Qatar, but the government did utilize public awareness campaigns, involving radio, television, newspapers, and sermons at mosques, targeting citizens traveling to known child sex tourism destinations abroad. The Qatari government ratified the 2000 UN TIP Protocol in April 2009.

ROMANIA (Tier 2)

Romania is a source, transit, and destination country for men, women, and children subjected to trafficking in persons, specifically conditions of forced labor and women and children in forced prostitution. Romanian men, women, and children are subjected to conditions of forced labor, including forced begging, in Spain, Italy, the Czech Republic, Greece, Finland, Germany, the United Kingdom, Cyprus, Australia, France, and the United States. Women and children from Romania are victims of forced prostitution in Italy, Spain, the Netherlands, the United Kingdom, Greece, Germany, Cyprus, Austria, and France. Romanian men, women, and children are trafficked within the country for commercial sexual exploitation and forced labor, including forced begging and petty theft. In 2009, the majority of trafficking victims identified within the country were victims of forced labor. Romania is a destination country for a small number of women from Moldova, Colombia, and France who are forced into prostitution. The majority of identified Romanian victims are victims of forced labor, including forced begging.

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. Although more than half of the victims identified in 2009 were victims of forced labor, the government was again unable to report significant efforts to address labor trafficking; specifically, the government did not disaggregate labor trafficking law enforcement statistics from sex trafficking statistics and thus was unable to report the number of labor trafficking investigations, prosecutions, and convictions, or the number of labor victims assisted by the government during the reporting period. In March 2009, the government reorganized its lead anti-trafficking agency – the National Agency Against Trafficking in Persons (NAATIP). It was changed from an independent, national agency with the authority to administer federal funding for anti-trafficking initiatives, to a subordinate agency of the National Police under the Ministry of Interior. Experts reported that the reorganization of NAATIP had a significant, negative impact on victim assistance during the year. Specifically, the government was much less cooperative with anti-trafficking NGOs and it allocated no federal funding for NGOs to provide victim services and conduct anti-trafficking prevention programs. As a result, nearly 30 anti-trafficking NGOs either closed or changed their focus to issues other than human trafficking in order to retain federal funding; some of these NGOs provided critical victim assistance including shelter, counseling, vocational training, and other rehabilitative care for victims. The number of victims who received government-funded assistance significantly decreased for another consecutive year, and the government identified significantly fewer victims compared with the previous reporting period. NGOs and international organizations reported that the reorganization of NAATIP has left Romania without a true national agency to provide direction to other ministries with anti-trafficking responsibilities.

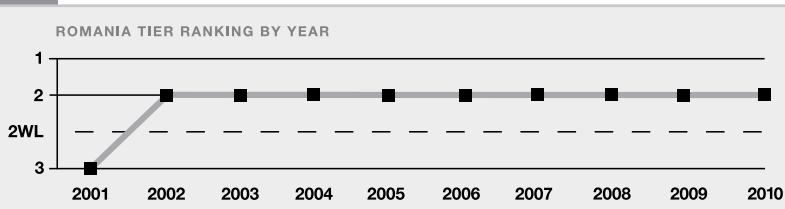
populations, such as undocumented migrants; continue to provide victim sensitivity training for judges; increase victim referrals to NGO-service providers by government officials; improve inter-ministerial communication and coordination on trafficking; improve the capacity of local governments to assist victims by: providing training to local officials, increasing communication and guidance from NAATIP, and allocating federal funding to ensure local officials are able to fulfill their mandated anti-trafficking responsibilities; and continue efforts to forge and sustain partnerships with regional governments to raise awareness and reduce the demand for trafficking.

Prosecution

Romania demonstrated law enforcement efforts over the reporting period; however, it did not report the number of investigations, prosecutions, and convictions obtained against labor trafficking offenders. 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 serious crimes, such as rape. In 2009, authorities investigated 759 cases – including some investigations started in 2008, compared with 494 new cases in 2008. The government prosecuted 303 individuals for trafficking in 2009, compared with 329 individuals prosecuted in 2008. During the reporting period, Romania convicted 183 trafficking offenders, up from 125 individuals convicted in 2008. During the reporting period, only 39 percent – 72 of the 183 – of convicted trafficking offenders served some time in prison; one offender was sentenced to up to six months' imprisonment, 54 offenders were sentenced to five to 10 years' imprisonment, six offenders were sentenced to 10 to 15 years' imprisonment, and one child offender was sentenced to an undisclosed amount of time in prison. The remaining 111 convicted trafficking offenders did not receive imposed prison sentences. In 2009, Romanian law enforcement officials forged partnerships with foreign counterparts from five countries, leading to the arrest of at least 16 trafficking offenders and the identification of at least 107 victims. There were no reports that government officials were involved in trafficking during the reporting period.

Protection

The Government of Romania significantly decreased its efforts to protect and assist victims of trafficking during the reporting period. In 2009, the government provided no funding for anti-trafficking and victim-service NGOs, compared with \$270,000 provided to four NGOs in 2008. This lack of government funding caused a significant decrease in the number of victims assisted by both government agencies and NGOs. In 2009, the government identified 780 victims – including at least 416 identified victims of forced labor and at least 320 identified victims of forced prostitution, a significant decrease from 1,240 victims identified in 2008. Of those victims identified in



Recommendations for Romania: Increase funding for trafficking victim assistance programs, including some funding for NGOs providing victim services; improve efforts to collect law enforcement data for trafficking crimes prosecuted under Law No. 678/2001 and other relevant laws by disaggregating sex trafficking offenses from labor trafficking offenses; demonstrate efforts to investigate and punish acts of labor trafficking and efforts to assist victims of labor trafficking; improve efforts to identify potential victims among vulnerable

2009, 176 were children, trafficked for both forced labor and prostitution. The government did not undertake proactive measures to identify potential victims among populations vulnerable to trafficking, including illegal migrant detention centers. No foreign victims were identified by the government or NGOs in 2009. Although the government continued to operate nine shelters for victims of trafficking, their quality varied and many victims preferred to go to NGO-operated shelters. Local governments were tasked with providing victims access to various types of assistance; however, the national government provided local governments with no funding, training, or guidance, and the capacity of local governments to address human trafficking was virtually nonexistent during the reporting period. The government reported that approximately 365 victims were provided with some type of government-funded assistance, compared with 306 victims assisted by the government in 2008. An additional 32 victims were assisted by non-government funded programs, compared with 234 victims assisted by NGOs in 2008.

Government authorities referred all 780 identified victims for assistance, compared with 540 victims referred for assistance in 2008. Victims were encouraged to participate in trafficking investigations and prosecutions; 158 victims served as witnesses in 2009, a significant decrease from 1,053 victims who assisted law enforcement in 2008. The law provides that foreign victims were eligible to benefit from a 90-day reflection period to remain in the country and decide whether they would like to cooperate in a criminal proceeding; however in practice, no foreign victims used this reflection period. The law permits foreign victims to request a temporary residence permit and remain in the country until completion of the trafficking investigation and prosecution; in 2009, no foreign victims applied for and received temporary residence permits. While the rights of victims were generally respected and identified victims were not punished for unlawful acts committed as a direct result of being trafficked, some judges continued to be disrespectful toward female victims of sex trafficking which discouraged victims from participating in trafficking cases.

Prevention

Romania maintained its efforts to raise awareness during the reporting period. The government conducted a public campaign to raise awareness about sex trafficking entitled "The Two-Faced Man." This campaign reached an estimated audience of 620,000 and ran for three months, consisting of advertisements for television and radio and posters displayed on public transportation. The government also conducted an awareness campaign targeted at approximately 30,000 school children and 530 teachers. The government concluded its demand reduction campaign targeted at clients of potential victims of forced prostitution and forced labor in June 2009.

RUSSIA (Tier 2 Watch List)

Russia is a source, transit, and destination country for men, women, and children subjected to trafficking in persons, specifically forced labor, and for women and children forced into prostitution. In 2009, the ILO reported that forced labor is the most predominant form of trafficking in Russia. Men from the Russian Far East are subjected to conditions of debt bondage and forced labor, including in the agricultural and fishing sectors. Men, women, and children from Russia and other countries, including Belarus, Kyrgyzstan, Tajikistan, Uzbekistan, Ukraine, and Moldova are subjected to conditions of forced labor in Russia, including work in the construction industry, in textile shops, and in agriculture. An estimated 40,000 men and women from North Korea are subjected to conditions of forced labor in Russia, specifically in the logging industry. Women from Russia are also subjected to conditions of forced labor in Armenia. Women from Russia are subjected to conditions of forced prostitution or are victims of sex trafficking in a number of countries, including South Korea, China, Japan, Turkey, Greece, South Africa, Germany, Poland, Italy, Israel, Spain, Vietnam, Thailand, Australia, New Zealand, and the Middle East. Women from Africa, including Ghana and Nigeria, as well as from Central Asia are subjected to forced prostitution in Russia, while children from Russia, Ukraine, and Moldova are subjected to forced prostitution and forced begging in Moscow and St. Petersburg. Men from Western Europe and the United States travel to Western Russia, specifically St. Petersburg, for the purpose of child sex tourism. Experts continue to credit a decrease in the number of child trafficking victims in these cities 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. Despite these efforts, the government did not over the last year: develop a comprehensive strategy that addresses all forms of trafficking and provides comprehensive victim assistance, nor did it establish a national level body responsible for coordinating government efforts to combat trafficking, and victim identification and assistance remained inadequate and diminished during the reporting period; therefore, Russia is placed on Tier 2 Watch List for the seventh consecutive year. In November 2009, the government failed to allocate funding to prevent the closure of the IOM-run shelter and rehabilitation center in Moscow. The shelter and rehabilitation center opened in March 2006 with foreign funding and assisted 423 victims of both sex and labor trafficking, including men and women, through November 2009; its closure created a significant void in the availability of medical, rehabilitative, and reintegration services for trafficking victims in Russia. The federal government did not dedicate funding to anti-trafficking activities or trafficking victim assistance

during the reporting period. Despite limited funding by some local governments, the majority of shelter and direct trafficking assistance continued to be provided by foreign-funded international organizations and NGOs. There were also reports that identified foreign victims were held in detention centers and deported, rather than being referred to NGOs for assistance.

The North Korean (DPRK) regime provides contract labor for logging camps operated by North Korean companies in the Russian Far East. There are allegations that this labor is exploitative, specifically that the DPRK government and North Korean companies keep up to 85 percent of the wages paid to the North Korean workers and that workers' movement is controlled. Although there have been instances in which government officials were investigated, prosecuted, and convicted for trafficking in recent years, allegations of widespread complicity persist.

Recommendations for Russia: Develop and implement a comprehensive national strategy that addresses both sex and labor trafficking and provides comprehensive victim assistance throughout Russia; provide funding from federal, regional, and/or municipal budgets to implement this national strategy; allocate funding to anti-trafficking NGOs that provide victim assistance and rehabilitative care; increase the number of both sex and labor trafficking victims identified and assisted; ensure victims of trafficking are not punished or detained in deportation centers for acts committed as a direct result of being trafficked; ensure victims have access to legal alternatives to deportation to countries in which they face hardship or retribution; improve efforts to investigate, prosecute, convict, and punish labor trafficking offenders; increase the number of investigations, prosecutions, and convictions for trafficking offenses, particularly government officials complicit in trafficking; create a central repository for investigation, prosecution, conviction, and sentencing data for trafficking cases; designate trafficking-specific responsibilities to relevant government ministries on the national and regional levels; establish an official federal coordinating body with the authority to implement the national strategy; increase efforts to raise public awareness of both sex and labor trafficking; increase efforts to investigate, prosecute, convict, and punish labor trafficking offenses; and take steps to prevent the use of forced labor in construction projects for the 2012 Asia-Pacific Economic Cooperation Summit in Vladivostok and the 2014 winter Olympics in Sochi.

Prosecution

The Government of the Russian Federation demonstrated important law enforcement efforts during the reporting period. Article 127 of the Russian Criminal Code prohibits both trafficking for commercial sexual exploitation and forced labor. Other criminal statutes are also used to prosecute and convict traffickers. Article 127 prescribes punishments of up to five years' imprisonment for trafficking crimes; aggravating circumstances may

extend penalties up to 15 years' imprisonment. These penalties are commensurate with punishments prescribed for other serious crimes, such as rape. In 2009, police conducted 102 trafficking investigations under Article 127 – including at least eight investigations for forced labor cases – compared with 111 trafficking investigations – including at least 16 forced labor investigations conducted in 2008. The government reported prosecuting 99 individuals under Article 127 – including at least 13 individuals for forced labor in 2009, compared with 81 individuals – including at least 14 individuals for forced labor reported prosecuted in 2008.

The government reported that 76 individuals were convicted under Article 127 – including at least 10 individuals convicted for forced labor, compared with 38 convictions – including two for forced labor reported in 2008. The government did not report sentencing data for trafficking offenders convicted in 2009, however, based on reports in the media, at least 24 trafficking offenders were convicted and prescribed sentences ranging from six months to 13 years' imprisonment in 2009.

In July 2006, the Duma passed asset forfeiture legislation that permits prosecutors to forfeit the assets of convicted persons, including traffickers; however, there were no reports that the law has been used against human traffickers since its enactment. Some law enforcement officials were provided with anti-trafficking training; however, this training was sporadic and limited to a small number of police officers, investigators, and prosecutors.

The Government of the Russian Federation demonstrated minimal progress in combating government complicity in human trafficking during the reporting period. In February 2010, several media sources reported on one allegation that a high level official in the Ministry of Internal Affairs was involved in a forced labor trafficking ring spanning from 2006 through 2008. In that case, members of the elite riot police allegedly kidnapped dozens of migrant workers and forced them to work on police construction projects and also the personal homes of high-level police officials. In January 2010, a senior district police commissioner in Astrakhan was convicted and sentenced to eight years' imprisonment for taking passports and travel documents from migrants and forcing them to work as agricultural laborers.

During the reporting period, the Moscow district military court prosecuted, convicted, and sentenced one senior military officer to 10 years' imprisonment for organizing an international sex trafficking syndicate which was allegedly responsible for trafficking 130 women and girls from Eastern Europe to Western Europe and the Middle East between 1999 and 2007; the government did not report whether two additional high-level government officials investigated by authorities in this case in 2008 were prosecuted or convicted during the reporting period.

The government reported no progress on two additional investigations reported in the 2009 TIP Report – one investigation involved a low-level police officer arrested

for trafficking women to the U.A.E. and the second investigation involved two low-level police officers arrested for trafficking women within Russia for forced prostitution; these investigations were still on-going at the end of the reporting period. There was no updated information on whether the three officials that were arrested for trafficking-related complicity in 2007 – as reported in the 2008 and 2009 TIP Reports – were prosecuted, convicted, or punished during the reporting period. There was no updated information on whether the five military officials investigated in 2007 for the labor exploitation of military conscripts under their command were prosecuted, convicted, or punished for their actions during the reporting period.

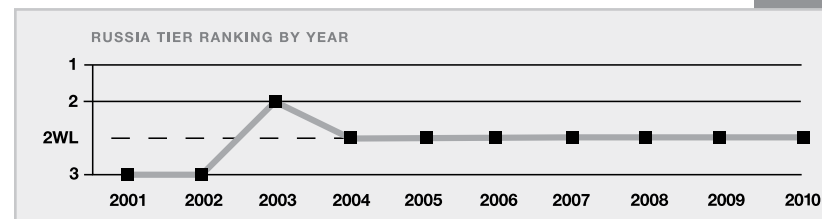
Protection

The Russian government demonstrated very limited efforts to protect and assist victims during the reporting period. The government also showed inadequate efforts to identify victims; the majority of assisted victims continued to be identified by NGOs or international organizations. Some municipalities across Russia had cooperation agreements between NGOs and local authorities to refer victims for assistance, though there was no national policy or system of victim referrals. In November 2009, the government failed to allocate funding to prevent the closure of the IOM-run shelter and rehabilitation center in Moscow, creating a significant void in the availability of medical, rehabilitative, and reintegration services for trafficking victims. The Russian government continued to lack national policies and national programs to provide specific assistance for trafficking victims. The majority of aid to NGOs and international organizations providing victim assistance continued to be funded by international donors. Some local governments reportedly provided in-kind and modest financial support to some anti-trafficking NGOs. A local government in the Russian Far East provided facility space and modest funding amounting to approximately \$3,732 for utilities for a shelter for victims of domestic violence and trafficking that opened in February 2009, although the majority of the shelter's operation costs were funded by a foreign donor during the reporting period. The shelter did not receive adequate funding during the entire reporting period to consistently assist victims of trafficking, though efforts were underway to secure funds from a foreign donor for repatriation, medical services, and other specialized services for trafficking victims. Three of these victims were referred to the shelter for assistance by local government officials; the fourth victim was referred to the shelter by a Russian Consulate official in Gauanzhou, China.

The City of St. Petersburg funded and provided in-kind assistance to several local NGOs and the Russian Red Cross to conduct outreach programs to identify and assist street children, many of whom are victims of forced prostitution. The local government in Kazan continued to provide modest in-kind assistance to another foreign-funded trafficking shelter. Although the

government did not track the number of victims assisted by local governments and NGOs in 2009, some victims of trafficking were provided with limited assistance at regional and municipal-run government-funded domestic violence and homeless shelters. However, the quality of these shelters varied and they were often ill-equipped to provide for the specific legal, medical, and psychological needs of trafficking victims. Also, many foreign and Russian victims found in regions where they did not reside were denied access to state-run general health care and social assistance programs, as local governments restricted eligibility to these services to local registered residents.

In 2009, IOM and NGOs reported assisting at least 143 victims of human trafficking – including 139 victims assisted by the IOM rehabilitation center in Moscow prior to its closure in November 2009. Government authorities referred at least 12 victims for assistance in 2009, compared with approximately 56 victims referred by authorities in 2008. In 2009, at least one victim of forced labor was placed in the witness protection program as part of an investigation conducted in the Russian Far East and was encouraged to participate in the trafficking investigation; authorities in some communities in Russia encouraged victims to participate in trafficking investigations and prosecutions.



In January 2010, the government placed four identified victims of sex trafficking from Africa in a temporary detention facility for foreign nationals pending deportation; the government did not report whether these victims were deported from Russia nor did it report efforts to handle these women as victims rather than illegal migrants, such as efforts to refer these victims to NGOs for assistance. In theory, foreign victims were permitted to reside in Russia pending the investigation and prosecution of their trafficker and may petition for asylum to remain in Russia. In March 2010, a news report alleged that a victim of forced labor from North Korea, who had previously fled from a logging camp, was approached by several men in plain clothing, and told to get into a vehicle before he was able to meet with officials from the international community to seek assistance; the article noted the possibility that the victim could be deported to North Korea, where he faced possible torture, imprisonment, and execution for escaping from the logging camp. The victim's immigration status and location were unknown at the conclusion of this reporting period.

Prevention

The federal government did not demonstrate significant efforts to raise awareness and prevent trafficking over the reporting period; however, a local government in the Russian Far East conducted outreach to students at schools and universities to sensitize them to the prevalence of trafficking. In Yekaterinburg, local governments continued to run two labor migration centers that provided legal, employment, and shelter services to labor migrants; services of this nature decreased migrants' vulnerability to becoming victims of trafficking. The Ministries of Internal Affairs and Foreign Affairs continued to place warnings on their respective websites about human trafficking. In September 2009, the government created the position of Ombudsman for Children's Rights, a step that may lead to improved efforts to prevent child trafficking; however, the ombudsman's mandate currently does not include specific anti-human trafficking responsibilities. The government did not take specific steps to reduce the demand for commercial sex acts. The government did not report trafficking-specific training for its troops deployed abroad as part of international peacekeeping missions. The government did not support efforts to develop a labor trafficking awareness campaign in advance of the 2014 Winter Olympics in Sochi.

RWANDA (Tier 2)

Rwanda is a source and, to a lesser extent, destination country for women and children subjected to trafficking in persons, specifically conditions of forced labor and commercial sexual exploitation. Rwandan girls are exploited in involuntary domestic servitude within the country; some of these children experience physical or sexual abuse within their employer's household. Older females offer vulnerable younger girls room and board, eventually pushing them into prostitution to pay for their keep. In limited cases, this trafficking is facilitated by women who supply females to clients or by loosely organized prostitution networks, some operating in secondary schools and universities. Rwandan children are also trafficked to Uganda, Tanzania, and other countries in the region for forced agricultural labor, commercial sexual exploitation, and domestic servitude, sometimes after being recruited by peers. In Rwanda there have been reports of isolated cases involving child trafficking victims from neighboring countries. Unlike in past years, there was no indication in 2009 that the National Congress for the Defense of the People (CNDP) duped or recruited Congolese men and boys from Rwanda-based refugee camps, as well as Rwandans from nearby towns, into forced labor and soldiering in the Democratic Republic of the Congo.

