

rape. Following the passage of this statute, the Ministry of Interior dedicated significant resources to launching a specialized anti-trafficking directorate in June 2010, which is tasked with investigating cases, raising public awareness, cooperating with foreign entities, training law enforcement, and tracking and annually reporting on the government's anti-trafficking efforts. The directorate opened an office in Damascus, hired over 200 staff members, and established working relationships with Interpol and IOM; the nature of its day-to-day activities is unknown. The directorate's effectiveness in investigating and charging trafficking crimes, as well as officially identifying victims, was hindered by the government's delay in issuing the Executive Order containing implementing procedures for Legislative Decree No. 3; prosecutions and victim protection were unable to proceed without this formal step.

The government provided limited information on its investigation or prosecution of suspected trafficking offenses. According to the Ministry of Foreign Affairs, the government prosecuted 45 cases under Legislative Decree No. 3 in 2010: 11 in Damascus, 20 in the Damascus countryside, five in Aleppo, one in Deir al-Zour, three in Hama, one in Edlib, and four in Hassakeh. It is unknown whether these cases constitute human trafficking or reached conclusion by the end of the reporting period. Local observers, however, knew of only three investigated trafficking cases in Aleppo during the reporting period, which they claim cannot be effectively prosecuted until the release of the Executive Order. There were reports of collusion between low-level police officers and traffickers, particularly regarding the trafficking of women in prostitution; the government provided no information on its efforts to address this problem.

Protection

During the year, the government made modest progress in protecting trafficking victims, while continuing its partnerships with NGOs and international organizations to identify and provide services to victimized women and children. The Ministry of Social Affairs and Labor and other government ministries continued support of two shelters for trafficking victims, one in Damascus and the other in Aleppo, by sharing some staffing costs and dedicating funds to the creation of a database to track cases. These shelters, operated by local NGOs in buildings and on land donated by the government, offered legal, medical, and psychological counseling services to 160 women and three girls in 2010, some of whom were trafficking victims; at least 12 of these cases were Iraqi victims of forced labor or prostitution. The government failed to institute a systematic identification, interview, and referral process to address the protection needs of trafficking victims; the lack of an Executive Order providing a clear definition of a victim of trafficking continued to hinder official identification of victims, including by the government-supported shelters. 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 that some women arrested on such charges and subsequently identified as victims of trafficking by NGOs were referred to shelters, though such releases from detention remained *ad hoc*, inconsistent, and

at times required lobbying from NGOs or international organizations. Male-dominated police units continued to be insensitive to issues such as rape and sexual abuse – practices to which trafficking victims are typically subjected – discouraging many victims from coming forward. The government neither encouraged victims to assist in investigations or prosecutions of their traffickers nor provided foreign victims with legal alternatives to their removal to countries in which they may face hardship or retribution.

Prevention

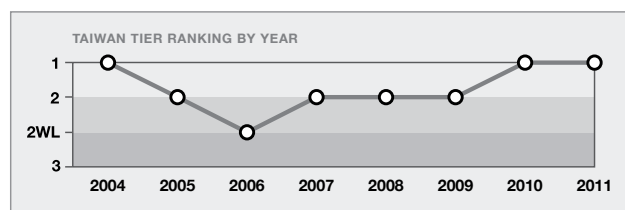
During the past year, the government made modest efforts to prevent trafficking. It conducted few campaigns to educate government officials and the general public about trafficking; most of the population has little or no awareness of human trafficking and the issue remains taboo to discuss. In June 2010, the government hosted an Interpol Global Trafficking in Human Beings Conference in Damascus, under the patronage of the prime minister. The status of the government's national plan of action against trafficking, which was drafted in early 2010, is unknown. 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. In August 2010, the Ministry of Social Affairs and Labor reportedly instituted a new provision to address child begging that requires beggars to be fined between \$500 and \$1,000; it remains unclear if the child beggar is responsible for paying the fine or if an investigation is undertaken to determine and punish the party responsible for encouraging or forcing the child to work. While the work of domestic servants is not covered under Syria's labor law, Decree 27 of March 2009 and Decree 108 of December 2009 provide regulations concerning domestic worker recruitment agencies and guidelines for employment contracts; their enforcement could prevent forced labor. However, there were no signs that these laws were enforced. 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 sex trafficking and forced labor. Most trafficking victims in Taiwan are migrant workers from Vietnam, Thailand, Indonesia, mainland China, Cambodia, the Philippines, Bangladesh, and India employed through recruitment agencies and brokers to perform low-skilled work in Taiwan's manufacturing and fishing 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 China and Southeast Asian countries are lured to Taiwan through fraudulent