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. During the reporting period, the government enacted a new

labor code prohibiting forced labor and the enslavement of children; advanced penal code revisions containing anti-trafficking provisions through the legislative process; opened a care center for victims of gender-based violence, including trafficking victims; and launched a public awareness campaign on the commercial sexual exploitation of children. Rwanda remains the only African country in which the government is undertaking virtually all activities related to the demobilization and reintegration of former child soldiers. While government officials are quick to recognize and respond to suspected cases of transnational child trafficking, some officials do not believe internal trafficking is possible because of the country's small size and the government's effective security measures. Additional training is greatly needed to increase officials' awareness of the nature of human trafficking and to provide practical skills for responding to it.

Recommendations for Rwanda: Enforce the trafficking provisions in the 2009 Labor Law through increased investigations and prosecutions of trafficking offenders; enact and enforce trafficking provisions in the draft penal code, thereby creating an easily understandable legal regime with clear definitions of human trafficking; launch a nationwide anti-trafficking public awareness campaign; establish policies and procedures for government officials to proactively identify and interview potential trafficking victims and transfer them to the care, when appropriate, of local organizations; establish mechanisms for providing increased protective services to victims, possibly through the forging of partnerships with NGOs or international organizations; and institute a trauma counseling program at the government's center for former child combatants.

Prosecution

The government's anti-trafficking law enforcement efforts increased modestly during the reporting period. Rwandan law does not prohibit all forms of trafficking in persons, though existing penal and labor code statutes prohibit slavery, forced labor, forced prostitution, and child prostitution, under which traffickers could be prosecuted. Law No. 58/2008 outlaws, but does not define, human trafficking for sexual exploitation and prescribes punishments of 15 to 20 years' imprisonment. In May 2009, the government enacted the "Law Regulating Labor in Rwanda" (13/2009), which prohibits forced labor and prescribes punishment of three to five years' imprisonment; it also prohibits subjecting children to slavery, child trafficking, debt bondage, forced labor, armed conflict, and child prostitution and prescribes punishment of six months to 20 years' imprisonment for these offenses. Taken together, these penalties are sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. In December 2009, parliament's Chamber of Deputies passed revisions to the penal code, which contain articles defining and prohibiting human trafficking; the penal code is now under consideration by the Senate. A separate

draft comprehensive anti-trafficking bill remained under review.

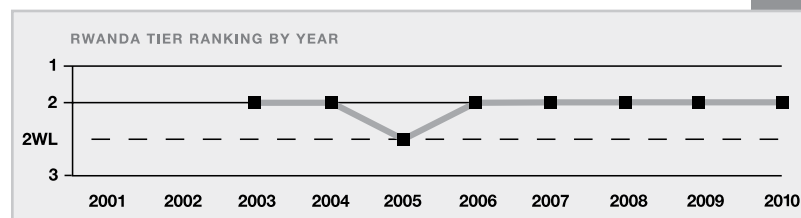
The government prosecuted no human trafficking offenses in 2009. Police investigated and forwarded for prosecution at least two cases of suspected child trafficking; as of March 2010, the National Public Prosecution Authority was still investigating these cases, both of which involved adults apprehended with children at the border with Uganda. Labor inspectors issued warnings and levied fines against those illegally employing children; no cases of forced labor were brought to court. While the government provided training on sex crimes and crimes against children as part of the standard police training curriculum, law enforcement officials received no trafficking-specific training. Police officers, however, made two presentations on trafficking to district police commanders and senior police officials in 2009.

Protection

With the exception of its care for former child combatants, many of whom are trafficking victims, the government provided few protective services to victims overall. The Rwandan Demobilization and Reintegration Commission (RDRC), with World Bank and limited government funding, continued operation of a center for child ex-combatants in Muhazi, which provided three months of care to children returned from the DRC by the UN Mission to the Congo. After undergoing initial screening at the adult demobilization center in Mutobo, 49 children arrived at the center in 2009 and seven in January 2010. The RDRC worked with local authorities and an NGO to locate the children's families, and social workers sensitized the families before their child's return; in 2009, 75 children were reunited with their families. During the reintegration phase, approximately 10 percent of children entered formal education, 40 percent received vocational training, and 50 percent undertook income generating activities.

In July 2009, the police, UNICEF, and a foundation chaired by Rwanda's First Lady opened the Isange Center, a one-stop holistic center that provides medical exams, counseling, short-term shelter, and police assistance to victims of gender-based violence, including trafficking victims. This one-year pilot project, located in the National Police Hospital, provided services to 367 victims of gender-based violence between July and December 2009, 218 of whom were children. The police headquarters in Kigali operated a hotline and examination room for victims of gender-based violence; both were staffed by counselors and could be used by trafficking victims. Fully equipped examination rooms were also operational in Gasabo and Rwamagana. Each police station nationwide has a gender desk, trained officer, and public outreach program. During the year, however, police arrested girls in prostitution and detained them at Kigali's Gikondo transit center; some girls were kept there three to six months despite not being charged with a crime or screened for victimization. The government has not developed a system for proactively

identifying human trafficking victims among vulnerable populations or created a referral process to transfer such victims to service providers for care. The government encouraged victims to participate in investigations of trafficking crimes. Beyond providing a stay of one month, existing legal statutes do not provide foreign trafficking victims with legal alternatives to their removal to a country where they may face hardship or retribution.



Prevention

The government's anti-trafficking prevention efforts increased during the reporting period. While government officials are quick to recognize and respond to suspected cases of transnational child trafficking, some officials believe internal trafficking is not possible due to Rwanda's small size and efficacy of government security measures. There is also a general lack of understanding among the general population of what constitutes human trafficking. In May 2009, the Ministry of Youth and the National AIDS Control Commission designed and launched, with foreign donor funding, a six-month campaign against the commercial sexual exploitation of children by people identified by the government as "sugar daddies" and "sugar mommies"; the campaign, entitled "SINIGURISHA" (I am not for sale!), included TV and radio spots, print materials, billboards, and community events. During the period, the Ministry of Public Service and Labor (MIFOTRA) trained the government's 30 district labor inspectors how to identify and respond to cases of child labor; inspectors held quarterly training sessions for employers and local authorities on child labor issues. In February and March 2010, MIFOTRA conducted campaigns in each district to sensitize private sector employers and their employees on the 2009 Labor Law, including the provisions against utilizing child labor. District child labor task forces met bi-monthly and conducted sensitization activities on the dangers and illegality of exploiting child labor. In March 2010, local authorities and security personnel in Gakenke implemented the district's child labor bylaws by detaining 350 primary school pupils at the market, some of whom were forced by their parents to porter and sell goods rather than attend school. Before releasing the children, the district mayor advised their parents to take advantage of the opportunity for free education. Police and immigration officials maintained strict border control measures that were a key component to prevention of cross-border trafficking. The government provided training on gender sensitivity and sexual exploitation to Rwandan troops prior to their deployment on UN peacekeeping missions in Darfur.

ST. VINCENT AND THE GRENADINES (Tier 2 Watch List)

St. Vincent and the Grenadines is a source country for some children subjected to trafficking in persons, specifically for the purpose of sexual exploitation within the country; it may also be a destination country for women in forced prostitution and men in forced labor. Reporting suggests that Vincentian children may participate in commercial sexual exploitation to supplement their families' income. In these situations, parents, relatives, or other care-givers receive in-kind or financial compensation or other benefits from a child engaging in sexual activities. Reporting suggests the number of victims trafficked in, to, or through St. Vincent and the Grenadines is comparatively small. Information on the extent of human trafficking in St. Vincent and the Grenadines, however, is lacking, as the government has conducted no related investigations, studies, or surveys.

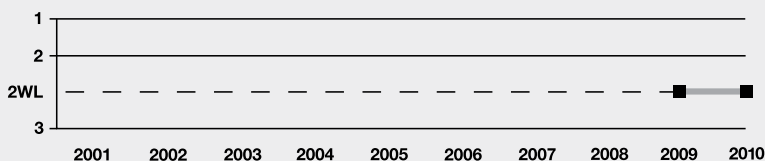
The Government of St. Vincent and the Grenadines does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these efforts, including the government's public commitment to addressing human trafficking, the government did not provide evidence of law enforcement efforts to combat trafficking by investigating reports of the commercial sexual exploitation of children and of women who may be forced to engage in prostitution, nor did it provide more than minimal protection to victims or suspected victims or make any effort to prevent human trafficking during the year. St. Vincent and the Grenadines is therefore placed on Tier 2 Watch List for the second consecutive year.

specific or comprehensive laws prohibiting trafficking in persons, although slavery and forced labor are both constitutionally prohibited. Trafficking offenders could be prosecuted under relevant provisions in immigration, prostitution, or labor laws, though there were no such efforts reported over the last year. Sufficiently stringent penalties for trafficking offenders under these laws range from 10-15 years' imprisonment and are commensurate with penalties prescribed for other serious offenses. Law enforcement authorities showed no signs of proactively investigating or prosecuting suspected trafficking offenses under existing trafficking-related provisions in prostitution or labor laws. The government did not provide specialized training for law enforcement or other government officials in how to recognize, investigate, and prosecute instances of trafficking or trafficking victim identification. In November 2009, officials attended information seminars on regional trafficking issues. Twenty-five officials attended two days of workshops conducted by IOM and an expert in trafficking law in March 2010. The government received reports of two suspected trafficking cases during the past year, one involving foreign women who may have been victims of sex trafficking and one involving boys who claimed to have been victims of labor trafficking. In October 2009, immigration officers noted some potential female trafficking victims in a group attempting to transit St. Vincent and the Grenadines, began investigating their situation, and requested outside assistance to further their investigations. Officers were, however, required by law to deport the women before they could complete their inquiries either internally or with the governments of neighboring countries. In the other case, police detained a number of teenage boys during a drug raid who claimed they were subjected to forced labor by criminals involved in the production and sale of illegal drugs. Local prosecutors and police investigated the claims and determined the juveniles fabricated the allegations to escape prosecution for the drug-related offenses.

Protection

The Vincentian government did not show tangible progress in ensuring that victims of trafficking are identified and provided access to necessary services. The Ministry of Mobilization and Social Development, however, developed a referral process to transfer victims detained, arrested, or placed in protective custody by law enforcement authorities to institutions that provide short- or long-term care. The St. Vincent and the Grenadines Human Rights Association provided legal services and other limited aid to victims of any crime, and did not knowingly assist any victims of trafficking during the year. The government provided some funding and building space to three local NGOs whose shelter, counseling, and other services for all crime victims would also be available to trafficking victims. Government officials have no formal procedure for proactively identifying victims of trafficking for the purposes of forced labor or commercial sexual exploitation, but

ST. VINCENT & GRENADINES TIER RANKING BY YEAR



Recommendations for St. Vincent and the Grenadines: Increase efforts to develop and implement a comprehensive anti-trafficking law; investigate and prosecute possible sex or labor trafficking cases under existing relevant legislation until a comprehensive anti-trafficking law is in place; and educate the public about trafficking by conducting a high-profile public awareness campaign.

Prosecution

The Government of St. Vincent and the Grenadines made minimal progress in anti-trafficking law enforcement efforts over the last year. The government has no

on the two occasions noted above individual law enforcement officials suspected trafficking may have occurred in conjunction with other suspicious activities. Under current laws, the government did not encourage victims' assistance in the investigation and prosecution of trafficking or other crimes, nor did it provide legal alternatives to the removal of foreign victims to countries where they would face hardship or retribution. St. Vincent and the Grenadines had no law or official procedures in place to ensure that victims would not be inappropriately incarcerated, fined, or otherwise penalized for unlawful offenses committed solely as a direct result of being trafficked.

Prevention

The government made minimal efforts to prevent trafficking and to increase the public's awareness of the dangers of human trafficking in St. Vincent and the Grenadines. In 2009, the Prime Minister made the first-ever address to parliament on trafficking issues. The government did not conduct anti-trafficking information or education campaigns during the reporting period. It did not develop an anti-trafficking national plan of action, and did not establish an anti-trafficking working group. A foreign donor provided funds for the government to consult with a legal expert on drafting comprehensive anti-trafficking legislation that would be appropriate within the context of the country's existing legal structure and in accordance with international agreements and standards. The consultant also provided two days of workshops on trafficking awareness and an anti-trafficking legislative structure. The government made no efforts to reduce the demand for commercial sex acts. St. Vincent and the Grenadines is not a party to the 2000 UN TIP Protocol.

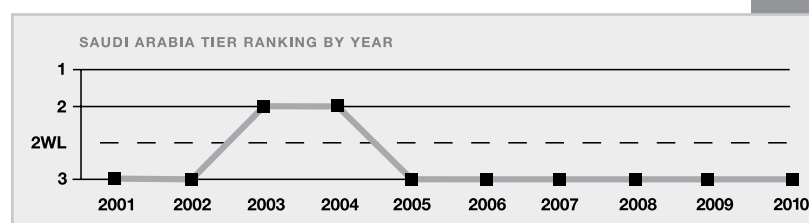
SAUDI ARABIA (Tier 3)

Saudi Arabia is a destination country for men and women subjected to trafficking in persons, specifically forced labor. Men and women from Bangladesh, India, Sri Lanka, Nepal, Pakistan, the Philippines, Indonesia, Sudan, Ethiopia, Kenya, and many other countries voluntarily travel to Saudi Arabia as domestic servants or other low-skilled laborers, but some subsequently face conditions indicative of involuntary servitude, including restrictions on movement and communication, the withholding of passports and other travel documents, threats, physical or sexual abuse, and non-payment of wages. In some cases, arriving migrant workers have found the terms of employment in Saudi Arabia are wholly different from those they agreed to in their home countries. The Indian government no longer permits its female nationals under age 40 to take jobs as domestic workers in Saudi homes due to the high incidence of physical abuse by employers. Women, primarily from Asian and African countries, were believed to have been forced into prostitution in Saudi Arabia; others were

reportedly kidnapped and forced into prostitution after running away from abusive employers.

Yemeni, Nigerian, Pakistani, Afghan, Chadian, and Sudanese children were subjected to forced labor as beggars and street vendors in Saudi Arabia, facilitated by criminal gangs. Unconfirmed reports indicated fewer Yemeni children may have been forced to work in Saudi Arabia during the reporting period. A 2009 doctoral study submitted to Naif Arab University for Security Sciences concluded Jeddah may be a hub for an international child trafficking network exploiting the Hajj and Umrah visas (visas for religious pilgrimages to Mecca).

Some Saudi nationals travel to destinations including Morocco, Egypt, Yemen, Afghanistan, Pakistan, India, and Bangladesh to solicit prostitution. Some Saudi men used legally contracted "temporary marriages" in countries such as Mauritania, Yemen, and Indonesia as a means by which to sexually exploit migrant workers.



The Government of Saudi Arabia does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. In a positive development, the government enacted anti-trafficking legislation during the reporting period, and published a National Plan for Combating Trafficking in Persons. However, the new law did not provide criminal sanctions for the prohibited but still common practice of withholding passports and denying exit visas, and did not provide provisions for trafficking victims to remain in Saudi Arabia during investigations and court proceedings. There was no confirmation the government criminally prosecuted or punished trafficking offenders under the new or existing laws. Victim protection efforts in Saudi Arabia continued to be weak. Many Saudis, including some government officials, continued to deny certain kinds of trafficking occur, particularly cases involving sexual exploitation. Government officials also conflated trafficking with smuggling and the problem of religious pilgrims overstaying their visas to work illegally. The new National Plan of Action, however, acknowledges the conflation.

Recommendations for Saudi Arabia: Use the new criminal law to investigate and prosecute trafficking offenses and convict and punish trafficking offenders, including abusive employers and those culpable of trafficking for commercial sexual exploitation; either enforce laws prohibiting passport withholding and exit visa denial, or amend the law or create implementing regulations to criminally address these issues; amend the

law or create implementing regulations to address the ability of victims to remain in the Kingdom during the investigation and court proceedings; fulfill the legally mandated responsibilities of the Permanent Committee, including instituting a formal victim identification mechanism to distinguish trafficking victims among the thousands of workers deported each year for immigration violations and other crimes; ensure trafficking victims in practice are able to pursue criminal cases against their employers; improve victim protection at the Riyadh shelter by transforming it into an open shelter where victims are not locked in; enforce labor laws and expand full labor protections to domestic workers; enforce the Council of Ministers decision criminalizing the withholding of passports; reform the structure of the sponsorship system to discourage sponsors from withholding workers' passports and restricting workers' movements; and continue and expand judicial training on recognizing cases of human trafficking.

Prosecution

The Government of Saudi Arabia made limited law enforcement efforts against human trafficking. In July 2009, Saudi Arabia issued an anti-trafficking law, "Suppression of the Trafficking in Persons Act," promulgated by Royal Decree number M/40. The law became effective in October 2009, three months from the date of issue. The law defines and prohibits all forms of human trafficking, prescribing punishments of up to 15 years and/or fines up to approximately \$266,667. Penalties may be increased under certain circumstances, including trafficking committed by an organized criminal group or committed against a woman, child, or person with special needs. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes. Since the law includes some concepts unrelated to human trafficking, the government must disaggregate law enforcement activity under this law to indicate which prosecutions and convictions are for trafficking. However, the law does not specifically note the common practice of withholding workers' passports and exit visa denial present in most trafficking cases, and therefore, the actual cases prosecuted under the legislation may be limited. The law also does not secure the right of victims to remain in Saudi Arabia during the investigation and court proceedings, a circumstance that may further impede the chances of successful prosecutions and convictions.

The government did not conduct any investigations, prosecutions, or convictions under the new anti-trafficking law. Under Sharia law, the government reported at least eight convictions for pimping, exploiting a woman, sexual exploitation, and provision of premises for female prostitution, and one conviction for exploiting the rights of male and female workers. The sentences ranged from two months to four years and numerous lashes; it is uncertain whether any of these crimes constituted human trafficking. The Saudi government also prohibits the confiscation of foreign workers'

passports under a Council of Ministers decision, and the prescribed penalty for violators is a ban on recruiting other expatriate workers; however, this practice continued to be widespread. The structure of the sponsorship system, which holds sponsors responsible for the workers they employ, encourages sponsors to withhold workers' passports and restrict workers' movements. In addition, despite available administrative laws, the government did not regularly enforce prohibitions against employers or recruitment agents for abusing migrant workers. Since the new counter-trafficking law took effect, the Human Rights Commission held at least three seminars for small groups of judges to improve their capacity in recognizing cases of human trafficking.

Protection

Saudi Arabia made insufficient efforts to protect victims of human trafficking during the reporting period. Saudi Arabian law enforcement officials did not employ procedures for the identification of victims of trafficking among vulnerable populations, such as foreigners detained for immigration violations or women arrested for prostitution. The government operated a short-term shelter for female domestic workers in Riyadh, but victims of physical and psychological abuse were unlikely to receive assistance. Moreover, the shelter is closed; victims are not free to leave. The government did not operate any long-term shelters or facilities to house men. Many victims were simply sent to deportation centers, hospitals, or (if available) housing provided by charitable organizations. Many victims sought refuge at their embassies, negotiated settlements with their employers, and independently obtained funds to return home. During the reporting period, the Indonesian government, in partnership with IOM, sent a delegation to Saudi Arabia to assess the plight of Indonesian domestic workers in the Kingdom. More than 150 Indonesians residing in the Indonesian embassy's shelter and unable to leave because they either did not have passports or exit permits, or both — indications of possible forced labor — were flown home after the delegation intervened with the Saudi government.

Although Saudi Arabia offers temporary relief from deportation to some victims who identify themselves to authorities, those who have run away from their employers, overstayed their visas, or otherwise violated the legal terms of their visas were jailed without being offered protection. In particular, women are at a disadvantage. Women arrested for prostitution were not interviewed for evidence of trafficking, and may have been subjected to stringent corporal punishment under Saudi law. In previous years, women who were raped by their employers found themselves imprisoned or sentenced to lashes for the offense of moral criminality; it was uncertain if any such events occurred in the reporting period. Women who escaped from their employers were subject to police detention for improper dress if they were not wearing an abaya — a required outer garment — or

for the offense of running away from their sponsor, who is legally responsible for employees for the duration of their stay. Police sometimes returned foreigners to their sponsors or employers, despite their vulnerability to additional abuse or reprisals. Law enforcement agents continue to send street children, often in begging rings, to jail, but this practice was in decline. Saudi officials instead send the children to juvenile detention centers, and then work with diplomatic missions to facilitate deportation of the children picked up in raids.

Few migrants successfully pursue criminal cases against abusive employers, including traffickers, as the Saudi government did not offer assistance with legal remedies. Migrants – including victims of trafficking – sometimes face severe delays in the immigration and justice system, and obstacles such as lack of access to interpreters, legal aid, or their consulates. The length of time to process cases against employers leads many foreign workers – including victims of trafficking – to drop both criminal and monetary claims, choosing instead to return to their home countries penniless in lieu of submitting to a legal process. Moreover, as foreign workers are required to obtain their sponsor's formal permission or order to depart the Kingdom, many trafficking victims languished in shelters or detention centers awaiting these exit permits. Although the government reports providing legal services to victims, the lack of translation assistance and lengthy and costly delays often discourage victims.