marriages and deceptive employment offers for purposes of sex trafficking 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 deport “problematic” employees forcibly, thus allowing the broker to fill the empty quota with new foreign workers 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 for employment in Japan, Australia, the UK, and the United States, 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 continued to prosecute and punish trafficking offenses, including both forced labor and forced prostitution. In addition, the government sustained strong victim protection efforts, continued to train law enforcement and other government officials, and raised public awareness on trafficking offenses.



Recommendations for Taiwan: Extend labor protections to all categories of workers including workers in the domestic service sector and caregivers to prevent labor trafficking; sustain and improve on efforts to investigate, prosecute, and convict trafficking offenders using the anti-trafficking law enacted in June 2009; ensure that convicted trafficking offenders receive sufficiently stringent sentences; continue to train law enforcement personnel, officials in the Council of Labor Affairs (CLA), labor inspectors, prosecutors, and judges on victim identification measures and the anti-trafficking law; continue to raise awareness among victims of the option to assist in prosecutions and ensure that they understand the implications of their participation; increase coordination between prosecutors and NGOs sheltering victims to keep victims informed of the status of their cases; identify and fund foreign language translators for shelters and hotline staff; make greater efforts to investigate and prosecute child sex tourism offenses committed by Taiwan nationals; and continue efforts to increase public awareness about all forms of trafficking.

Prosecution

Taiwan authorities made clear progress in anti-trafficking law enforcement during the reporting period. Taiwan’s Human Trafficking Prevention and Control Act (HTPCA)

of 2009, combined with portions of the Criminal Code, prohibits both forced prostitution and forced labor; prescribed penalties of up to seven years’ imprisonment are sufficiently stringent and commensurate with those prescribed for other serious crimes. The Labor Standards Law, which also prohibits forced labor, does not apply to an unknown number of Taiwan nationals and the nearly 160,000 foreign workers employed as private nursing caregivers and domestic workers – approximately half of Taiwan’s migrant workforce. During the reporting period, the government charged 264 individuals for trafficking crimes under the HTPCA and other articles of the Criminal Code. Specifically, Taiwan authorities prosecuted 87 people under its anti-trafficking law, including 44 for sex trafficking and 43 for labor trafficking. An additional 177 defendants were prosecuted for trafficking offenses under related laws, including 23 defendants accused of commercial sexual exploitation of children. The government did not, however, provide information on the conviction or sentencing of any trafficking offenders. To improve their capacity to address trafficking crimes, Taiwan authorities also robustly trained government officials on trafficking issues; in 2010, Taiwan authorities reported training more than 68,000 officials and NGO staff members, covering a wide range of subjects such as victim identification and protection, trafficking prosecutions and case development, victim-witness coordination, and advanced investigative techniques. Taiwan authorities did not report any investigations, prosecutions, convictions, or sentences of government officials’ complicity in trafficking offenses during the reporting period.

Protection

During the reporting period, authorities made significant efforts to protect victims of trafficking. Authorities reported using formal procedures to identify proactively and assist victims of trafficking, including by publishing and distributing to government officials reference indicators with specific questions and a standardized evaluation form for use with potential victims of trafficking. In 2010, Taiwan authorities identified and assisted 324 trafficking victims, including 45 victims of sex trafficking and 279 victims of labor trafficking. Of these victims, 58 were Taiwan nationals. There were 19 shelters dedicated to victims of trafficking in Taiwan under the administration of various government agencies, some of which were run by NGOs with government funds. These shelters provided victims of trafficking – both men and women – with medical and psychological services, legal counseling, vocational training, small stipends, and repatriation assistance. Taiwan authorities also reported providing social workers and interpreters to accompany victims during court proceedings. Victims of trafficking filed 32 civil cases for compensation against their traffickers during the reporting period with the assistance of government and NGO counselors. In addition, NIA distributed more than 2,000 multilingual handbooks on the rights of trafficking victims and to explain support services available to them. Some sources reported, however, that Taiwan faced a shortage of skilled counselors and social workers fluent in the victims’ native languages. Although the NIA earmarked \$1.2 million in 2010 for victim protection, it reported spending nearly \$1.83 million for victim services

during the year. Taiwan authorities encouraged victims to participate in investigations against their traffickers by offering residency and temporary work permits; in 2010, authorities issued 188 new work permits for trafficking victims and renewed existing work permits for other victims of trafficking. In addition, Taiwan officials assisted in the repatriation of 95 victims after judicial investigations concluded. Victims who faced threats upon return to their home countries had the opportunity to obtain permanent residency in Taiwan, though no victims have yet received this benefit. During the reporting period, Taiwan authorities issued a circular to courts to stress legal provisions ensuring victims' confidentiality and providing other protections for victims of trafficking during the trial process. CLA continued to provide a 24-hour hotline for migrant workers; in 2010, this hotline received over 146,000 calls and operators assisted migrant workers in resolving wage disputes involving close to \$3 million. Taiwan also continued operation of an island-wide hotline for foreign spouses seeking assistance on a broad range of issues. The hotline received 14,136 calls in 2010, but it is unclear how many of these related to trafficking situations.

Prevention

Taiwan authorities made progress in efforts to prevent trafficking in persons during the reporting period. The CLA continued to operate 25 Foreign Worker Service Stations and International Airport Service Counters around Taiwan to assist migrant workers and educate them on their rights. Authorities also distributed handbooks detailing relevant laws and regulations on foreign workers to more than 190,000 employers and aired television commercials highlighting the rights of migrant workers. Officials also funded TV, radio, and newspaper advertisements and education programs raising awareness of the perils of trafficking. In addition, authorities undertook widespread campaigns to raise public awareness of sexual exploitation in the commercial sex industry to reduce the demand for prostitution. Taiwan agencies also continued to distribute an online game, Internet advertisements, TV commercials, posters, and luggage tags to warn against child sex tourism. Nonetheless, while Taiwan has a law with extraterritorial application criminalizing the sexual exploitation of children by Taiwan passport holders traveling abroad, authorities have not prosecuted anyone for child sex tourism abroad since 2006. Taiwan also failed to provide full labor protections to the estimated 160,000 foreign workers in the domestic service sector; domestic workers currently do not have defined working hours or minimum wages, which may have contributed to some situations of forced labor among this vulnerable group of migrants.

TAJIKISTAN (Tier 2)

Tajikistan is a source country for women and children subjected to forced prostitution and for men, women, and children subjected to conditions of forced labor. Women from Tajikistan are subjected to forced prostitution in the United Arab Emirates, Russia, Saudi Arabia, Kazakhstan, and within Tajikistan. These women often transit through Russia and Kyrgyzstan *en route* to their destination country. IOM estimates that a significant percentage of Tajikistan's

estimated one million labor migrants are victims of forced labor, sometimes after voluntarily migrating to Russia in search of work. Men from Tajikistan are subjected to conditions of forced labor in Russia's agricultural and construction sectors and, to a lesser extent, the same sectors in Kazakhstan and Afghanistan. Tajik children have been subjected to sex trafficking and forced labor, including forced begging, within Tajikistan. There were limited reports that Tajik children were exploited within Tajikistan during the annual cotton harvest; NGOs report a significant reduction of this practice compared to previous years.

The Government of Tajikistan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government made important progress over the past year in addressing the use of forced labor in the annual cotton harvest. During the fall 2010 cotton harvest, the government disseminated a directive that ordered enforcement of existing prohibitions against forced labor. The government also accredited and assisted NGOs to monitor the cotton harvest. Government officials, with IOM and Tajik NGO representatives, met with local government and school officials to reiterate the government's prohibition against forced child labor. The government prosecuted and convicted trafficking offenders for the first time under its anti-trafficking statute and protected victims threatened by traffickers during criminal proceedings. The government also instituted quarterly meetings to coordinate anti-trafficking activities with government partners.