Saudi officials did not encourage victims to assist in investigations against their traffickers, and often discourage cooperation by persuading victims to take monetary compensation in lieu of filing criminal charges against their employers or by returning to their employers. There is no mechanism in place under Saudi law for continuing such cases once the employee has departed Saudi Arabia. Reports indicated Saudi sponsors often prevailed by delaying hearings and approval to grant an exit visa, or refusing to pay penalties or transfer a sponsorship. Traffickers sometimes levied charges against victims, which are believed by police and judges, and officials force confessions from victims. The government did not offer legal alternatives to the removal of foreign trafficking victims to countries where they may face hardship or retribution.

Prevention

The government has made some progress in preventing human trafficking. As part of a recently-launched, four-year human rights campaign, the Government of Saudi Arabia developed and posted billboards aimed to raise awareness on trafficking and domestic violence; broadcasted a program on government radio describing trafficking and the new anti-trafficking law; and raised awareness at the Janadriya annual cultural festival. As part of its new anti-trafficking law, the Saudi government created an inter-ministerial committee tasked with supervising implementation of the new law and coordinating anti-trafficking activities.

The interministerial committee met twice in 2009 and included members of the Ministries of Interior, Justice, Social Affairs, Labor, Culture and Information, and the Human Rights Commission. The Ministry of Labor produced a booklet in Arabic, English, and some source country languages on workers' rights, employers' responsibilities, and methods to seek help and assistance. The booklet was meant to be disseminated to foreign embassies in Riyadh, Saudi embassies abroad, ports of entry, and all foreign workers. However, these booklets were not produced in sufficient quantity and were not translated into a sufficient number of languages. The Ministry of Social Affairs had office hotlines to receive complaints and report crimes involving trafficking. However, complaints had to be submitted in written Arabic, and even those migrant workers who do speak Arabic are illiterate in the language. Reports indicated most workers also could not afford the transportation costs or time off to file a complaint in person, were afraid to complain, or were discouraged by the Ministry's long bureaucratic delays and lack of enforcement. The Ministry of Labor reported it maintained a database of abusive employers who are prohibited from recruiting new foreign workers, but reports indicated the government did not implement the blacklisting system during the reporting period. The government published a report from the Human Rights Commission entitled "Endeavors of the Kingdom of Saudi Arabia to Prevent and Suppress Trafficking in Persons." In the reporting period, Saudi Arabia did not take actions to reduce the demand for prostitution. The Grand Mufti led a public awareness campaign through a series of sermons stressing the illegality of temporary marriage; this may reduce participation in international child sex tourism by Saudi nationals. The government funded and organized various anti-trafficking seminars and workshops, including a three-day trafficking seminar in December 2009, for Saudi and other government officials. The seminar, held at the Naif Arab University for Security Studies, was comprehensive and included case studies, legal review, prosecutorial methodology, and provided information on child sex tourism, victim interviews, and victim assistance.

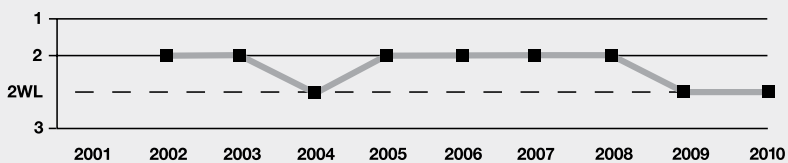
SENEGAL (Tier 2 Watch List)

Senegal is a source, transit, and destination country for children and women subjected to trafficking in persons, specifically forced labor, forced begging, and commercial sexual exploitation. There are no reliable statistics for the total extent of human trafficking in Senegal. UNICEF estimates that 100,000 children in Senegal, most of whom are talibes – students attending Koranic schools run by teachers known as marabouts – are forced to beg, and that in Dakar alone there are 8,000 of these children begging in the streets. In addition to forced begging, Senegalese boys and girls are subjected to involuntary domestic servitude, forced labor in gold mines, and

commercial sexual exploitation. Trafficking within the country is more prevalent than transnational trafficking, though children from neighboring countries have been found in forced begging and other forms of forced labor in Senegal. Transnationally, boys are also trafficked from The Gambia, Mali, Guinea Bissau, and Guinea to Senegal for forced begging by unscrupulous marabouts. In the past, reports indicated that adult women and girls in Senegal were frequently transported to neighboring countries, Europe, and the Middle East for involuntary domestic servitude and forced prostitution. However, NGO observers now believe that most local women in forced prostitution remain in Senegal. Women and girls from other West African countries, particularly Liberia, Ghana, Sierra Leone, and Nigeria, may be subjected to commercial sexual exploitation in Senegal, including for international sex tourism.

The Government of Senegal does not fully comply with the minimum standards for the elimination of human trafficking; however, it is making significant efforts to do so, despite limited resources. The government continued its strong commitment to provide shelter, rehabilitation, and reintegration services to talibe boys. Despite these overall significant efforts, however, the government has not sufficiently addressed other forms of human trafficking through law enforcement action, victim care, or raising public awareness. Therefore, Senegal is placed on Tier 2 Watch List for the second consecutive year.

SENEGAL TIER RANKING BY YEAR



Recommendations for Senegal: With emphasis on trafficking cases rather than smuggling operations, increase prosecutions of suspected labor traffickers who subject children to conditions of forced labor; increase support for the work of anti-sex tourism police units in the Ministries of Interior and Tourism to identify potential sex tourists and rescue their child victims; while continuing to care for talibes victimized by forced begging; increase provision of protective services to other types of trafficking victims; establish a specialized unit whose officers are specifically trained to investigate suspected trafficking cases and interview potential victims; and implement the National Action Plan to Combat Trafficking.

Prosecution

The Government of Senegal continued to show significant political will to combat human trafficking; however, it demonstrated minimal progress in increasing anti-trafficking law enforcement efforts during the reporting period. Though Senegal has had an effective legal tool

for fighting human trafficking since 2005, the Law to Combat Trafficking in Persons and Related Practices and to Protect Victims has primarily been used to combat alien smuggling from Senegal to Spain, as opposed to trafficking. Many law enforcement and judicial personnel were unaware the anti-trafficking law existed, and used other statutes to prosecute and convict traffickers. The 2005 law's prescribed penalties of five to 10 years' imprisonment for all forms of trafficking were sufficiently stringent and commensurate with penalties prescribed for rape.

The government did not provide data on its anti-trafficking law enforcement activities. In June 2009, a Nigerian man was convicted of trafficking, raping, and prostituting Senegalese girls from three countries and sentenced to two years' imprisonment. In May 2009, police arrested a Senegalese man after neighbors complained he was physically abusing and forcing talibes to beg. A subsequent investigation suggested he had trafficked children from Guinea-Bissau; he is awaiting trial. In March 2009, police dismantled a human trafficking network sending girls from Senegal to Morocco for forced domestic work, but the traffickers – highly placed and influential members of society – were released a few weeks after their arrest and no charges were brought. In the cases reported in the 2009 TIP Report of two Senegalese religious teachers arrested for physically abusing boys they had trafficked for forced begging, one teacher was remanded to jail in October 2009 and awaits trial. There was evidence of some government tolerance of trafficking for forced begging on a local or institutional level. The government reported that none of its employees were known to have been involved in trafficking.

Protection

The Government of Senegal sustained efforts to protect trafficking victims over the last year. It employed proactive victim identification procedures and referred all identified victims to the Ginndi Center, at which the government continued to provide services, such as medical treatment, family mediation and reconciliation, education, shelter, food, and repatriation, to at-risk children, including trafficking victims, regardless of their country of origin. During the reporting period, the center's child protection hotline received 9,545 calls from Koranic teachers, parents, children, and anonymous persons asking for information about the center; an unknown number of these calls concerned cases of human trafficking. In 2009, the Ginndi Center assisted 655 boys and 32 girls, some of whom were trafficking victims. IOM statistics indicated that 223 trafficking victims were identified in Senegal in 2009. The center reunified 593 boys and 27 girls, some of whom were trafficking victims, with their families in five countries. The center conducted vocational training, performed street interventions to convince children to join its programs, and distributed almost 15,000 meals. The Open Center for Education (AEMO), a judicial branch of the Ministry of Justice that assists only children, helped

108 street children in 2009, most of whom were returned to their families or received help from an NGO-run orphanage, Pouponniere Vivre Ensemble. The government provided \$24,000 in 2009, which covered most of AEMO's operations. Standard operating procedures for victims of trafficking for sexual exploitation called for them to receive a compulsory HIV/AIDS screening at a hospital before interviewers began to question them, and providers were to offer all counseling behind closed doors to respect victims' privacy. The government ensured that identified victims of trafficking were not penalized for unlawful acts committed as a result of their being trafficked, and Senegalese law permitted closed-door testimony to encourage victims to serve as witnesses. Victims were able to remain in Senegal temporarily or permanently with resident refugee status; 43 boys and two girls were granted residency status during the year.

Prevention

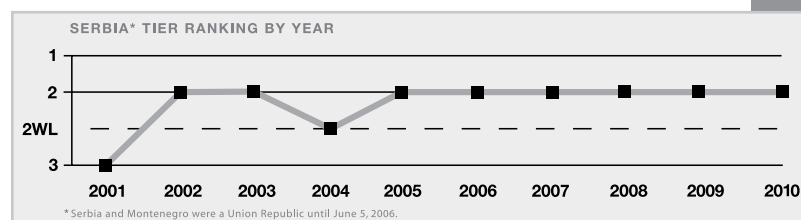
The government sustained its modest efforts to prevent trafficking throughout the reporting period. Though it continued efforts to prevent the abuse of talibes during the year, it launched no anti-trafficking public awareness campaigns regarding other forms of human trafficking. In October 2009, the Prime Minister chaired a one-day workshop for government officials and NGOs that resulted in the creation of a National Action Plan to Combat Trafficking. The government's Assistance Committee for Child Protection (CAPE), located within the Office of the President and composed of the Ministries of Family, Health, Education, Interior, Foreign Affairs, and Justice, coordinates the work of all government institutions that combat trafficking in Senegal. In January 2010, CAPE transferred \$51,000 to a local NGO to fund a pilot project with other NGOs and associations that will provide shelter to 100 additional talibes and mediation between the Islamic schools and the families of 200 children already residing in shelters. Though the government has specialized anti-sex tourism units located within the Ministries of Interior and Tourism, no foreign pedophiles were arrested in 2009 for commercial sexual exploitation of children. The government did not take steps to reduce the demand for commercial sex acts or forced labor in Senegal. The government did not provide anti-trafficking training to Senegalese troops before deployment on international peacekeeping missions.

SERBIA (Tier 2)

Serbia is a source, transit, and destination country for men, women, and girls subjected to trafficking in persons, specifically forced prostitution and forced labor. Foreign victims found in Serbia originate primarily from Eastern Europe and Central Asia, although there were two victims identified from the Dominican Republic during the year. Children, mostly Roma, continued to be exploited in the commercial sex trade, subjected to involuntary servitude while in forced marriage, or forced to engage in street

begging. Serbian nationals continued to comprise the majority of identified victims in 2009.

The Government of Serbia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The Serbian government achieved important progress in its anti-trafficking efforts in 2009, as it developed and implemented formal procedures to proactively identify trafficking victims, earmarked emergency funding for two NGO shelters, introduced tougher penalties for traffickers, and increased efforts to prevent trafficking. Imposed punishments for convicted traffickers and complicit officials, however, remained consistently low. Insufficient funding for NGOs and government agencies responsible for victim services continued to hamper the government's ability to provide rehabilitation and reintegration services to victims.



Recommendations for Serbia: Institute reforms to ensure that convicted traffickers receive adequate sentences reflective of the heinous nature of the offense; vigorously prosecute, convict, and punish all forms of trafficking including complicit officials who facilitate trafficking; increase and sustain funding for NGOs providing victims with comprehensive assistance and rehabilitation; increase personnel and resources allocated to the government's victim protection agency; increase training for social workers, police, and other front-line responders to continue to improve identification and referral of trafficking victims; and improve the delivery of specialized services and shelter for children and adult male victims of trafficking.

Prosecution

The Government of Serbia made substantial progress by improving its anti-trafficking laws and imposing more stringent sentences on some trafficking offenders during the reporting period. The criminal code for Serbia prohibits both sex trafficking and labor trafficking through its article 388; this criminal code does not specifically distinguish between commercial sexual exploitation and forced labor. A separate article of the criminal code prescribes penalties for "slavery or a relationship similar to slavery" with penalties of one to 10 years. In August 2009, the government adopted amendments to its criminal code which increase prescribed punishments for trafficking offenders to three to 12 years' imprisonment, up from the previous two to 10 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for

other serious offenses, such as rape. Amendments to the criminal code also increased the minimum prescribed penalties for trafficking children from three to five years and eliminated the previous discretion that allowed judges to hand down sentences less than the prescribed minimum. In 2009, the government reported at least 51 investigations of trafficking offenses, as well as the prosecution of 42 and conviction of 40 trafficking offenders, with the majority receiving sentences ranging from two to four years' imprisonment. The Serbian government confirmed that at least two of the convicted traffickers were in jail pending appeal, as by law individuals convicted for trafficking are only detained during the appeals process if their sentence was greater than five years. Some trafficking suspects and offenders accused or convicted of violent crimes continued to be freed during the pre-trial and post-conviction appeal process, posing a serious risk to their victims. One of Serbia's most infamous traffickers, sentenced to four years and three months by the Supreme Court in 2006 and a fugitive since then, was re-arrested to serve his sentence on March 11, 2010. In a welcome development, in August 2009, the Supreme Court of Serbia confirmed on appeal the highest-ever sentence for trafficking of 10 years' imprisonment. This trafficker is currently serving his sentence. The defendant was the main trafficker in the "Jet Set" case also involving the complicity of the Deputy District Prosecutor in Novi Pazar and two police officers. In August 2009, the Supreme Court confirmed on appeal a lower court judgment finding the Deputy District Prosecutor and the officers guilty of public abuse of office and of trafficking in persons, confirming their suspended sentences and three years' probation. The prosecutor had sexually exploited some of the victims. The government's refusal to cooperate directly with the Republic of Kosovo government hampers Serbia's efforts to investigate and prosecute some transnational trafficking.

Protection

The Government of Serbia made some progress protecting victims of trafficking and significantly improved its capacity to identify trafficking victims in 2009. In April, it issued an order for all police personnel to aid in the proactive identification of trafficking victims, remedying a long-standing deficiency in its victim protection scheme. In 2009, police referred to service providers 112 out of 127 total trafficking victims identified by the government's Agency for Coordination of Protection of Trafficking Victims. Of the identified victims, 30 adult victims were accommodated in two shelters. According to the government, 17 out of the 26 trafficked children identified as trafficked in 2009 were accommodated in orphanages or were detained in a youth rehabilitation center. The remainder were placed in domestic violence shelters, a trafficking shelter, or placed with foster families. The government's ability to protect child victims of trafficking was limited by the lack of specialized shelters for children. Children placed in orphanages or youth detention centers were highly vulnerable to

re-trafficking and re-victimization. One NGO reported instances of traffickers continuing to exploit some young girls placed in orphanages in 2009. The government did not run special shelters or services for trafficked men.

NGOs report that authorities sometimes fail to recognize a victim of trafficking. However, identified victims generally were not detained, jailed, or otherwise penalized for unlawful acts committed as a direct result of their being trafficked. While stakeholders reported improvements in victim referrals in 2009, the repatriation through Serbia of victims in a large forced labor case involving mostly Bosnian Serb men exploited for labor in Azerbaijan demonstrated shortcomings and a lack of coordination in the referral system. An NGO reported that the Serbian government failed to provide assistance to these forced labor victims or to refer them to service providers. Serbian police conducted interviews with 12 potential victims from the case and the investigation was ongoing.

On December 16, the government stepped in to remedy a funding shortfall for two NGO-run shelters in danger of closing by allocating \$45,000 to keep them in operation. Despite this emergency effort, overall funding for NGOs and the government's protection agency continued to be deficient. The government's protection agency remained understaffed. NGOs continued to rely heavily on international donor funds and a small fund generated from the government's sale of a 2008 special anti-trafficking postage stamp to provide critical services to victims in Serbia. In October 2009, the government requested a formal inquiry into a case of a trafficking victim and her daughter who were allegedly threatened by the victim's trafficker in a Serbian courtroom and subsequently charged by the court with perjury and defamation.

Prevention

The Government of Serbia demonstrated modest progress in its efforts to prevent trafficking in 2009. The Ministry of Interior maintained an anti-trafficking website and Facebook page and published its anti-trafficking hotline via a poster campaign. It proclaimed October as Anti-Trafficking Awareness Month and held an exhibition of children's drawings with an anti-trafficking awareness theme, publishing a calendar with some of the drawings. During the year, the national coordinator disseminated information on a regional victim referral mechanism developed and funded by international organizations.

SIERRA LEONE (Tier 2)

Sierra Leone is a source, transit, and destination country for children and women subjected to trafficking in persons, specifically forced labor and commercial sexual exploitation. Victims come largely from rural provinces and refugee communities within the country, and are recruited to urban and mining centers for the purposes of commercial sexual exploitation, forced domestic work,

and forced service or labor in petty trading, street crime, and begging. Trafficking victims may also be found in the fishing and agricultural sectors or are subjected to forced prostitution or forced labor through customary practices such as forced and arranged marriages. The incidence of transnational trafficking is relatively small, but Sierra Leone is likely still a source and destination country for the movement of persons to destinations in West Africa, the Middle East, and Europe, where they are subsequently subjected to nonconsensual exploitation. Sierra Leone may also be a destination country for children trafficked from Nigeria, and possibly from Liberia and Guinea for forced begging, forced labor, and commercial sexual exploitation.

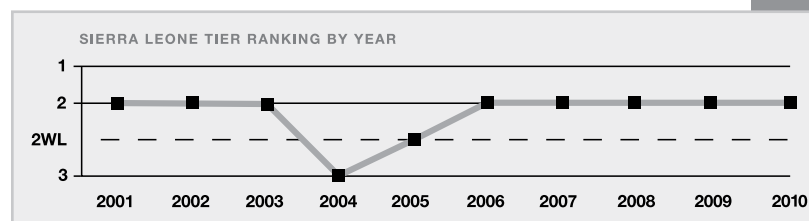
The Government of Sierra Leone does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so, despite limited resources. At the end of 2009, the government quadrupled the budget of the Ministry of Social Welfare, Gender, and Children's Affairs (MOSWGCA), which leads the government's anti-human trafficking efforts. A significant share of the increased funds was assigned to anti-trafficking activities. Because no government-funded victim services existed, non-governmental and international organizations continued to assume the responsibility for support of trafficking victims, as well as the responsibility for training government staff on implementation of the anti-trafficking law. While the government has identified human trafficking as an important policy issue, identifying available resources and building capacity to combat the problem will remain a serious problem well into the future due to the government's limited financial and human resources.

Recommendations for Sierra Leone: Strengthen efforts to prosecute and convict trafficking offenders; train law enforcement officers and social workers to identify and care for trafficking victims using approaches that focus on the needs of the victims; implement formal procedures to identify trafficking victims among vulnerable populations, such as females in prostitution, unaccompanied foreign minors, and illegal migrants; ensure victims have access to basic services and shelters for trafficking victims, providing government support where possible; improve coordination among police and social service providers to ensure that all victims receive access to necessary care; and improve efforts to collect data on anti-trafficking law enforcement efforts and victim assistance.

Prosecution

The Government of Sierra Leone demonstrated limited progress in law enforcement efforts over the last year by convicting two trafficking offenders under its 2005 anti-trafficking law, in contrast to no convictions obtained in 2008. The Anti-Trafficking in Persons Act of 2005 prohibits all forms of human trafficking and prescribes a maximum penalty of 10 years' imprisonment for both sex

and labor trafficking offenses. This penalty is sufficiently stringent, but not commensurate with penalties for rape, which carried a maximum sentence of life imprisonment. The Child Rights Act of 2008 includes a number of provisions that relate to trafficking, though many police officers opted to use abduction and unlawful child harboring statutes when charging trafficking suspects. In May 2009, a Sierra Leonean woman was convicted of "conspiracy to commit trafficking" after luring a 6-year-old girl to Kailahun, where she attempted to sell the child. The woman was sentenced to seven years' imprisonment. Also in 2009, a Guinean man was convicted of the same crime and sentenced to eight months' imprisonment after transporting and attempting to sell his son in Sierra Leone. According to an NGO, in addition to these two convictions, three other cases reached the court during the reporting period and are awaiting a verdict. It is unknown whether these cases constitute human trafficking. The government did not provide specialized training on investigating or prosecuting human trafficking offenses, but did make law enforcement officers and other government officials available to attend training conducted by international organizations and local NGOs. An international organization reported that the government forged an operational partnership with the Government of Liberia to pursue a joint investigation and repatriation case during the reporting period. Further information regarding this case was not available.



Protection

During the past year, the Sierra Leonean government continued to ensure victims' access to protection services provided by NGOs and international organizations, as a severe lack of resources and personnel limited its ability to deliver services directly. The government developed and began implementing a protocol for law enforcement and social services authorities' identification of trafficking victims, but only a small number of officials were trained to follow it during the reporting period. Most high-risk persons – such as females in prostitution, unaccompanied minors, and undocumented immigrants – remained unscreened. The government's plan to provide a new shelter for trafficking victims of all ages in Freetown was not fulfilled, and no shelter exists at present in the country's capital. The government did not directly provide trafficking victims with legal, medical, or psychological services, or any funding to organizations that assisted victims. The government did not provide assistance to foreign trafficking victims. The Police Family Support

Units reported that 22 trafficking victims were assisted by police during 2009. In January 2010, it began using a new database to track trafficking cases. Although the Family Support Units were charged with referring victims to MOSWGCA, police officers were often not present at every Family Support Unit's location. As a consequence, police frequently had to turn victims over to newly formed Voluntary Parental Groups (VPGs), whose ability to deal with this responsibility was unclear. In cases where victims were identified, however, authorities encouraged them to participate in the prosecution of their traffickers, but the general inefficiency of the judicial sector frustrated those efforts. Many victims lost patience waiting for a trial in their cases to begin. The anti-trafficking law did provide for victim restitution, but no victims received any kind of civil damages for abuse or hardship suffered during the trafficking experience. Sierra Leone did not provide legal alternatives to the removal of foreign victims to countries where they faced hardship or retribution. No agency reported that trafficking victims were penalized for unlawful acts committed as a direct result of being trafficked. The government did not provide assistance to its nationals who were repatriated from other countries.

Prevention

The government made minimal efforts to raise awareness about trafficking during the reporting period. Through the Trafficking in Persons Task Force, it sustained partnerships with NGOs, the IOM, and foreign governments to conduct training for police prosecutors and officers, both in the field and at the Cadet Training School. The government did not appear to monitor immigration and emigration patterns for evidence of trafficking. The government did not make efforts during the reporting period to reduce the demand for commercial sex acts. The government did not provide anti-human trafficking training for armed forces it deployed to the international peacekeeping mission in Darfur. Sierra Leone is not a party to the 2000 UN TIP Protocol.

SINGAPORE (Tier 2 Watch List)

Singapore is a destination country for women and girls subjected to trafficking in persons, specifically forced prostitution, and for some migrant workers in conditions that may be indicative of forced labor. Foreign workers make up over one-third of Singapore's total labor force. Migrating from Thailand, Burma, Philippines, Indonesia, Vietnam, India, Sri Lanka, Bangladesh, and elsewhere in Asia, most of them are unskilled and semi-skilled laborers employed in construction, domestic households, and the service industries. Some of these foreign workers may face deception about the nature of their employment or salary, confiscation of their passport, restriction on their movement, illegal withholding of their pay, or physical or sexual abuse – factors that may contribute to trafficking.

Many domestic workers in Singapore face debts associated with their employment that may amount to six to 10 months' wages, which can make them vulnerable to forced labor.

Some women from Thailand, the Philippines, and China are recruited in their home countries with offers of legitimate employment but upon arrival in Singapore, are deceived or coerced into forced prostitution. Some women from these countries enter Singapore with the intention of engaging in prostitution but upon arrival are trafficked into forced prostitution for the benefit of others. Deceptive recruitment or subsequent coercion into commercial sexual exploitation may also happen to women from other countries, including India and Sri Lanka. Sex trafficking victims often enter Singapore on tourist visas arranged by their recruiters, though there were reports that victims increasingly enter Singapore on six-month entertainment visas. Some reports suggest organized crime groups may be involved in international sex trafficking of women and children to Singapore. Some foreign women in "forest brothels" located on public lands near migrant worker dormitories are reportedly victims of trafficking. It is believed substantial recruitment networks may be operating in order to continue the supply of women trafficked into commercial sexual exploitation in Singapore. Based on data published as recently as 2008, Singaporean men continue to be a source of demand for child sex tourism in Southeast Asia.

The Government of Singapore does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Although the Singaporean government took some significant new steps to prevent conditions of forced labor, the quantifiable indicators of anti-trafficking prosecution and victim protection – which this report emphasizes – indicate no increasing efforts to prosecute and punish forced labor offenses or to identify both victims of sex trafficking and victims of forced labor. Therefore, Singapore is placed on Tier 2 Watch List. There were no labor trafficking prosecutions or convictions during the reporting period. The government showed an inadequate response to the sex trafficking problem in Singapore, convicting and punishing two trafficking offenders. The government could and should be more successful in finding, prosecuting, and punishing those responsible for human trafficking. Despite some proactive measures taken by the government to identify and protect victims of trafficking, those measures proved insufficient to generate additional prosecutions for sex or labor trafficking. Singapore is therefore encouraged to consider implementing the recommendations outlined below.

Recommendations for Singapore: Prosecute an increased number of cases involving the trafficking of children under the age of 18 for commercial sexual exploitation; prosecute more employers and employment agencies who unlawfully confiscate workers' passports as a means of intimidating workers or holding them in a state of involuntary servitude, or who use other means to extract

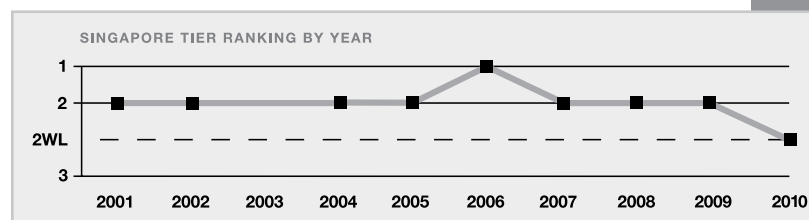
forced labor; expand investigations and prosecutions in adult sex trafficking cases; develop robust procedures to identify potential traffickers and trafficking victims by immigration officers at ports of entry and other law enforcement personnel; study ways to make legal aid to trafficking victims accessible and affordable to enable them to obtain redress by pursuing civil suits against their traffickers; reduce the demand for commercial sex acts in Singapore by vigorously enforcing existing laws against importing women for purposes of prostitution, trafficking in women and girls, importing women or girls by false pretenses, living or trading on prostitution, and keeping brothels; increase the cooperative exchange of information about potential trafficking issues and allegations of trafficking offenses with NGOs and foreign diplomatic missions in Singapore; and conduct public awareness campaigns to inform citizens and residents of the penalties for involvement in trafficking for sexual exploitation or forced labor.

Prosecution

The Government of Singapore demonstrated limited law enforcement efforts to combat trafficking in persons during the year. Singaporean law criminalizes trafficking through its Penal Code, Women's Charter, Children and Young Persons Act, Employment of Foreign Manpower Act, Employment Agencies Act, Employment Agency Rules, and the Conditions of Work Permits. Penalties prescribed for sex trafficking, including imprisonment, fines, and caning, are sufficiently stringent, as are penalties prescribed for labor trafficking. Although the Singapore Police proactively identified one known sex trafficking victim, observers report that Singaporean law enforcement authorities continued to display a passive and reactive posture toward human trafficking crimes, typically waiting for victims to come forward and file complaints. Singaporean government officials denied that human trafficking is a significant problem in the country but noted that all reported cases of sex trafficking are referred to an anti-vice unit within the police. While the Ministry of Manpower (MOM) maintained responsibility for investigating all labor abuses, the police were responsible for criminally investigating any offenses under the Penal Code's forced labor statute; no cases under the forced labor statute were referred to the police by the MOM over the reporting period. Non-governmental sources, however, expressed concern about the willingness and ability of Singaporean police and immigration officers to identify potential sex trafficking victims, mount thorough investigations, and prosecute cases.

The government did not prosecute any cases under the Singaporean Penal Code's provisions against forced labor. However, the government successfully prosecuted an unknown number of employers for physically or sexually abusing foreign domestic workers and imposed jail sentences on those convicted. The government prosecuted and courts punished 228 labor agency

officials and employers for violations of employment laws and regulations, resulting in fines and demerits. The MOM handled complaints from 4,500 foreign workers during the first half of 2009 regarding non-payment of salaries. The government also revoked the licenses of 11 employment agencies for infringement of employment laws. Authorities reported the conviction of two employment agencies and the "stern warning" of 33 for withholding the passports of foreign workers, a proven contributor to trafficking. The two convicted agencies were sentenced with fines; two additional prosecutions were under way. The government did not disclose whether it investigated any of these labor abuse cases as potential forced labor offenses.



The government investigated 32 reports of sex trafficking during the year, of which two were confirmed by officials to be trafficking cases and prosecuted. In one case, five Thai women were brought into Singapore and forced into prostitution; their Thai recruiters were convicted and sentenced to prison terms of 19 months and 18 months. In the other case involving a Thai girl who was a sex trafficking victim, a Singaporean brothel owner was sentenced to nine weeks' imprisonment and a \$20,000 fine, an inadequate punishment for commercial sexual exploitation of a child. Singapore police arrested 89 children for prostitution offenses during 2009, all of whom should have been identified as trafficking victims. Police investigated four of those cases as potential sex trafficking cases, resulting in one successful prosecution of a trafficker, as noted above. The government did not report why police did not treat the other 85 children as potential trafficking victims.

Protection

The government did not show appreciable progress in protecting trafficking victims. The Government of Singapore did not employ formal procedures for the identification of sex or labor trafficking victims. Efforts to proactively identify sex trafficking victims among the high-risk population of 7,614 foreign females arrested for prostitution violations were not successful in identifying more than one confirmed trafficking victim. NGO observers expressed doubts about whether the police routinely applied their victim identification protocols during anti-vice sweeps. Except for the one case the government identified as a sex trafficking case, nearly all of the 7,614 women and children were deported after arrest; the remainder were deported at the conclusion of

the police investigations, and some of the women were prosecuted for immigration violations. The government provided \$657,000 towards the operation of three NGO-managed shelters serving adult victims of crime or violence and 20 NGO-managed children's shelters, which were available to victims of trafficking. In addition, the government directly operated two shelters for children who came into conflict with the law or who were victims of crimes. The government reported referring eight Thai and Vietnamese children who were potential victims of trafficking to government-funded shelters during the year. Singapore lacked shelters dedicated to caring for victims of sex trafficking. The Philippine and Indonesian diplomatic missions continued to operate shelters for their nationals, primarily for female domestic workers involved in employment disputes (some of whom suffered abuse by employers) and women engaged in prostitution (some of whom the embassies determined were trafficking victims). Foreign embassies in Singapore reported identifying approximately 105 female sex trafficking victims. The victims in the two sex trafficking cases prosecuted by the government stayed in NGO and government shelters during the investigation and prosecution of their traffickers, in which they were required to assist. Local NGOs and the media reported an additional six sex trafficking victims, including four Sri Lankan women, one Indian woman, and one 17-year-old Indonesian girl. Law enforcement efforts aimed at curbing prostitution resulted in some victims of sex trafficking being penalized (by deportation) for unlawful acts committed as a direct result of being trafficked, particularly with respect to the 85 children arrested for prostitution offenses who were not treated as potential trafficking victims.

Singapore does not provide victims of sex or labor trafficking with legal alternatives to removal to countries where they may face hardship or retribution. The government did not provide positive incentives, such as immigration relief and legal aid, for foreign victims of trafficking to participate voluntarily in investigations and prosecutions of trafficking offenses. Identified victims were able to obtain work authorization while assisting with the prosecution of their traffickers, but some had difficulty in finding employment. When cases were being investigated or prosecuted, the government generally held the victims' passports and declined their requests for repatriation. Although victims are legally entitled to pursue civil cases against their traffickers, in practice, most foreign victims do not have the financial resources to do so.

Prevention

The government demonstrated efforts to prevent trafficking in persons during the year. Although the government took some steps to prevent conditions of forced labor, the government continued to deny that trafficking was a significant problem in Singapore and did not make public any information concerning the extent of the problem. Authorities did not have any

institutionalized, interagency structures to address trafficking, and did not have an action plan to combat trafficking. The government unilaterally canceled an anti-trafficking training, to be provided by a foreign government, citing commitments involved in Singapore's new integrated casino resorts. In November 2009, members of the Singapore Police Force attended an anti-trafficking training put on by a foreign donor in Bangkok. Authorities continued compulsory courses on employment rights and responsibilities for all incoming foreign domestic workers and their employers. The government provided domestic workers with written materials explaining their rights in their native languages and providing contact information for reporting complaints to labor authorities, and warned employers that it is an offense to confiscate any of these materials. The government attempted to address the demand for commercial sex acts in Singapore's commercial sex industry, though its chosen approach – generalized police sweeps of known red-light districts resulting in mass arrests of women in prostitution – was not sensitive to the need to identify and protect potential trafficking victims. The government partnered with an NGO to distribute hotline information to encourage reporting of child sex tourists to the Singaporean police at Singapore's major public travel fair, but it did not have a means to verify whether the campaign generated any leads. Although Singaporean law provides for extraterritorial jurisdiction over Singaporean citizens and permanent residents who sexually exploit children in other countries, the government has never investigated, prosecuted, or convicted a national or permanent resident for child sex tourism. Singapore is not party to the 2000 UN TIP Protocol.

SLOVAK REPUBLIC (Tier 2)

The Slovak Republic (or Slovakia) is a source, transit, and limited destination country for men, women and children subjected to trafficking in persons, specifically forced prostitution and forced labor. Victims generally originate from Slovakia, Moldova, Ukraine, Bulgaria, the Baltics, the Balkans, and China. Women and children in Slovakia are subjected to forced prostitution within the country and throughout Europe. Roma children are subjected to forced begging. The majority of identified victims in 2009 were Roma women and children from segregated Roma settlements located within rural areas in Slovakia.

The Government of the Slovak Republic does not fully comply with the minimum standards for the elimination of trafficking. However, it is making significant efforts to do so. During the reporting period, the government stepped up efforts to identify foreign victims, assisted an increased number of victims, and established a center to consolidate trafficking data. Punishment for convicted traffickers continued to be a weakness in the government's anti-trafficking efforts, as the government

suspended nearly all sentences for offenders convicted under its trafficking law in 2009.

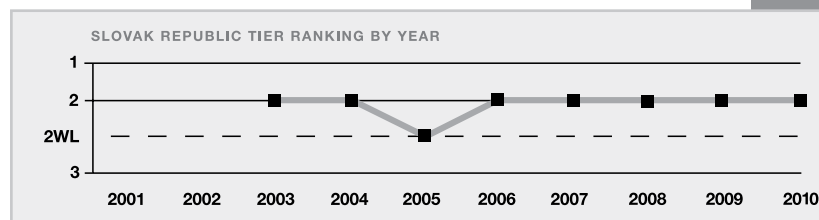
Recommendations for the Slovak Republic: Increase training and capacity building for investigators, prosecutors and judges, to ensure trafficking crimes are vigorously investigated and prosecuted and offenders are convicted and punished with time in prison; continue to foster partnerships with NGOs to improve the identification of foreign and domestic trafficking victims among vulnerable populations, including women in Slovakia's commercial sex sectors, detained illegal migrants, and asylum seekers; consider expanding the practical role of NGOs or victim trauma experts in front-line identification efforts for potential foreign trafficking victims; conduct a demand-reduction awareness campaign to educate Slovaks and clients visiting Slovakia about the potential links between prostitution, exploitation, and trafficking; consider an outreach campaign to encourage more trafficking victims to participate in the government program; and continue to institutionalize training on victim identification and sensitive questioning techniques for law enforcement, border police, social workers, and other front-line responders throughout Slovakia.

Prosecution

The Government of the Slovak Republic sustained its law enforcement efforts during the reporting period, though it continued to suspend sentences for the majority of convicted trafficking offenders in 2009. The Slovak Republic prohibits all forms of trafficking through Sections 179-181 of its criminal code, which prescribe penalties of from four to 25 years' imprisonment. These penalties are sufficiently stringent and are commensurate with those prescribed for other serious crimes, such as rape. Police conducted nine trafficking investigations in 2009, compared with 18 in 2008. The government initiated the prosecution of three trafficking suspects in 2009, the same number initiated in 2008. The government reported that it convicted 10 trafficking offenders during the reporting period, the same number it convicted in 2008. The Government of Slovakia did not report whether any of these convictions involved labor trafficking offenses. Eight out of 10 convicted traffickers were given suspended sentences and thus served no time in jail. The government did not provide information on the length of the two prison sentences actually imposed. In 2009, the government allocated \$75,400 to open an International Trafficking Information Center to centralize the collection of comprehensive data on trafficking in Slovakia and facilitate bilateral and regional information sharing on cases. The government cooperated in 14 bilateral trafficking investigations involving Slovak victims and suspects in 2009. The majority of cases involved the UK, Ireland, and Germany. The government extradited four trafficking suspects during the reporting period. There were no official cases of trafficking-related complicity in 2009.

Protection

The Government of Slovakia increased its efforts to identify and protect identified domestic trafficking victims in 2009. The government took some important steps to increase its capacity to identify potential trafficking victims in 2009 by expanding NGO training for border police, social workers, and other front-line responders and by funding training on an IOM manual to assist front line responders in identifying potential trafficking victims. While the government increased outreach to vulnerable populations and funded an NGO to conduct outreach among women in prostitution, it did not identify any foreign victims subjected to forced prostitution or forced labor in Slovakia. While the government endorsed the IOM manual for use by front-line responders in victim identification, it is unclear the extent law enforcement employed systematic efforts to proactively identify potential trafficking victims among women and girls in commercial sex sectors, including women engaged in street prostitution, erotic massage salons, escort services, or strip bars fronting for brothels in Bratislava. The Slovak government continued to fund NGOs providing comprehensive assistance to victims who elected to participate in the government's National Program; these victims received financial support for a minimum of 180 days. The government provided \$275,000 to six anti-trafficking NGOs implementing training, prevention and assistance, \$241,000 of which was for direct victim care, an increase from \$220,000 the previous year. The government assisted 27 trafficking victims, a significant increase from 17 in 2008. NGOs reported assisting 32 additional trafficking victims with non-government funding in 2009. These victims declined to participate in the government's program. Eight of the victims participating in the national program in 2009 were victims of forced labor in the agricultural sector. The government offers foreign victims, upon their identification, a renewable 40-day legal status in Slovakia to receive assistance and shelter and to consider whether to assist law enforcement; however, no potential foreign trafficking victims were identified in 2009. The Ministry of Foreign Affairs funded the repatriation of six Slovak trafficking victims in 2009. The government encouraged victims to assist in the investigation and prosecution of trafficking offenders and, during the reporting period, 12 victims participated in such law enforcement activities. The government did not penalize victims for unlawful acts committed as a direct result of being trafficked, however according to local observers, unidentified



victims, including illegal migrants and women in prostitution, continued to be detained and deported.

Prevention

The government sustained its human trafficking prevention efforts through partnerships with NGOs in continuing a number of anti-trafficking awareness campaigns in 2009. These campaigns included billboards and leaflets in nine languages for potential foreign and Slovak victims, Internet ads, television ads publicizing the anti-trafficking hotline, a mobile information outreach center, and more than 5,000 posters displayed at bus stations, police stations, migrant and asylum-seekers' camps and Slovak embassies. In December 2009, the government's anti-trafficking Expert Group met to distribute funds for NGOs, update the national anti-trafficking program and developed projects with NGOs. Slovakia continued to partially fund an IOM-run trafficking hotline that provided information to persons vulnerable to trafficking. Hotline staff identified eight victims since the hotline opened in June 2008. The government did not undertake any significant efforts to reduce demand for commercial sex acts. During the reporting period, the government provided trafficking awareness training for Slovak troops before they were deployed to international peacekeeping missions.

SLOVENIA (Tier 1)

Slovenia is a transit and destination country, and to a lesser extent, a source country for women and children subjected to trafficking in persons, specifically forced prostitution and men in forced labor. Women and children from Slovenia, as well as Ukraine, Moldova, Bulgaria, Romania, Slovakia, the Czech Republic, Hungary, the Dominican Republic, Thailand, and Iran are subjected to forced prostitution in Slovenia and also transited through Slovenia to Western Europe – primarily to Italy and Germany – for the same purpose. Men, women, and children from Ukraine, the Dominican Republic, and Romania are subjected to conditions of forced labor in Slovenia and also in Italy and Germany after migrating through Slovenia.

such as asylum-seekers. The government also ensured that all convicted traffickers served some time in prison.

Recommendations for Slovenia: Vigorously investigate and prosecute trafficking offenses, and convict and punish trafficking offenders, including those involved in forced labor; increase efforts to identify victims of both sex and labor trafficking; increase the number of victims referred for assistance; continue to ensure that a majority of convicted traffickers serve some time in prison; continue to provide trafficking awareness training for judges and prosecutors; and continue efforts to raise awareness of forced labor and forced prostitution among the general public.

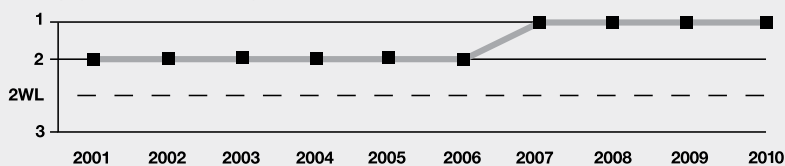
Prosecution

The Government of Slovenia demonstrated some anti-trafficking law enforcement efforts in 2009. The government prohibits all forms of trafficking in persons through Article 113 of its criminal code, which prescribes penalties ranging from six months to 15 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government conducted 28 trafficking investigations in 2009, compared with seven in 2008. Authorities prosecuted four cases in 2009, compared with eight cases in 2008. Two trafficking offenders were convicted in 2009, down from six convictions in 2008. One convicted offender was sentenced to 38 months' imprisonment and the other offender was sentenced to 24 months' imprisonment, compared with 2008 when four convicted offenders were given sentences ranging from nine to 48 months' imprisonment. The Ministry of Justice provided trafficking training for approximately 150 judges and prosecutors on the appropriate application of Article 113 of the penal code during the reporting period. Law enforcement officials in Slovenia partnered with regional counterparts from Moldova, Italy, Croatia, and Hungary during several trafficking investigations.

Protection

The Government of Slovenia demonstrated adequate efforts to identify and refer victims for assistance and increased the amount of funding allocated for victim services during the reporting period. The government continued to provide funding to two NGOs to provide both short-term and extended victim assistance, including shelter, rehabilitative counseling, medical assistance, vocational training, and legal assistance. The government allocated \$120,000 for this assistance in 2009, an increase from \$95,000 provided for victim assistance in 2008. Authorities identified 29 victims during the last year, a decrease from 65 victims identified in 2008. In 2008, authorities identified an unusually high number of victims of trafficking, resulting from the discovery of several large-scale trafficking cases. During the reporting period, government officials referred 23 victims for assistance, compared with 70 potential victims referred for assistance in 2008. Twelve victims were provided with

SLOVENIA TIER RANKING BY YEAR



The Government of Slovenia fully complies with the minimum standards for the elimination of trafficking. The government increased funding allocated for victim assistance and maintained adequate prevention efforts, including continued efforts to raise awareness about trafficking among populations vulnerable to trafficking,

assistance by government-funded NGOs, a decrease from 38 victims in 2008. After their identification, victims were granted a 90-day reflection period during which they were eligible to receive assistance and decide whether or not to cooperate with law enforcement. Victims were encouraged to participate in trafficking investigations and prosecutions of trafficking offenders; twelve victims assisted law enforcement in 2009, compared with nine victims in 2008. Foreign victims who assisted law enforcement could apply for a temporary residence permit and remain in Slovenia for the duration of the trial and may choose to stay longer if they are employed or in school; one foreign victim applied for a temporary residency permit during the reporting period. There were no identified victims punished for unlawful acts committed as a direct result of being trafficked.

Prevention

The government sustained its prevention efforts from the previous reporting period. The Ministry of Interior, UNHCR, and local NGOs sustained partnerships to administer a project that provided information about trafficking and gender-based violence to asylum seekers. The government provided approximately \$12,700 for NGOs to conduct this campaign, which included the distribution of fliers at community centers, embassies, and at public events as well as public service announcements on the radio and Internet. The government continued its efforts to reduce the demand for commercial sex acts by allocating funding to NGOs to print brochures and conduct lectures targeting potential current and future clients of prostitution.

SOUTH AFRICA (Tier 2)

South Africa is a source, transit, and destination country for men, women, and children subjected to trafficking in persons, specifically forced labor and forced commercial sexual exploitation. Children are largely trafficked within the country from poor rural areas to urban centers like Johannesburg, Cape Town, Durban, and Bloemfontein. Girls are subjected to sex trafficking and involuntary domestic servitude; boys are forced to work in street vending, food service, begging, criminal activities, and agriculture. The tradition of *ukuthewala*, the forced marriage of girls as young as 12 to adult men, is still practiced in remote villages in the Eastern Cape, leaving them vulnerable to forced labor and commercial sexual exploitation. Local criminal rings and street gangs organize child prostitution in a number of South Africa's cities, which are common destinations for child sex tourists. To a lesser extent, trafficking syndicates traffic South African women to Europe and the Middle East for domestic servitude and commercial sexual exploitation. Nigerian syndicates also send South African women to the United States to households of African migrant clients. In a new development, South African men recruited by local employment agencies to drive taxis in Abu Dhabi

were subjected to forced labor subsequent to their arrival in the UAE. South Africans most vulnerable to becoming trafficking victims are poor blacks from rural areas suffering high rates of unemployment. NGOs estimate 60 percent of the trafficking victims in South Africa are children. Because they are usually enslaved on farms and in private homes, children are often hard for police to identify and rescue. Trafficking syndicates send recruiters, who are as likely to be women as men and are often trusted family members, acquaintances, or neighbors, to rural towns. Posing as employment agencies, traffickers for domestic labor use job ads in local newspapers to lure victims. Traffickers control victims through intimidation and threats, use of force, confiscation of travel documents, demands to pay job "debts," and forced use of drugs and alcohol. Women and girls from Thailand, Congo, India, Russia, Ukraine, China, Taiwan, Mozambique, and Zimbabwe are recruited for legitimate work in South Africa then involuntarily subjected to commercial sexual exploitation, domestic servitude, and other forced labor in the service sector. Some of these women are transported to Europe for forced commercial sexual exploitation. Fewer Thai women than in the past appeared subjected to forced prostitution in South Africa's illegal brothels, while Eastern European organized crime units still forced some women from Russia and Ukraine into debt-bonded prostitution in exclusive private men's clubs. Organized traffickers from China bring victims from Lesotho, Mozambique, and Swaziland to Johannesburg for commercial sexual exploitation, or to send them on to other cities. Migrant men from China and Taiwan are forced to work in mobile sweatshop factories in Chinese urban enclaves in South Africa, which evade labor inspectors by moving in and out of nearby Lesotho and Swaziland. Young men and boys from Mozambique, Malawi, and Zimbabwe voluntarily migrate to South Africa for farm work, sometimes laboring for months in South Africa with little or no pay and in conditions of involuntary servitude before unscrupulous employers have them arrested and deported as illegal immigrants. Organized crime gangs force teenage boys from Zimbabwe and Mozambique to enter abandoned South African mines and steal leftover bits of gold.

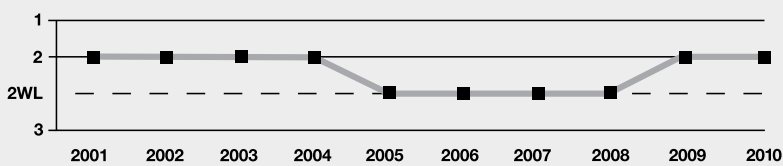
The Government of South Africa does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the year, the government convicted its first trafficking offenders, created a Child Protection Strategy at the national and provincial levels, continued developing inter-ministerial operating procedures, and trained officials on the draft anti-trafficking law, victim identification procedures, and agencies' roles in combating trafficking. The government's comprehensive anti-trafficking bill, however, was not passed or enacted, though the government had been promising to pass this legislation since 2008 so it could be fully implemented before the World Cup began in June 2010. In addition, the Children's Amendment Act of 2007, which prohibits child

trafficking, has not been fully funded or implemented. Labor trafficking received less official attention than sex trafficking, despite increasing reports of labor trafficking in mines and on farms. Despite the availability of government financial and other resources, the South African government devoted little funding for anti-trafficking law enforcement activity or victim protection compared with the substantial financial and personnel contributions from a large number of foreign donors and NGOs.

Recommendations for South Africa: Enact and begin implementing the draft comprehensive anti-trafficking law; fund and fully implement the Children's Amendment Act of 2007; increase awareness among all levels of relevant government officials as to their responsibilities under the anti-trafficking provisions of the Sexual Offenses and Children's Acts; continue to support prevention strategies developed by NGOs to address demand for commercial sex acts and protect children from commercial sexual exploitation beyond the 2010 World Cup; support the adoption of measures to protect children from sexual exploitation in travel and tourism; investigate and prosecute officials complicit in trafficking; and institute formal procedures to regularly compile national statistics on the number of trafficking cases prosecuted and victims assisted, as is done for other crimes.

servitude. In the country's only successful trafficking prosecution of the reporting period, a court in Durban concluded prosecution in March 2010 of a case begun in 2007 involving a husband and wife charged with 22 counts of racketeering, money laundering, and offenses under the SOA and Immigration Act, convicting both defendants on 17 counts; the couple has not yet been sentenced. During the past year, police identified victims and opened investigations into at least seven trafficking cases, though none have yet gone to court. Durban police began investigating the case of a 13-year-old girl rescued from a brothel in October 2009. In November 2009, a South African woman originally from Thailand was arrested for promising Thai women jobs in Durban massage parlors, then forcing them into prostitution. In December 2009, private security officers at a gold mine in Barberton caught and handed over to police 260 illegal diggers working for organized crime gangs; more than 80 were Zimbabwean and Mozambican teenage boys who had been brutally coerced to work as mine robbers. Also in December, Johannesburg police rescued two 10-year old Basotho girls from a brothel and began an investigation. In January 2010, a businessman from Uitenhage was arrested for raping a child repeatedly during 2007-2009. The girl's mother was arrested and charged with sexual exploitation, sexual grooming, and failure to report a sexual offense against a child. The businessman allegedly paid the mother \$10 to \$15 each time to rape her daughter. Police continued to alert some embassies and IOM in advance of raids on brothels suspected of holding foreign victims. The press reported the arrest of Department of Home Affairs (DHA) officials involved in the 2006 "After Dark" case in Durban were arrested for facilitating the movement of Thai victims into South Africa. On-going cases in Durban and Rustenberg involve police allegedly complicit with trafficking gangs.

SOUTH AFRICA TIER RANKING BY YEAR



Prosecution

The government minimally increased its anti-trafficking law enforcement efforts during the reporting period. South African law does not specifically prohibit all forms of trafficking. The Sexual Offenses Act (SOA) prohibits sex trafficking of children and adults and the Basic Conditions of Labor Act of 1997 prohibits forced and child labor. The SOA prescribes punishments of up to 20 years' imprisonment for sex trafficking offenses, penalties which are sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. Penalties of up to three years' imprisonment for forced labor are not sufficiently stringent. In March 2010, South Africa's parliament began consideration of a comprehensive anti-human trafficking law – the Prevention and Combating of Trafficking in Persons Bill – that the government had been drafting for some years.

Most prosecutions opened from 2006-2009 were not concluded, including the trial of "Diana," a Mozambican woman charged in early 2008 under the SOA and labor laws with child trafficking and forced labor for exploiting three Mozambican girls in prostitution and domestic

Protection

The South African government sustained its efforts to ensure trafficking victims' access to protective services during the reporting period. There were no official statistics concerning the number of victims assisted during the reporting period, since victims of trafficking continued to be classified in police records as victims of rape, domestic abuse, gender-based violence, and forced labor. Overall, the government abided by requirements in the SOA and Children's Act to provide child victims with safe shelter, medical aid, and legal support, though provision of services was uneven, and lacking most in rural areas. The government did not provide dedicated funding for the protection of trafficking victims, despite the availability of government resources. Victims of forced labor on farms near the borders with Lesotho and Mozambique were routinely denied care and summarily deported. Both identified and suspected trafficking victims received care at overtaxed facilities for victims of domestic abuse, gender-based violence, rape, and sexual assault run by NGOs, faith-based organizations, and community charities, with some funding from the

Department of Social Development (DSD). As the only body authorized by judicial authorities to refer crime victims to private shelters, the DSD was involved in each case. Officials monitored victims' care, prepared them for court, and accompanied them through trial and repatriation stages. DSD and the South African Police Service (SAPS) formally notified each other of trafficking cases to enable rapid access to care, and effective gathering of evidence and testimony. The government does not offer long-term care to victims, except foreigners assisting with investigations or in need of protection. Seven victims were in such voluntary witness protection programs at the end of 2009 in the province of Kwa Zulu Natal alone. Officials encouraged victims to participate in the investigation and prosecution of trafficking offenders; almost all foreign victims, though, preferred to return home without pressing charges. The amended SOA stipulates that sex trafficking victims not be charged with crimes committed as a direct result of being trafficked, yet some victims were still arrested. In one case, the victim was locked in the same cell with the alleged trafficker. The law did not provide all trafficking victims with legal alternatives to deportation to countries where they may face hardship or retribution.

Prevention

The government demonstrated progress in combating human trafficking through prevention. In 2009, the government forged partnerships with counterparts from Lesotho and Swaziland to plan anti-trafficking activities and raise awareness. It helped sponsor the fourth annual Human Trafficking Awareness Week in December 2009, which alerted the public to the threat of trafficking and promoted an NGO's new trafficking helpline. In partnership with the IOM, the National Prosecuting Authority trained 812 law enforcement and other government officials as part of an on-going program funded by the EU. Training covered the difference between trafficking and smuggling; victim identification criteria; legal frameworks; and roles of various government departments and community actors. Another 238 representatives from the SAPS, DSD, Department of Health, DHA, and other agencies were certified through "train the trainers" programs. As part of its plan for hosting the FIFA 2010 World Cup, the Victim Empowerment Directorate drafted a national Child Protection Strategy, which it tested during the Confederations Cup in December 2009. DSD tasked each province hosting an official match with writing its own local plan, some of which were completed in early 2010. Because the government would not agree to provide security at venues other than stadiums hosting official matches, civil society groups independently prepared to carry out trafficking prevention activities at "child-friendly spaces" at fan parks and other World Cup-related venues. In December 2009, the Nelson Mandela Children's Fund (NMCF), in partnership with DSD and civil society organizations, launched the "Champions for Children Campaign: 2010 and Beyond" to raise

awareness of trafficking and other risks to children, and promote child protection. The Department of Home Affairs Minister began an overhaul of the DHA to combat internal corruption, and reduce document and identity fraud, which allow traffickers to easily move victims into and out of South Africa. The project focused on registering all South Africans (complete with biometric data), ending late birth registrations, and producing a secure South African passport within the next few years. As part of its efforts to promote child protection and educate the public about the dangers of trafficking, the government made some efforts to reduce the demand for commercial sex acts.

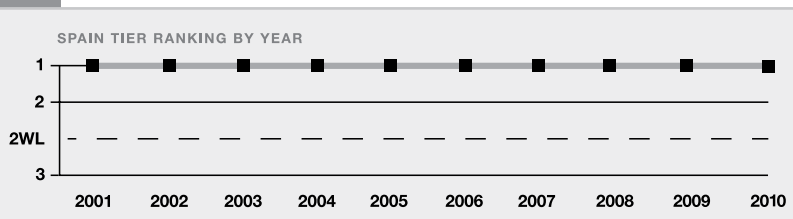
SPAIN (Tier 1)

Spain is a destination and transit country for men, women, and children subjected to trafficking in persons, specifically forced labor and forced prostitution. Victims originate from Eastern Europe, Latin America, East Asia and sub-Saharan Africa. There are reports of men and women being subjected to forced labor in the domestic service, agriculture, construction, and tourism sectors. Spanish nationals are reported to have been subjected to forced labor and forced prostitution within the country. According to media reports and government officials, approximately 90 percent of those engaged in prostitution in Spain are victims of forced prostitution, controlled by organized networks operating throughout the country. Unaccompanied minors crossing into Spain may be vulnerable to forced prostitution and forced begging.

The Government of Spain fully complies with the minimum standards for the elimination of trafficking. In 2009, the government established a 30-day reflection period for trafficking victims, created a victim assistance fund to improve protections for trafficking victims, and drafted legislation to explicitly criminalize all forms of trafficking. The national and regional level governments also implemented innovative prevention campaigns to address demand for sex trafficking. Despite the existence of a National Referral Mechanism, however, the government did not provide data to confirm the majority of identified victims were referred to care and protection. A lack of specialized services for trafficked and vulnerable children and adult victims of forced labor significantly hampered its ability to identify and protect them. Because current Spanish law does not disaggregate its data on anti-trafficking prosecution efforts from those for smuggling, it was unclear how many of the government's reported prosecutions or convictions were trafficking-specific.

Recommendations for Spain: Consider expanding formal partnerships with NGOs to create a more a multi-disciplinary, victim-centered approach to trafficking in Spain; develop formal procedures to guide front-line responders in proactively identifying victims among vulnerable groups, such as irregular migrants and women in prostitution; ensure all identified potential

trafficking victims were provided with appropriate access to services by making effective use of the December 2008 National Referral Mechanism; pass draft legislation that explicitly defines trafficking as distinct from smuggling and criminalizes internal trafficking; develop specialized anti-trafficking programs for children and men; provide comprehensive data on trafficking prosecutions and convictions, and ensure their desegregation from smuggling offenses; and vigorously prosecute and punish all government official complicity in trafficking offenses.



Prosecution

The government demonstrated sustained efforts to investigate trafficking during the reporting period, however it did not disaggregate its law enforcement data on trafficking-specific prosecutions and convictions. Spain prohibits transnational trafficking and smuggling in persons through Articles 313 and 318 of its criminal code, and the Organic Law 11/2003. However, these specific laws fail to protect Spanish citizens, as they do not prohibit trafficking crimes occurring wholly within Spain's border and they do not legally distinguish between trafficking and smuggling. These laws prescribe penalties for sex trafficking of five to 15 years' imprisonment and penalties for labor trafficking of four to eight years' imprisonment. These penalties are sufficiently stringent, and the penalties prescribed for sex trafficking are commensurate with the prescribed penalties for other serious crimes, such as rape. Local observers reported concerns over the government's inability to prosecute cases during the year involving female Spanish victims. In November 2009 the government drafted and submitted to Parliament a bill to remedy current legislative deficiencies. NGOs and international observers report that the government often used Article 188, which covers forced prostitution and pimping, to prosecute traffickers. This article prescribes penalties of only two to four years. According to preliminary information, the Spanish government prosecuted 86 suspects and convicted 60 possible trafficking offenders in 2009. However, the government did not verify the link between all 60 convictions and trafficking. Approximately 60 percent of those convicted received sentences of four years or more; all imposed sentences were at least one year. In March 2009, a law enforcement officer reportedly solicited a bribe from a brothel owner in exchange for ignoring alleged forced prostitution in the brothel. A subsequent investigation revealed the alleged involvement of 15 other suspects, including police, ex-police, business owners and

lawyers. The government reported placing the officer in preventive custody and suspended the employment and salary of two other officials while they await trial.

Protection

The government demonstrated some efforts to address its ongoing deficiencies in victim identification and protection, but did not demonstrate tangible improvements for the majority of trafficking victims in Spain. The government issued a directive in January 2010 instructing Immigration and Alien Affairs officers and other police to assume foreigners in Spain with illegal status are potential victims of trafficking, however the government has yet to adopt formalized, stand-alone guidelines or indicators for all front-line responders to use in identifying potential forced labor or sex trafficking victims among all vulnerable groups, such as women in the commercial sex trade or migrant workers. According to an official government report released in early 2010, the government identified 1,301 trafficking victims in 2009, of whom 95 percent were reportedly female victims of sex trafficking. While the government publicly stated that all of these identified victims were assisted, it did not officially collect or track the actual number of victims who were referred to NGOs for care in 2009.

Allegations of forced labor involving 450 workers from China resulted in a large-scale law enforcement operation in Barcelona in June 2009; 750 agents searched 72 clandestine establishments and textile factories. According to Spanish media reports, these illegal immigrants were living in these factories without electricity or ventilation, and working excessive hours to repay their debts to the mafia for facilitating their exit from China. The owners of some factories reportedly paid fees in exchange for protection from the Chinese mafia, while other factories were reportedly directly controlled by the mafia. The government reported none of these workers to be victims of trafficking. However it did not demonstrate adequate or thorough steps to screen the potential victims away from the factories or refer them to NGOs. The majority of the 77 suspects were released due to lack of evidence. In May 2009, Spanish police reported dismantling an extensive human trafficking network that forced women from Nigeria into prostitution throughout the country. However, the Government of Spain did not demonstrate it ensured the victims in this case access to services. The government reported it provided assistance to only one victim in this case who filed a complaint about the traffickers.

In January 2010, Spanish police reported arresting 50 suspects for allegedly forcing women from South America and Eastern Europe into prostitution in southern Spain. It is unclear whether any potential victims were referred to NGOs for assistance. Also in January 2010, a regional prosecutor's office and the regional government in Galicia signed an agreement to establish a formal partnership with NGOs to help earn more victims' trust from authorities, to provide the care critical to their recovery,

and increase their ability to assist law enforcement in prosecutions of their traffickers. The Madrid regional government established a similar accord in December 2009. Nevertheless, there were some reported instances in 2009 in which police arrested victims alongside their traffickers and transported victims to the same detention facilities, where traffickers subsequently threatened them not to cooperate with authorities.

In March 2009, the government allotted \$2.78 million dollars for a newly-created victim assistance fund for NGOs to improve the quality of care, services and security provided to trafficking victims. Regional governments continued to fund a network of NGOs throughout Spain offering protection and assistance to victims. One regional government provided \$520,000 in 2009 for protection programs. In one instance, an NGO assisted 47 new trafficking victims in 2009, 27 of whom testified against their traffickers. The government reported 15 other victims received some assistance before they were voluntarily repatriated.

The government encouraged foreign victims to assist in trafficking investigations and prosecutions by offering identified trafficking victims a 30-day reflection period, which was codified into law in November 2009. Spanish law permits trafficking victims to remain in Spain beyond the 30-day reflection period only if they agree to testify against their exploiters. According to a local anti-trafficking NGO, victims who assist law enforcement officials by testifying in court receive a one-year residency permit, renewable for two years if the victim obtains employment in Spain during his/her first year. If the victim successfully secures a second renewal for a total of five years, they may receive permanent residency in Spain. The government reported it did not punish identified victims for unlawful acts committed as a direct result of being trafficked. However, a lack of formalized procedures for proactive identification increased the likelihood of unidentified victims being treated like illegal migrants and deported.

While a 2010 Amnesty International report indicated the government repatriated a suspected pregnant Nigerian victim without granting her the reflection period, the Minister of Interior publicly stated the government determined she was not a trafficking victim. Amnesty International reported the woman was recognized by specialized NGOs as a victim of trafficking and had received a favorable report as an asylum-seeker by UNHCR.

Prevention

The national government and regional authorities implemented multiple high-profile projects and innovative campaigns to prevent trafficking during the reporting period. In October 2009, the Ministry of Equality sponsored a photographic exhibit entitled, "Don't Be An Accomplice" to raise awareness of trafficking and reduce demand for sex trafficking by calling on the public to not participate in the forced prostitution of

women and girls, including advertising services for sexual exploitation or as a potential client. In November 2009, the Ministry of Equality began distributing more than 5 million beverage coasters to bars, cafes, restaurants and nightclubs to inform potential male clients that organized criminals sexually exploit the majority of women in prostitution in Spain. The national government undertook a campaign in 2009 to pressure newspapers not to publish classified ads that publicize sexually explicit services by women in prostitution, many of whom are assumed to be trafficking victims. And the government co-sponsored a series of documentary films on trafficking, screened over four successive weekends in 2009.

Local governments including Madrid, Barcelona and Seville continued efforts to reduce demand. In November 2009, the municipal government in Seville launched a five-year, \$700,000 integrated plan to tackle forced prostitution. Reportedly the plan includes plans to fine clients up to \$4,175 for soliciting outdoor prostitution. Fees collected will be used for social programs. The city also launched a public awareness campaign entitled, "Paying for Sex is Investing in Violence." The government partnered with the World Tourist Organization to discourage child sex tourism in 2009 and maintained a website from a previous campaign to warn Spanish travelers against committing child sex tourism offenses abroad. The government did not report any prosecution for this criminal activity in 2009. According to the Spanish military, Spanish troops received trafficking awareness training before they were deployed abroad for international peacekeeping missions. On February 2009, the government approved a royal decree which included a military obligation to protect the "defenseless" from prostitution or sexual violence.

SRI LANKA (Tier 2 Watch List)

Sri Lanka is primarily a source and, to a much lesser extent, a destination for men and women subjected to trafficking in persons, specifically forced labor and forced prostitution. Sri Lankan men and women migrate consensually to Kuwait, Jordan, Saudi Arabia, Qatar, Lebanon, the United Arab Emirates (UAE), Oman, Bahrain, and Singapore to work as construction workers, domestic servants, or garment factory workers. Some of these workers, however, subsequently find themselves in conditions of forced labor through practices such as restrictions on movement, withholding of passports, threats, physical or sexual abuse, and threats of their detention and deportation for immigration violations. Many of these migrants pay high recruitment fees – usually about \$1,500 – imposed by licensed labor recruitment agencies and their unlicensed sub-agents and often assume debt linked to their future work and income in order to satisfy these costs. This indebtedness contributes to debt bondage in destination countries. The group most susceptible to human trafficking is the 1.1 million unskilled Sri Lankans abroad, most of

whom are female domestic workers. An NGO released a survey in mid-2009 which found that 48 percent of returned Sri Lankan domestic workers were assaulted by a member of their employers' household, 52 percent were not paid the salary promised to them, and 84 percent were not paid for their overtime work, abuses that may indicate forced labor. There are also a number of cases in which some Sri Lankan recruitment agencies commit fraud by engaging in contract-switching, promising one type of job and conditions but then changing the job, employer, conditions or salary after arrival, risk factors for forced labor and debt bondage. There is evidence of government complicity in trafficking. Some sub-agents cooperated with Sri Lankan officials to procure forged or modified documents, or real documents with false data, to facilitate travel abroad. Some women were promised jobs as domestic workers in other countries, but after arriving were instead forced to work in brothels, mainly in Singapore. According to NGOs, trafficking offenders – possibly members of loosely affiliated crime groups – sometimes raped these women and forced them to work in brothels prior to their departure from Sri Lanka. A small number of Sri Lankan women are forced into prostitution in the Maldives.

According to UNICEF statistics, four child soldiers remained unaccounted for by March 2010; efforts by the government and the UN to locate these children were unsuccessful. Allegations of kidnapping and re-recruitment of children have been made against some members of the pro-government Tamil Makkal Vidulthalai Pulikal (TMVP) and other armed groups in the East and North.

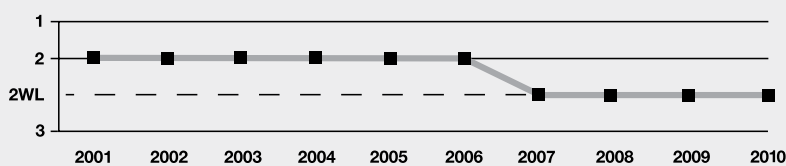
Sri Lanka does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the year, the government enacted a law that facilitates the prosecution of recruitment agencies engaged in fraudulent recruitment. While the government made little progress in identifying trafficking victims, it did provide some training on identification. Despite these overall efforts, including rehabilitating child soldiers and reintegrating them into their communities and families the government has not shown evidence of progress in convicting and punishing trafficking offenders and identifying and protecting trafficking offenders. Therefore, Sri Lanka is placed on Tier 2 Watch List for the fourth consecutive year.

Recommendations for Sri Lanka: Vigorously investigate and prosecute suspected trafficking offenses and convict and punish trafficking offenders, particularly those responsible for recruiting victims with fraudulent offers of employment and excessive commission fees; develop and implement formal victim referral procedures; ensure that victims of trafficking found within Sri Lanka are not detained or otherwise penalized for unlawful acts committed as a direct result of their being trafficked, such as visa violations; continue to run trafficking campaigns aimed at the public and law enforcement; continue to implement the “zero tolerance” policy regarding the recruitment and use of child soldiers; ensure that former child soldiers are reintegrated into society through comprehensive rehabilitation programs; establish a system to prevent vulnerable children from being recruited or re-recruited as soldiers; and strengthen the national anti-trafficking task force.

Prosecution

The Sri Lankan government made some law-enforcement efforts in addressing human trafficking cases over the reporting period. Sri Lanka prohibits all forms of trafficking through an April 2006 amendment to its penal code, which prescribes punishments of up to 20 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious offenses, such as rape. The Sri Lankan Parliament passed a new act in September 2009 that expanded the powers of the Sri Lanka Bureau of Foreign Employment (SLBFE) to prosecute recruitment agents who engage in fraudulent recruitment. The new law, among other things, prescribes a maximum penalty of four years' imprisonment and fines of \$1,000 (an average half-year's salary for Sri Lankans), restricts the amount that employment agents can charge,

SRI LANKA TIER RANKING BY YEAR



Within the country, women and children are trafficked into brothels, especially in the Anuradhapura area, which was a major transit point for members of the Sri Lankan Armed Forces heading north. Boys are more likely than girls to be forced into prostitution – this is generally in coastal areas for domestic child sex tourism. The National Child Protection Authority (NCPA) estimated that approximately 1,000 children are subjected to commercial sexual exploitation within Sri Lanka although some NGOs believe the actual number is between 10,000 and 15,000. Children are also subjected to bonded labor in dry-zone farming areas and on plantations, where they were forced to work in fields or in homes to help pay off loans taken by their parents. Reports indicated some cases in which children below the age of 12 were kidnapped, generally by a relative, to work in the fireworks and fish-drying industries. A small number of women from Thailand, China, and countries in South Asia, Eastern Europe, and the former Soviet Union may be subjected to forced prostitution in Sri Lanka.

With the conclusion of the 26-year war with the Liberation Tigers of Tamil Eelam (LTTE), the government, in partnership with the UN, identified and demobilized during the reporting period between 400 and 500 child soldiers previously under the control of the LTTE.

requires government approval for all foreign employment advertisements, and makes the use of receipts mandatory.

Under the 2006 Anti-Trafficking Amendment, the Attorney General's Department initiated two prosecutions during the reporting period, one under Section 360C (trafficking) and one under 360B (sexual exploitation of children). Reports indicate that these are the first two prosecutions under Sri Lanka's 2006 Amendment, although the disposition of the 29 arrests made last year under the law are unknown. The Attorney General's Department reported three convictions in magistrate courts under Sections 45C, 451B, and 452 of the Immigrants and Emigrants Act of 2006, which prohibit acts of human smuggling. Each convict was sentenced to one year in prison. The government reported that these cases constituted human trafficking, although this is unconfirmed. One prosecution of a low-level Sri Lankan official who was involved in document fraud was dismissed on a technicality. The Ministry of Defense provided an update on the status of 23 Sri Lankan UN peacekeepers who were convicted in late 2008 of sexually exploiting and abusing children while they were stationed in Haiti under UN auspices in 2007. Twenty peacekeepers had been discharged, demoted, formally reprimanded, or otherwise punished, and the other three were killed in military action. It is unclear whether these penalties were criminal or solely administrative. Eight hundred fifty-nine police officers participated in trafficking training modules in 2009, and 305 officers received trafficking training in workshops conducted by previously-trained Sri Lankan police officers. While the government advertised the new SLBFE law on state media, it did not provide officials any training on the implementation of this law. In recent years, the Sri Lanka government claimed that it would finalize a circular which would advise police on identifying potential trafficking victims among women detained for prostitution, as well as a ranking system that would publicly grade all employment agencies. Neither of these initiatives was completed in the reporting period.

Protection

The government made limited progress in ensuring that victims of trafficking received access to necessary services during the year. The government continued to provide limited counseling and day care for children – including trafficking victims – through the operations of six resource centers. The SLBFE ran eight short-term shelters in Jordan, Kuwait, Libya, Oman, Saudi Arabia, and the UAE, as well as an overnight shelter in Sri Lanka's international airport for returning female migrant workers who encountered abuse abroad. These shelters were funded by fees charged to workers upon migration. The Commissioner General for Rehabilitation, with the assistance of the NCPA, continued to operate two rehabilitation centers specifically for children involved in armed conflict, and with donor support also ran a vocational training center.

Government personnel did not employ formal procedures for proactively identifying victims, but various agencies

on an *ad hoc* basis identified approximately 75 victims in 2009. It is unknown whether these victims were referred to shelters. At least two of these victims – Uzbek women who were forced into prostitution – remain at a transit detention facility for undocumented migrants as of March 2010. While government officials indicated that the prolonged detention of the Uzbek women was for their personal safety and that their presence and testimony was crucial to ensure the prosecution of their traffickers, the women were not permitted to leave the detention facility. The government implemented a “zero tolerance” policy of child recruitment in the reporting period. Its efforts, in partnership with the UN, to track and demobilize the child soldiers associated with the LTTE and TMVP resulted in the release of nearly all child soldiers by the end of 2009. Furthermore, the Sri Lankan government ran two rehabilitation centers in partnership with UNICEF, which served more than 450 former child soldiers at the end of the reporting period.

The government did not encourage victims to assist in the investigation and prosecution of trafficking cases. While Sri Lankan trafficking victims could file administrative cases to seek financial restitution, this did not happen in practice due to victim embarrassment and the slow pace of the Sri Lankan legal system. The government penalized victims of trafficking through detention for unlawful acts committed as a direct result of their being trafficked. Most commonly, these acts were violations of their visa status. All detainees who were awaiting deportation for these visa violations, including trafficking victims, remained in detention facilities until they raised enough money to pay for their plane ticket home; in some cases, detainees have remained in detention centers for years. The government provided no legal alternatives for the removal of foreign victims to countries where they may face hardship or retribution. The National Counter Human Trafficking Resource Center of the Sri Lanka Department of Immigration and Emigration conducted two training sessions in partnership with the IOM since its inauguration in June 2009. The SLBFE also provided training on protection and assistance to its staff members who worked at embassies and consulates in foreign countries. Fifty immigration officers attended training sessions on the identification of trafficking victims.

Prevention

The Sri Lankan government made progress in its efforts to prevent trafficking during the last year. The National Child Protective Authority conducted awareness campaigns to educate the general public about the dangers of trafficking. The SLBFE conducted public outreach events to warn people of the dangers of going abroad illegally and using unlicensed recruitment agencies to find work, and also required all workers to receive pre-departure training which included a labor rights component. In measures that could prevent transnational labor trafficking of Sri Lankans, the government conducted 184 raids of fraudulent foreign recruiting agencies and took legal action against 12 of

them, resulting in fines ranging from \$200 to \$1,000. While most Sri Lankans have birth certificates and (after the age of 16) national identity cards, many of the 250,000 to 350,000 internally displaced people – a group very vulnerable to trafficking – did not have these documents. The Government of Sri Lanka forged a partnership with UNDP to conduct 16 mobile documentation clinics for conflict-affected people, reaching over 29,000 people in 2009. These clinics were not funded by the Sri Lankan government but heavily involved official personnel time. The Government of Sri Lanka did not report any efforts to reduce the demand for commercial sex acts during the reporting period.

The Ministry of Defense provided training to all Sri Lankan peacekeepers prior to their deployments for international peacekeeping missions on their obligations, duties, responsibilities, and potential disciplinary action, relating to human rights, including trafficking. Sri Lanka sent 39 delegations to 22 different labor-receiving countries for meetings, including discussions on ways to improve the rights and conditions of Sri Lankan migrant workers. As of March 2010, the Sri Lankan Counter Trafficking Task Force had not met for at least seven months and had no full-time staff due to a lack of funding for operations. While there is informal communication between the interagency members, the Task Force does not have a proper mandate to ensure a true interagency process. Sri Lanka is not a party to the 2000 UN TIP Protocol.

SUDAN (Tier 3)

Sudan is a source, transit, and destination country for men, women, and children subjected to trafficking in persons, specifically conditions of forced labor and forced prostitution. Sudanese women and girls, particularly those from rural areas or who are internally displaced, are trafficked into domestic servitude in homes throughout the country; some of these girls are subsequently sexually abused by male occupants or forced to engage in commercial sex acts. Sudanese girls also engage in prostitution within the country, at times with the assistance of third parties, including law enforcement officials. Sudanese women and girls are subjected to involuntary domestic servitude in Middle Eastern countries, such as Bahrain and Qatar, and to forced prostitution in European countries. Sudanese children transit Yemen to Saudi Arabia for use in forced begging. Sudanese gang members reportedly coerce other young Sudanese refugees into prostitution in nightclubs in Egypt. Sudanese children may be exploited in prostitution in Sudanese refugee camps located in eastern Chad.

Sudan is a transit and destination country for Ethiopian and Eritrean women subjected to involuntary domestic servitude in Sudan and Middle Eastern countries, as well as a destination for Ethiopians and Somalis victimized by forced prostitution. Agents recruit young women from Ethiopia's Oromia region with promises of high-paying

employment as domestic workers in Sudan, only to force them into prostitution in brothels in Khartoum or near Sudan's oil fields and mining camps.

Thousands of Dinka women and children, and a lesser number of children from the Nuba tribe, were abducted and subsequently enslaved by members of the Missiriya and Rizeigat tribes during the concluded north-south civil war. A portion of those enslaved continue to remain with their captors. While there have been no known new abductions of Dinka by members of Baggara tribes in a number of years, inter-tribal abductions continue between African tribes in southern Sudan, especially in Jonglei and Eastern Equatoria States; hundreds of children were abducted in 2009 during cattle raids and conflicts between rival tribes.

A research study published in January 2009 documented that, as part of the Darfur conflict, government-supported militia, like the Janjaweed and the Popular Defense Forces, together with elements of the Sudan Armed Forces (SAF), systematically abducted civilians between 2003 and 2007, mostly from the Fur, Massalit, and Zaghawa ethnic groups, for commercial sexual exploitation and forced labor. Abducted women and girls are subjected to sexual exploitation and forced domestic and agricultural labor, while men and boys are subjected to forced labor in agriculture, herding, portering goods, and involuntary domestic servitude; some of these individuals remained captive at the end of the reporting period. It is unknown whether any such new abductions occurred during 2009.

Forcible recruitment of adults and particularly children by virtually all armed groups, including government forces, involved in Sudan's concluded north-south civil war was previously commonplace; an estimated 10,000 children still associated with various armed militias in southern Sudan await demobilization and reintegration into their communities of origin. Although the high command of the Government of Southern Sudan's (GOSS) army, the Sudan People's Liberation Army (SPLA), committed to preventing recruitment of and releasing all children from its ranks, approximately 1,200 children, both boys and girls, remained with the group in December 2009.

Sudanese children are conscripted, at times through abduction, and exploited by armed groups – including the Justice and Equality Movement (JEM), all Sudan Liberation Army (SLA) factions, Janjaweed militia, and Chadian opposition forces – in Sudan's waning conflict in Darfur. The JEM continued to forcibly recruit children in 2009, as did other rebel and Janjaweed militia, albeit on a lower level than in previous years. Re-recruitment of demobilized child soldiers continues to be a problem in Blue Nile State.

The Lord's Resistance Army (LRA) continues to harbor enslaved Sudanese, Congolese, and Ugandan children in southern Sudan for use as cooks, porters, and combatants; some of these children are also taken back and forth across borders into Central African Republic or the Democratic Republic of the Congo. UN/OCHA reported

at least 197 LRA-related new abductions in Western Equatoria and Western Bahr el-Ghazal Provinces between January and November 2009.

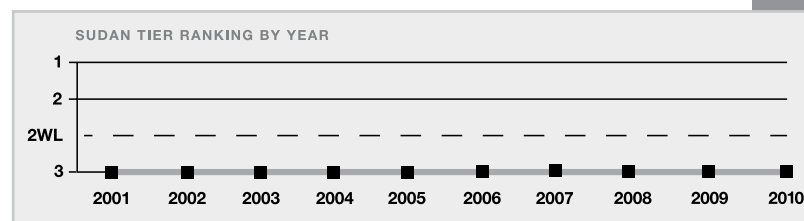
The Government of National Unity (GNU) of Sudan does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. While the government took some steps to enact relevant legislation and demobilize child soldiers during the reporting period, combating human trafficking through law enforcement, protection, or prevention measures was not a priority. The GNU did not acknowledge that forced labor or forced prostitution exist within the country. The Sudanese government neither published data regarding its efforts to combat human trafficking during the year nor responded to requests to provide information for this report.

Recommendations for Sudan: Acknowledge the existence of a multi-faceted human trafficking problem; enact a comprehensive legal regime to define and address human trafficking crimes and harmonize various existing legal statutes; increase efforts to investigate suspected human trafficking cases, prosecute trafficking offenses, and convict trafficking offenders; establish an official process for law enforcement officials to identify trafficking victims among vulnerable groups and refer them for assistance; demobilize all remaining child soldiers from the ranks of governmental armed forces, as well as those of aligned militias; launch a public awareness campaign to educate government officials and the general public on the nature and dangers of human trafficking; take steps to identify and provide protective services to all types of trafficking victims found within the country, particularly those exploited in domestic servitude or commercial sexual exploitation; and make a much stronger effort, through a comprehensive policy approach that involves all vested parties, to identify, retrieve, and reintegrate abductees who remain in situations of enslavement.

Prosecution

The government's anti-trafficking law enforcement efforts were negligible during the reporting period; it did not investigate or prosecute any suspected trafficking cases and had little ability to establish authority or a law enforcement presence in some regions. The Criminal Act of 1991 does not prohibit all forms of trafficking in persons, though its Articles 155, 156, and 163 criminalize operating a place of prostitution, inducing or abducting someone to engage in prostitution (seduction), and forced labor, respectively. Penalties prescribed under these statutes – of up to five years' imprisonment for brothel keeping and seduction, and one year's imprisonment or a fine for forced labor – are neither sufficiently stringent nor commensurate with those prescribed for other serious crimes, such as rape. Nevertheless, no trafficker has ever been prosecuted under these articles. In January 2010, the GNU National Assembly enacted the Child Act of 2008. This Act prohibits, but does not prescribe punishments for, forced child labor, child prostitution and sex

trafficking, and the recruitment of children under the age of 18 into armed forces or groups; it includes provisions, however, for the rehabilitation and reintegration of children victimized by such crimes. Some states, such as Southern Kordofan, instituted their own Child Act based on the national law. The Sudan Armed Forces Act of 2007 prohibits the act of recruiting children under 18 years of age, as well as abduction and enslavement; the act prescribes penalties of up to five years' imprisonment for child recruitment and up to 10 years' imprisonment for enslavement. The Southern Sudan Child Act of 2008 prohibits the recruitment and use of children for military or paramilitary activities and prescribes punishments of up to 10 years' imprisonment for such crimes. The Southern Sudan Penal Code Act prohibits and prescribes punishments of up to seven years' imprisonment for unlawful compulsory labor, including abduction or transfer of control over a person for such purposes; the Act also criminalizes the buying or selling of a child for the purpose of prostitution and prescribes a punishment of up to 14 years' imprisonment. In 2009, the Southern Sudan Ministry of Labor drafted an omnibus Labor Act to further protect against forced and child labor; it was not passed during the most recent legislative session. The government neither documented its anti-trafficking law enforcement efforts, if any, nor provided specialized anti-trafficking training to law enforcement, prosecutorial, and judicial personnel during the year.



Protection

The GNU made only minimal efforts to protect victims of trafficking during the past year, and these efforts focused primarily on the demobilization of child soldiers. The government did not publicly acknowledge that children are exploited in prostitution or involuntary domestic servitude in Sudan nor did it take steps to identify and provide protective services to such victims. The government did not employ a system for proactively identifying trafficking victims among vulnerable populations or a referral process to transfer victims to organizations providing care. The GNU and the GOSS provided little to no protection for victims of trafficking crimes; Sudan has few victim care facilities readily accessible to trafficking victims and the government did not provide access to legal, medical, or psychological services. Police child and family protection units in Khartoum, Western Darfur, Northern Darfur, Southern Kordofan, Northern Kordofan, and Gedaref States offered legal aid and psychosocial support to some

victims of abuse and sexual violence during the year; these units were not fully operational due to lack of staff and equipment, and it is unknown whether they provided services to trafficking victims. In late 2009 and early 2010, however, at least 36 abducted children were identified and freed from their captors following negotiations led by county and state officials in Jonglei State. Local, county, and state officials forged partnerships with the UN Mission in Sudan (UNMIS), UNICEF, and an international NGO to return the children to their home areas and reunite them with their families. The government did not encourage victims' assistance in the investigation and prosecution of trafficking crimes or provide legal alternatives to the removal of foreign victims to countries where they would face hardship or retribution. During the reporting period, the government punished some trafficking victims for crimes committed as a direct result of being trafficked. Though it pardoned and released more than 100 children associated with the JEM in the previous reporting period, the government sentenced six child soldiers to death in 2009 for participating in JEM's May 2008 attack on Omdurman.

Since April 2009, the Southern Sudan Disarmament, Demobilization, and Reintegration Commission (SSDDRC), with UNICEF support, identified and registered 134 child soldiers in SPLA barracks in the towns of Torit, Mapel, Wunyik, Duar, Panpandiar, Quffah, and Yafta. In July 2009, the SPLA demobilized five children in Duar, followed by 43 children in Mapel in September. In January 2010, the SPLA 8th Division in Panpandiar released 10 children to the care of UNMIS and UNICEF. In addition, the SPLA reported the demobilization in early 2010 of one child in Nasir, 15 in Panuarang (Upper Nile State), 20 in New Kush, and 15 from the SPLA General Headquarters. None of the 73 children identified in Wunyik were registered or released due to lack of cooperation by the corresponding SPLA division. The SSDDRC, UNICEF, and an international NGO rehabilitated a compound in Maluakon to serve as an interim care center providing accommodation to children demobilized in Mapel and Wunyik. In November 2009, the SPLA signed an action plan committing itself to end the use of child soldiers and ensure their release and reintegration within one year. The plan prescribes punishment for those within the SPLA who recruit or use children, establishes child protection units within its ranks, and removes all children from the SPLA payroll to discourage them from remaining or joining the army. Implementation of the plan is behind schedule, as the SPLA drafted, but has yet to formally approve, the required terms of reference. The SPLA, however, launched a Child Protection Unit, with representatives at division, brigade, battalion, and company level, to oversee implementation of the plan, compliance with child protection standards at major SPLA bases, and removal of children from SPLA payrolls.

During the reporting period, the North Sudan DDR Commission (NSDDRC), the Security Arrangement Commission of the Transitional Darfur Regional

Authority, and UNICEF supported the first release of children from armed groups who are signatories to the Darfur Peace Agreement. Of the 2,000 children's names submitted by these groups for formal demobilization in all three states, 177 children were released in July 2009 and reunified with families during ceremonies in the North Darfur towns of Torra, Malha, and Kafod. It is unknown whether children were demobilized from the Sudan Armed Forces or associated militias during the year. In 2009, the NSDDRC and UNICEF signed a memorandum of understanding with the International Committee of the Red Cross (ICRC) to undertake family tracing activities, and began searching for potential partners to provide reintegration services for these children.

The Committee for the Eradication of Abduction of Women and Children (CEAWC), established in 1999 to facilitate the safe return of abducted and enslaved individuals to their families, was not operational during the reporting period. Its most recent retrieval and transport missions took place in March 2008 with GOSS funding; since that time, neither the GNU nor the GOSS provided CEAWC with funding for the transport and reunification of previously identified abductees with their families. The GNU made no efforts to assist victims of abduction and enslavement in the country during the reporting period.

Prevention

The government made limited efforts during the reporting period aimed at the prevention of trafficking. Neither the GNU nor the GOSS conducted any anti-trafficking information or education campaigns. Senior GOSS leadership reportedly participated in press conferences and seminars to raise awareness of the trafficking problem in southern Sudan. In 2009, the Southern Sudan Human Rights Commissioner requested assistance from the United Nations in developing an anti-trafficking plan. The government did not take any known measures during the reporting period to reduce the demand for forced labor or commercial sex acts. Sudan is not a party to the 2000 UN TIP Protocol.

SURINAME (Tier 2)

Suriname is a destination, source, and transit country for children, women, and men who are subjected to trafficking in persons, specifically conditions of forced labor and commercial sexual exploitation. Women from Suriname, Brazil, Guyana, and the Dominican Republic in Suriname's commercial sex trade are vulnerable to forced prostitution. There were also reports of underage Surinamese girls in prostitution in French Guiana. Labor trafficking victims were often male and came from Suriname, Vietnam, Indonesia, China, and Haiti. Victims have been forced to work in factories, the fishing industry, and agriculture. NGOs and the government suggested that girls and boys are engaged in prostitution in Suriname's interior around mining camps. NGOs

reported there were children engaged in prostitution in Paramaribo as well. Groups particularly vulnerable to trafficking included Maroon Surinamese, Amerindians, Chinese residents of Suriname, and other foreign migrant workers. Children working in informal urban sectors and gold mines were also vulnerable to forced labor.

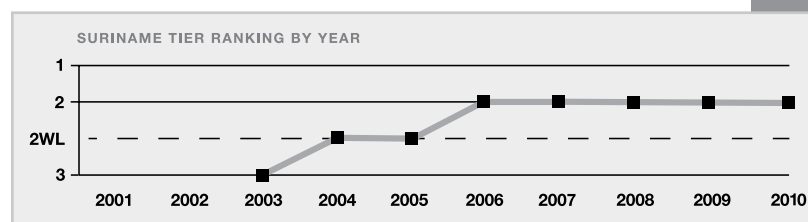
The Government of Suriname does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government acknowledged Suriname's trafficking problem, and despite significant resource constraints, it demonstrated improved prosecution of trafficking offenders. Victim identification and assistance mechanisms were weak. Government officials initiated public awareness events, but a national awareness campaign and anti-trafficking hotline were not in place during the reporting period.

Recommendations for Suriname: Vigorously investigate and prosecute public officials who allegedly facilitate trafficking offenses; establish provisions for legal alternatives to victims' removal to countries where they would face retribution or hardship; enact changes to the criminal code to ensure that all identified victims are not inappropriately incarcerated, fined, or otherwise penalized solely for unlawful acts as a direct result of being trafficked; provide training to law enforcement and immigration officials regarding the identification and treatment of trafficking victims using approaches that focus on the needs of the victims; ensure victims are encouraged but not coerced to participate in trafficking investigations and prosecutions – one way to do this is through the establishment of victim-witness coordinators located within law enforcement; in partnership with NGOs or international organizations, consider developing a national anti-trafficking awareness campaign that targets victims, the general public, potential clients of the sex trade and beneficiaries of forced labor; explore possibilities for a hotline for trafficking victims and the public to report human trafficking to authorities; consider developing a national anti-trafficking action plan that includes partnerships to prevent possible child sex tourism.

Prosecution

The Government of Suriname demonstrated progress in prosecuting trafficking offenders over the last year. Suriname prohibits all forms of human trafficking through a 2006 amendment to its Criminal Code, which prescribes sufficiently stringent penalties of five to 20 years' imprisonment – penalties that are commensurate with those prescribed for other serious crimes. The public prosecutor reported two arrests of alleged sex traffickers during the reporting period and 10 trafficking prosecutions – three involved forced prostitution, and seven involved forced labor. Three sex trafficking offenders and three labor trafficking offenders were convicted during the reporting period, compared with a total of only three trafficking convictions the previous

year. The average prison sentence imposed on these convicted traffickers was approximately 19 months – two trafficking offenders were required to serve only two-thirds of their sentences pending appeals, but there were no suspended sentences. The police continued to operate a specialized anti-trafficking unit; however, it did not have the resources to conduct investigations into trafficking allegations linked to illegal gold mining sites in the country's jungle interior. While some officials reportedly facilitated trafficking by accepting money and favors in exchange for documentation for illegal migrants, the government determined that similar allegations regarding two high level officials were unfounded.



Protection

The government demonstrated no discernible progress in ensuring that trafficking victims were given access to protective services. The police regularly inspected places where trafficking victims might be found, such as massage parlors, and brothels, but during the reporting period, the government identified only two trafficking victims. A senior government official and one NGO voiced concern that immigration officers did not practice effective proactive victim identification procedures. The anti-trafficking working group created a handbook to guide officials in victim identification and referring victims to a local private foundation; however, due to resource constraints, the government was not able to provide support for a shelter for trafficking victims, nor did it fund NGOs providing victim services. Although the government did not demonstrate the systematic referral of identified trafficking victims to NGOs that provide services, the police assisted some victims in making housing arrangements on an *ad hoc* basis. To date, there have been no formal mechanisms established to provide foreign victims with legal alternatives to remain permanently in Suriname. The government claimed that it encouraged victims to assist with the prosecution of trafficking offenders; however, the legal system requires foreign victims to remain in Suriname until their sworn statements can be provided to a court and a judge certifies their repatriation. Throughout this period, victims are not given temporary legal status and they cannot seek employment. This policy could potentially deny victims basic freedoms and coerce them into providing court statements. Suriname's criminal code does not have specific provisions that ensure victims are not penalized for unlawful acts as a result of their trafficking experience; however, in practical application, there were no reports of

the government penalizing identified victims for unlawful acts. The government did not offer any new training for law enforcement, prosecutors, judges or other officials in identifying trafficking over the past year but had offered such training in the past.

Prevention

The government made limited progress in trafficking prevention efforts. In a positive step, government officials have acknowledged that trafficking is a serious problem in Swaziland. The government's inter-agency anti-trafficking working group, led by the chief prosecutor, coordinates the government's anti-trafficking efforts and continued an information campaign aimed at educating various groups, including journalists, religious groups, government agencies, youth organizations, labor unions, brothel owners, and NGOs through speaking engagements. The police's anti-trafficking unit conducted an outreach program to Benzdorp, a Brazilian-dominated gold-mining area. There is no national anti-trafficking action plan in Swaziland, but the working group has made anti-trafficking recommendations to the Ministry of Justice and Police. There is no hotline for citizens or potential victims to report human trafficking to authorities. The government did not take measures to reduce the demand for commercial sex acts, which remained high, according to the government and an NGO. Since 2007, the government identified more than 3,000 people without birth certificates, a vulnerability to trafficking. The government visited the interior regularly to assist people in filing the paperwork for appropriate documentation.

SWAZILAND (Tier 2 Watch List)

Swaziland is a source, destination, and transit country for women and children subjected to trafficking in persons, specifically commercial sexual exploitation, involuntary domestic servitude, and forced labor in agriculture. Swazi girls, particularly orphans, are subjected to commercial sexual exploitation and involuntary domestic servitude in the cities of Mbabane and Manzini, as well as in South Africa and Mozambique. Swazi boys are trafficked within the country for forced labor in commercial agriculture and market vending. Some Swazi women are forced into prostitution in South Africa and Mozambique after voluntarily migrating to these countries in search of work. Chinese organized crime units transport some Swazi victims to Johannesburg, South Africa where victims are "distributed" locally or sent overseas for subsequent exploitation. Traffickers reportedly force Mozambican

women into prostitution in Swaziland, or else transit Swaziland with their victims *en route* to South Africa. Mozambican boys migrate to Swaziland for work washing cars, herding livestock, and portering; some of these boys subsequently become victims of trafficking. Information on the full extent of trafficking in Swaziland is not yet available, as the government is still carrying out research into the scope and nature of the problem.

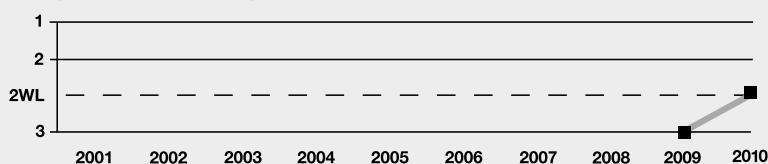
The Government of Swaziland does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. This assessment is based in part on the government's commitment to undertake additional action over the coming year, particularly enforcement of its newly-enacted comprehensive anti-trafficking legislation. Therefore, Swaziland is placed on Tier 2 Watch List. Through the enactment of the new law and creation of an anti-trafficking task force, the government committed to vigorous anti-trafficking law enforcement efforts, improved victim protection measures, and launched a wide-spread public education campaign. During the reporting period, however, the government did not report the prosecution or conviction of any trafficking offenders or the assistance of any trafficking victims.

Recommendations for Swaziland: Continue to train law enforcement officials to recognize human trafficking situations and investigate and prosecute trafficking offenses; proactively identify trafficking victims; institute a formal system to refer victims for assistance; expand current partnerships with NGOs and international organizations, as appropriate, to better determine the nature and extent of Swaziland's trafficking problem; until the automated law-enforcement record-keeping system is completed, increase efforts to manually track specific law enforcement and victim assistance anti-trafficking activities; and continue to conduct visible campaigns to educate the public about the dangers and risks of trafficking in Swaziland and neighboring countries.

Prosecution

The Swazi government increased its capacity to conduct anti-trafficking law enforcement efforts, although no suspected trafficking offenders were arrested or prosecuted during the reporting period. In 2009, the government enacted comprehensive anti-human trafficking legislation, which provides for the prosecution of trafficking offenders and protections for victims, including immunity from prosecution for immigration violations. The People Trafficking and People Smuggling (Prohibition) Act, 2009 became effective in December 2009. The legislation considers consent and past sexual behavior of the trafficked persons to be immaterial, and incorporates provisions against money laundering as a way to identify persons involved in human trafficking. The Act covers both internal and transnational forms of trafficking and provides for victim restitution through the forfeiture of convicted offenders' moveable property.

SWAZILAND TIER RANKING BY YEAR



The law prescribes penalties for all forms of trafficking, including the act of facilitating trafficking offenses, of up to 20 years' imprisonment, plus a fine determined by the court to compensate the victim for his or her losses; these penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Likewise, the prescribed penalties of up to 25 years' imprisonment for trafficking children for any purpose are also sufficiently stringent. The government began educating officials and law enforcement officers on the provisions of the new law, and the media reported that officers had begun making inquiries into possible trafficking situations. Police investigated one possible trafficking situation, though no arrests were made in connection with the case and further information was not available. The government did not provide any specialized training in victim identification for law enforcement and immigration personnel, though it began planning for such future training.

Protection

The Swaziland government took initial steps to create greater capacity for protecting trafficking victims, though it did not identify or assist any victims during the reporting period. Procedures for the government to provide victims with access to legal, medical, and psychological services were not implemented during the reporting period. The anti-trafficking Task Force, however, began developing such procedures, as well as formal procedures on the proactive identification of victims for law enforcement, immigration, and social services personnel. The Task Force also investigated how it can best be prepared to provide assistance to repatriated Swazi trafficking victims who had been identified in foreign countries. Swaziland's new anti-trafficking law empowers the government, by notice in an official gazette, to declare any house or building a place of refuge for the care and protection of trafficking victims, though the government did not open such victim care centers in Swaziland during the reporting period. Existing halfway houses run by the government and NGOs to shelter abused, abandoned, and vulnerable children and women victims of domestic violence could provide assistance to victims of trafficking. Policies on issues such as the victim's right to civil redress are under development. The government did not offer foreign victims alternatives to their removal to countries where they may face danger or hardship.

Prevention

During the year, the government increased its efforts to prevent trafficking. The Prime Minister created the Task Force for the Prevention of People Trafficking and People Smuggling in July 2009, which includes representatives from multiple government and law enforcement agencies, UNICEF and UNDP, and NGOs focused on assisting women, children, victims of crime, and other vulnerable populations. The Task Force met regularly, and began developing a national plan of action and various standard

operating procedures. Government officials, accompanied by Task Force members, conducted seminars about what the nature of human trafficking and discussed the proposed legislation in all four regions of the country in 2009. The Prime Minister launched Swaziland's branch of the regional "Red Light 2010 Campaign," building on publicity surrounding the 2010 FIFA World Cup soccer championship in South Africa, to mobilize trafficking prevention activities. All Swazi media covered the meetings extensively. The Swazi government created an anti-trafficking hotline for victims needing assistance, and for the public to report suspected occurrences of trafficking. The hotline will be managed by the police domestic violence unit and connect to investigators and caregivers as needed. In 2009, officials from Mozambique, South Africa, and Swaziland held meetings to discuss ways of reducing demand for commercial sex acts in relation to the 2010 FIFA World Cup in South Africa. Swaziland is not a party to the 2000 UN TIP Protocol.

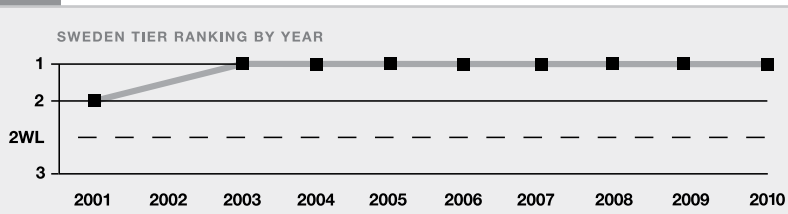
SWEDEN (Tier 1)

Sweden is a destination, and, to a lesser extent, a transit country for women and children subjected to trafficking in persons, specifically forced prostitution, and women, children, and men in forced labor. Swedish police have estimated 400 to 600 persons are subjected to human trafficking, primarily forced prostitution, in Sweden annually. Identified victims of forced prostitution largely originate in Eastern Europe, Africa, and Asia, and in 2009, 16 were children. Most forced prostitution takes place in apartments, houses, or hotels. In some cases, victims are told their employment will involve some form of sexual activity, such as dancing in a club, but once they arrive, traffickers often confiscate victims' documents and threaten sexual abuse or rape victims to "initiate" them into prostitution. Officials and NGOs reported forced labor is a problem, especially involving domestic workers, restaurant workers, and seasonal workers who appear during April-September to perform road work, construction, and gardening work. Eastern Europeans have been subjected to forced begging and stealing in Sweden. Authorities reported trafficking is increasingly being led by organized criminal gangs in Sweden. Many identified victims belonged to minority groups and lived in sub-standard conditions in their countries of origin. The approximately 2,250 unaccompanied foreign minors who arrived in Sweden, primarily from Afghanistan and Somalia, during 2009 were vulnerable to human trafficking; some have gone missing since their arrival in Sweden. Child sex tourism by Swedish nationals traveling abroad is a problem; Swedish citizens are estimated to buy sexual services from children abroad on 4,000-5,000 occasions annually.

The Government of Sweden fully complies with the minimum standards for the elimination of trafficking. The government took steps to encourage usage of its anti-trafficking law and made substantial progress in sex and

labor trafficking victim identification. Police reported they were able to identify more victims in 2009 due to additional funding and effective victim identification training.

Recommendations for Sweden: Vigorously prosecute, convict, and punish labor and sex trafficking offenders using Sweden's anti-trafficking statute; ensure traffickers receive sentences commensurate with the gravity of this human rights abuse; continue training judges on the application of the anti-trafficking law; continue efforts to identify and provide trafficking-specific assistance to child trafficking victims in Sweden, and consider proactive measures to prevent unaccompanied foreign minors from forced prostitution and forced labor; consider providing longer term residency options for victims who may face retribution or hardship in their country of origin; formalize programs for the safe, and to the extent possible, voluntary repatriation for victims; consider a national anti-trafficking awareness campaign to address forced labor in addition to forced prostitution; provide human trafficking awareness training to all Swedish peacekeepers; continue regular, self critical assessments of Sweden's anti trafficking efforts.



Prosecution

The government made some progress in prosecuting sex and labor trafficking offenses during the reporting period. Sweden's 2002 anti-trafficking law prohibits trafficking for both sexual exploitation and forced labor and prescribes penalties of two to 10 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Prosecutors continued, however, to rely on a prostitution procurement law with weaker prescribed penalties to prosecute and convict some sex trafficking offenders. In February 2010, the Ministry of Justice proposed changes to the 2002 anti-trafficking law to make it easier to employ in prosecuting trafficking offenders. The police reported additional funds enabled them to improve anti-trafficking operations and victim identification in 2009 – the government increased sex trafficking investigations from 15 in 2008 to 31 in 2009 and increased forced labor investigations from eight in 2008 to 28 in 2009. Authorities prosecuted and convicted two people for labor trafficking; the offenders respectively received prison sentences of one year and one year and three months. Authorities prosecuted and convicted at least four sex trafficking offenders under the trafficking statute and 20 sex trafficking offenders

under the procurement law during the reporting period. The average sentence for trafficking offenders convicted under the trafficking statute was approximately two years' imprisonment; the average sentence for trafficking offenders convicted for procurement was approximately two and a half years' imprisonment. The Stockholm Police forged anti-trafficking partnerships with counterparts in other governments by initiating a project to share best practices within the EU on communicating with victims and victim repatriation.

Protection

The government made substantial progress in victim protection during the reporting period. Authorities identified 31 sex trafficking victims and 28 labor trafficking victims during 2009, an increase from 15 sex trafficking victims and 8 labor trafficking victims identified in 2008. With additional funding from the government's anti-trafficking action plan, police were able to increase resource-demanding operational techniques, such as patrolling, wiretapping, and translation. In addition, police cadets received standard training on identifying trafficking victims, methods of coercion, and communicating with victims as part of basic education. The National Police offered an advanced anti-trafficking training course as well. Police and immigration officials have a formal mechanism to guide them in referring identified victims to services. The government funded NGOs both in Sweden and abroad to provide female and male victims with rehabilitation, health care, vocational training, and legal assistance. Municipalities operated general shelters accessible to trafficking victims, though few of these shelters had personnel trained to deal with trafficking victims. The government provided housing, medical care, and other services for child victims, and funded UNICEF to disseminate guidelines on assisting child victims. Swedish authorities encouraged victims to participate in trafficking investigations and prosecutions. The government offered minimum 30-day temporary residency permits to identified victims who were willing to cooperate in criminal investigations of traffickers and also provided access to health care and social services. The temporary permits could be extended through the duration of court procedures, but the government did not offer longer term legal alternatives to the removal of foreign victims to countries where they face hardship or retribution. There were no reports of the government punishing victims for unlawful acts committed as a direct result of being trafficked. There were no formal government programs for assistance to repatriated victims of trafficking; however, in accordance with the government's national action plan, the Stockholm county administration, in partnership with some NGOs, has developed plans and programs in certain instances.

Prevention

The government made some progress in trafficking prevention efforts during the reporting period. The government did not conduct a national awareness

campaign addressing all forms of trafficking during the reporting period; however, the Stockholm County Administration, arranged an anti-trafficking seminar targeting taxi, hotel, tourism, and restaurant representatives. The Justice Minister hosted a two day conference on human trafficking, and the Ethnographical Museum in Stockholm, which receives funding from the government, displayed a human trafficking exhibition in 2009. The Minister for Integration and Gender Equality had primary responsibility for coordinating Sweden's anti-trafficking policy. The government provided \$30.4 million toward implementation of Sweden's national anti-trafficking action plan in 2009. Sweden monitored its anti-trafficking efforts through the Ministry for Integration and Gender Equality as well as a national rapporteur, who produced a bi-annual report on human trafficking statistics. The Swedish International Development Agency fostered international anti-trafficking partnerships by funding NGO-led anti-trafficking efforts in southeastern Europe and Asia. In an effort to reduce the demand for commercial sex acts, the government provided funding for an NGO to prevent repeated solicitation of commercial sex by people arrested for purchasing sex. The government prosecuted 54 persons and fined 91 persons for buying sexual services. To prevent international child sex tourism by Swedish nationals, the government provided funding for ECPAT and announced on the Foreign Ministry's website that child sex abuse committed abroad is a punishable offense in Sweden. During the reporting period, a Swedish citizen was sentenced to six and a half years of prison for a child sex tourism offense committed in Cambodia. The Swedish Armed Forces provided trafficking-specific awareness training to peacekeepers stationed in Kosovo and the Democratic Republic of the Congo.

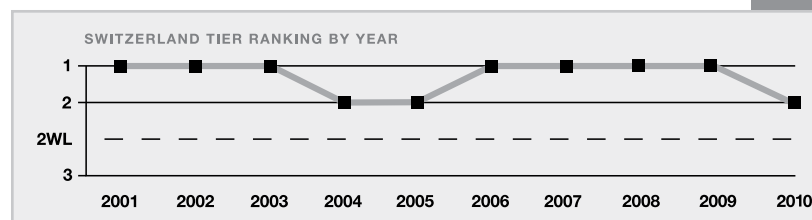
SWITZERLAND (Tier 2)

Switzerland is primarily a destination and, to a lesser extent, a transit country for women subjected to trafficking in persons, specifically conditions of forced prostitution and children forced into begging and theft. The majority of identified victims of commercial sexual exploitation were forced into nude dancing and prostitution and originated from Eastern Europe, but victims have also originated from Latin America, Asia, and Africa. In 2009, officials and NGOs reported an increase in the number of women in prostitution and children forced into begging from other parts of Europe, especially Hungary, many of whom were ethnic Roma. During the reporting period, some officials raised concerns that Switzerland risks becoming a destination for child sex tourism because Swiss law does not prohibit prostitution by minors aged 16 and 17 under all circumstances. While the majority of trafficking victims are found in Swiss urban areas, police and NGOs have encountered victims in bars in rural areas in recent years. There is reportedly forced labor in the domestic service

sector, particularly in foreign diplomatic households. Swiss federal police assessed that the total number of potential trafficking victims residing in Switzerland is between 1,500 and 3,000. NGOs expressed concern about reports of hundreds of unaccompanied foreign minors entering the country annually, claiming many have disappeared from state care after arrival. Officials countered that there are only a few isolated cases of missing unaccompanied minors each year.

The Government of Switzerland does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Swiss authorities modestly increased the percentage of convicted trafficking offenders required to serve prison sentences, but many jail sentences were suspended and the number of persons convicted of trafficking crimes decreased. Moreover, as highlighted in public discussions in Switzerland during the year, Swiss law does not prohibit prostitution by children aged 16 and 17 under all circumstances throughout the country, leaving these children potentially vulnerable to trafficking for commercial sexual exploitation.

Recommendations for Switzerland: Ensure the prohibition of the commercial sexual exploitation of all persons under 18 years old nationwide; increase the number of convicted traffickers serving time in prison; establish formal procedures to guide officials nationwide in proactively identifying victims among vulnerable groups, such as children in prostitution, child beggars, or undocumented migrant workers, and for referring potential victims to service providers; provide adequate funding for trafficking victim service providers and ensure there are trafficking-specific services for children and male victims; consider a nationwide awareness campaign that addresses labor and sex trafficking and targets potential victims, the general public, as well as potential clients of the sex trade and beneficiaries of forced labor.



Prosecution

Switzerland prohibits trafficking for most forms of sexual and labor exploitation under Article 182 and Article 195 of the Swiss penal code. Prescribed penalties— up to 20 years' imprisonment—are commensurate with penalties prescribed for other serious crimes. However, Swiss law does not expressly prohibit prostitution by minors aged 16 and 17 under all circumstances throughout the country, leaving these children potentially vulnerable to trafficking for commercial sexual exploitation (such as cases in which a third party rents a room to a minor for use in

prostitution). While Swiss civil law and social services guidelines provide opportunities for dissuasion and redress with regard to the problem of sexual exploitation of children, existing arrangements do not appear to address fully this systemic vulnerability. Nevertheless, the Swiss government has been evaluating, with the input of cantons, a federal ban on prostitution for persons under 18, and in December, the canton of Geneva adopted a new law prohibiting prostitution for persons under 18. The government made some progress in punishing sex trafficking offenders during the year. Federal police reported at least 119 human trafficking investigations, including one labor trafficking investigation, in 2009. According to the Federal Criminal Police, during 2008, the last year for which comprehensive prosecution and conviction statistics were available, there were at least 16 prosecutions and convictions of sex trafficking offenders, a decrease from the 25 offenders convicted in 2007. There were no reports of prosecutions or convictions of labor trafficking offenders. Only 25 percent of those convicted in 2008 were required to serve prison sentences, though this was an improvement from the 16 percent of trafficking offenders receiving prison sentences in 2007. The average sentence imposed on convicted offenders who were required to serve time in prison was slightly more than three years. In February 2010, the Swiss Supreme Court ruled that an unsuspended prison sentence of 3.5 years for a trafficking offender in a specific case was not a sufficiently stringent penalty. Police reported sustained partnerships with other governments through which they made human trafficking inquiries in 425 instances during 2009. The government provided training in identifying human trafficking to federal police investigators.

Protection

The government sustained protection efforts during the reporting period. Half of Switzerland's cantons have formal procedures for the identification of victims and their referral to protective services. Trafficking victims, including child and male victims, had access to free and immediate medical, psychological, and legal assistance, temporary living allowance, and protection in coordination with cantonal government and NGO victim assistance centers. Cantonal assistance centers identified 92 victims in 2009; the main anti-trafficking NGO, which received some government funding, reported assisting 172 sex trafficking victims and 12 labor trafficking victims, compared with 160 total victims in 2008. The NGO provided assistance for one victim under 18. NGOs have suggested that centrally-determined standards for how individual cantons are to provide assistance to victims would be useful. Police encouraged victims to participate in the investigation and prosecution of traffickers. There were no reports of victims being penalized for unlawful acts committed as a direct result of being trafficked. Cantonal immigration offices granted 30-day stays of deportation to 32 trafficking victims in 2009 and issued 53 short-term residency permits to victims for the duration of legal proceedings against their traffickers. The

Federal Office for Migration issued formal instructions in December 2009 stating that temporary residence permits could be granted independently of victims' willingness to testify. Authorities granted three victims with long-term residency permits on grounds of personal hardship after the end of court proceedings. Since the government started a pilot program in April 2008 to assist victims with safe and voluntary repatriation to their home countries, 20 victims (including one male victim) have received repatriation assistance. The Swiss police in 2009 held specialized five-day anti-trafficking workshops for migration and law enforcement officials, including border guards.

Prevention

The government made limited progress in the prevention of trafficking during the reporting period. Switzerland did not have a nationwide anti-trafficking public awareness campaign. The government did provide funding to a hotline for Russian speakers to report trafficking crimes during the reporting period. The government did not make any discernible efforts to reduce the demand for commercial sex. The government, in partnership with IOM, held a conference with experts from Austria and Romania to identify ways to most effectively address the problem of child begging and child trafficking in March 2010. There is an interdepartmental body to coordinate and monitor anti-trafficking efforts chaired by the federal police at the directorate level. In an effort to prevent sex trafficking, Swiss consular officials posted overseas brief each foreign recipient of "artistic visas" to work in Swiss night clubs on their rights and contact information for assistance. Swiss authorities forged an anti-trafficking partnership with Hungarian officials during a visit to Hungary in March 2010. The government provided \$4.9 million in funding for anti-trafficking assistance programs in Eastern Europe, Asia, and the Middle East. A federal police-established website to enable travel agencies and others to report suspected child sex tourism cases outside of Switzerland received 12 leads from September 2008-September 2009. Switzerland's penal code provides extraterritorial jurisdiction for Switzerland's child sexual abuse laws where the offender is a Swiss national. The government provided assistance to authorities in Thailand in the investigation of a case of a Swiss national suspected of involvement in child sex tourism. The government provided specific anti-trafficking training for all Swiss military personnel prior to their deployment abroad on international peacekeeping missions.

SYRIA (Tier 2 Watch List)

Syria is principally a destination country for women and children who are subjected to trafficking in persons, specifically conditions of forced labor or forced prostitution. Thousands of women, mostly from Southeast Asia and East Africa – particularly Indonesia, the Philippines, Somalia, and Ethiopia – are recruited to

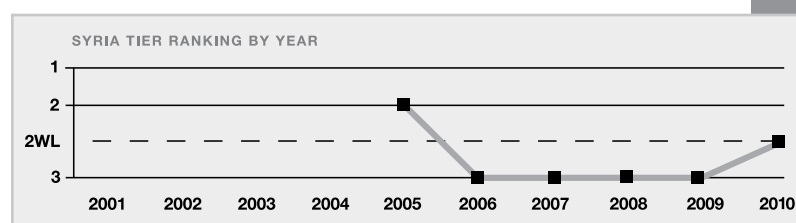
work in Syria as domestic servants but are subsequently subjected to conditions of involuntary servitude by their employers. Contracts signed in the employee's country of origin are often changed upon arrival in Syria, contributing to the employee's vulnerability to forced labor. Some of these women are confined to the private residences in which they work, and most have their passports confiscated, contrary to Syrian law, by their employer or the labor recruitment agency. The Government of Ethiopia's ban on its citizens accepting employment in Syria has not stopped the flow of workers into the country.

Women from Eastern Europe – particularly Russia and Ukraine – Somalia, and Morocco are recruited legally as cabaret dancers in Syria; some “entertainers” are subsequently forced into prostitution after their employers confiscate their passports and confine them to their hotels. Due to the economic desperation of Syria's large Iraqi refugee population, some women and girls are forced into prostitution by their families or, in some cases, by criminal gangs. Iraqi families arrange for young girls to work in nightclubs, to be temporarily “married” to men for the sole purpose of prostitution, or to be sold to pimps who rent them out for longer periods of time. Desperate Iraqi parents have in the past reportedly abandoned their daughters at the Iraqi side of the border with Syria with the expectation traffickers will arrange forged documents to enter Syria and employment in a nightclub. In other incidences, refugees have abandoned their children in Syria when leaving the country in search of improved economic circumstances, leaving the children vulnerable to trafficking. Syria is a growing child sex tourism destination for citizens of Middle Eastern countries, particularly Saudi Arabia and Kuwait. Syria is also a transit country for Iraqi women and girls, and Southeast Asians and East Africans, subjected to conditions of forced prostitution in Europe, Saudi Arabia, Kuwait, the United Arab Emirates, and Lebanon. Anecdotal evidence suggests some economically desperate Syrian children are subjected to conditions of forced labor within the country; this problem does not appear to be systemic or involve government complicity.

The Government of Syria 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 published an anti-trafficking law, enacted two decrees to better protect foreign domestic workers, and opened a second shelter for trafficking victims in partnership with a local NGO. Despite these significant efforts, the government did not demonstrate evidence of increasing efforts to investigate and punish trafficking offenses, inform the public about the practice of human trafficking, or provide much-needed anti-trafficking training to law enforcement and social welfare officials over the past year; therefore, Syria is placed on Tier 2 Watch List.

Recommendations for Syria: Enforce the new comprehensive anti-trafficking law through increased

investigations and prosecutions of trafficking offenders; consider amendments to clarify and strengthen the definition of human trafficking contained in Legislative Decree No. 3; provide training on human trafficking to police, immigration officials, labor, and social welfare officials; launch a nationwide anti-trafficking public awareness campaign, particularly highlighting the appropriate treatment of domestic workers under Syrian law; establish policies and procedures for government officials to proactively identify and interview potential trafficking victims and transfer them to the care, when appropriate, of relevant organizations; and designate an official coordinating body or mechanism to facilitate anti-trafficking communication and coordination among the relevant ministries, law enforcement entities, international organizations, and NGOs.



Prosecution

The government made clear progress in strengthening its anti-trafficking legal framework during the reporting period. It did not, however, make significant efforts to investigate or punish trafficking offenses, or respond to requests for information on cases pursued by judicial and law enforcement agencies. Inadequate law enforcement training remained a significant impediment to combating trafficking crimes in Syria. In January 2010, the government published a comprehensive anti-trafficking law, Legislative Decree No. 3, which provides a legal foundation for prosecuting trafficking offenses and protecting victims, but does not lay out a clear definition of human trafficking. This law prescribes a minimum punishment of seven years' imprisonment, a penalty sufficiently stringent, but not commensurate with those prescribed for other serious crimes, such as rape. The law was scheduled to take effect on April 11, 2010, allowing relevant ministries time to develop protocols and standard operating procedures for carrying out its mandates; operational protocols were at the earliest stages of development at the end of the reporting period. There were no reports of authorities using existing statutes, including a statute prohibiting forced prostitution, to prosecute trafficking crimes during the reporting period. There were reports of low-level cooperation between trafficking offenders and local police elements during the year, particularly regarding the monitoring of women in prostitution.

Protection

During the year, the government made modest progress in protecting trafficking victims, while demonstrating improved partnerships with NGOs and international organizations to identify and provide services to victimized women and children. As it did in Damascus during the previous reporting period, the government donated building space for a trafficking victims' shelter in Aleppo, which opened in January 2010. These two shelters, operated by local NGOs, offered legal, medical, and psychological counseling services to approximately 30 female trafficking victims in 2009. The government continued to lack procedures for identifying potential victims among vulnerable populations; as a result, victims of trafficking may have been arrested and charged with prostitution or violating immigration laws before being deported or punished. There were reports, however, that some women arrested on such charges and subsequently identified as victims of trafficking were referred to shelters; this is a positive development. In 2009, for example, the Ministry of Social Affairs and Labor referred 21 Asian labor trafficking victims to the shelter in Damascus. Despite this, referral of victims to shelters remained *ad hoc* and inconsistent, at times requiring lobbying from NGOs or international organizations to secure their release from detention centers. In limited cases, immigration authorities worked with foreign embassies, international organizations, and NGOs to establish the identity and citizenship of victims and provide needed assistance. The government did not encourage victims to assist in investigations or prosecutions of their traffickers and did not provide foreign victims with legal alternatives to their removal to countries in which they may face hardship or retribution.

Prevention

During the past year, the government made modest efforts to prevent trafficking. It did not conduct any campaigns to educate government officials or the general public about trafficking. In early 2010, the government began drafting a national plan of action against trafficking. In March 2009 and in partnership with IOM, the Ministry of Social Affairs and Labor co-hosted a conference on preventing the exploitation of and providing protective services to abused domestic workers. In 2009, the government monitored public and private-sector industries through surprise inspections to ensure no children under the age of 15 were employed, but did not release statistics on the results of these inspections. While the work of domestic servants is not covered under Syria's labor law, newly promulgated Decree 27 of March 2009 and Decree 108 of December 2009 provide stricter regulations concerning domestic worker recruitment agencies and guidelines for employment contracts; enforcement of these decrees could prevent forced labor. These decrees allow the Prime Minister's Office to revoke an agency's license if it: fails to repatriate domestic workers at its own expense; imports domestic workers under the age of 18 or under false pretenses; or physically abuses, tortures, or exploits

a domestic worker. In addition, they require employment contracts be issued by the Ministry of Interior and contain standardized regulations regarding the provision of monthly paychecks, clothing, food, medicine, living quarters, and time off. Beyond prosecuting clients and brothel proprietors, the government took no specific actions to reduce the demand for commercial sex acts. Syria is not a party to the 2000 UN TIP Protocol.

TAIWAN (Tier 1)

Taiwan is a destination, and to a much lesser extent, source and transit territory for men, women, and children subjected to trafficking in persons, specifically forced prostitution and forced labor. Most trafficking victims in Taiwan are workers from Vietnam, Thailand, Indonesia, and the Philippines, employed through recruitment agencies and brokers to perform low-skilled work in Taiwan's manufacturing industries and as home caregivers and domestic workers. Many of these workers fall victim to labor trafficking by unscrupulous brokers and employers, who force workers to perform work outside the scope of their contract and often under exploitative conditions. Some employers of domestic workers and home caregivers forbid their employees from leaving their residences, except on days off, making them extremely vulnerable to labor trafficking and other abuses and unable to seek help. Some women and girls from the China and Southeast Asian countries are lured to Taiwan through fraudulent marriages and deceptive employment offers for purposes of commercial sexual exploitation and forced labor. Migrant workers are reportedly charged up to \$7,700 in recruitment fees typically in their home countries, resulting in substantial debt that may be used by brokers or employers as a coercive tool to subject the workers to forced labor. Labor brokers often assist employers to forcibly deport "problematic" employees, thus allowing the broker to fill the empty quota with a new foreign worker who must pay brokerage fees, which may be used to maintain them in a situation of forced labor. Brokers used threats and the confiscation of travel documents as a means to control workers. Some women from Taiwan are recruited through classified ads to travel to Japan, Australia, the UK, and the United States for employment, where they are forced into prostitution. Taiwan is a transit territory for Chinese citizens who enter the United States illegally and may become victims of debt bondage and forced prostitution in the United States.

Taiwan authorities fully comply with the minimum standards for the elimination of trafficking. During the reporting period, Taiwan authorities identified 329 trafficking victims and provided victims with work permits, allowing them to earn income while assisting in the prosecution of their traffickers. Authorities also conducted training for law enforcement officials on victim identification and protection, and partnered with NGOs and foreign governments to improve their response to human trafficking on the island. Taiwan's efforts to