Recommendations for Tajikistan: Continue to enforce the prohibition against forced labor of children and adults in the annual cotton harvest by monitoring school and university attendance and inspecting cotton fields during the harvest; vigorously investigate and prosecute suspected trafficking offenses, especially those involving forced labor, and convict and punish trafficking offenders, including local officials who force individuals to participate in the cotton harvest; continue to educate school administrators about Tajik laws against forced labor; continue to increase resources available to the anti-trafficking police unit; continue to build partnerships with foreign counterparts in order to conduct joint law enforcement investigations and repatriate Tajik victims from abroad; develop a formal victim identification and referral mechanism; continue to provide victim identification and victim sensitivity training to border guard and law enforcement authorities; encourage NGO care providers to be present during victim interviews with law enforcement; provide financial or in-kind assistance to existing trafficking shelters; encourage victims of trafficking to participate in trafficking investigations and prosecutions; make efforts to improve trafficking data collection and analysis; expand trafficking awareness

campaigns targeting both rural and urban parts of the country, including raising awareness in rural villages about how offers of marriage may be used to deceive women and lure them into forced prostitution; continue efforts to improve enforcement of anti-trafficking legislation; and involve wider mass-media in awareness campaigns.

Prosecution

The Government of Tajikistan demonstrated increased anti-trafficking law enforcement efforts during the reporting period. Article 130.1 of the criminal code prohibits both forced sexual exploitation and forced labor, and prescribes penalties of five to 15 years' imprisonment, which are sufficiently stringent and commensurate with other serious crimes, such as rape. The government successfully used Article 130.1 of the criminal code to prosecute, convict, and sentence trafficking offenders for the first time in 2010. The government reported investigating and prosecuting 28 individuals suspected of trafficking in 2010 under Article 130.1 and other statutes, compared with at least nine individuals investigated and prosecuted for trafficking offenses in 2009. Courts convicted four trafficking offenders, including two under Article 130.1, in 2010, compared with three convictions reported in 2009. The government reported that the four offenders convicted in 2010 were sentenced to terms of six to 10 years' imprisonment for trafficking offenses in 2010. The Government of Tajikistan cooperated with Russian law enforcement on the investigation of a forced labor case. As a part of an IOM study tour, the government also exchanged best practices with counterparts in Moldova and Turkey to facilitate international cooperation in combating human trafficking. In partnership with international organizations, the Government of Tajikistan introduced a 26-hour anti-trafficking course into the curriculum at the Ministry of Interior Academy in December 2010. Eighty police academy students completed the training. Four hundred government officials participated in specialized anti-trafficking training sessions conducted by IOM. In an effort to encourage quality officers to seek out anti-trafficking assignments, the government increased the salaries of officials in the police anti-trafficking unit by 10 percent.

Local observers reported that government efforts contributed to a significant reduction in the use of forced labor in the 2010 cotton harvest. These efforts did not involve the prosecution of labor trafficking offenders. At the start of the 2010 cotton harvest, the Inter-Ministerial Commission to Combat Trafficking in Persons and the Ministry of Education disseminated a directive to local officials that reiterated existing laws prohibiting the use of forced child labor in the cotton harvest. Local officials met with school administrators, teachers, and farmers throughout Tajikistan's cotton-growing regions to reinforce the directive and to educate them about forced labor laws. The government accredited 15 Tajik NGOs working with IOM to monitor the fall cotton harvest in 25 cotton-picking districts in Tajikistan from September 15 until December 15. A small number of reports continued that school-aged children in remote areas were compelled to pick cotton by school administrators during the harvest. When presented with these reports during the harvest, government officials reprimanded, but did not prosecute, the teachers and

farmers involved. The government received additional reports several months after the cotton harvest ended; officials reported that they were unable to investigate these cases because of the delayed notification.

Protection

The government demonstrated some efforts to identify and assist trafficking victims during the reporting period. The government does not have a systematic procedure for identifying and referring victims for assistance; however, the government established a working group to formalize victim referral procedures in 2010. During the reporting period, the government identified 32 victims of trafficking and referred 18 victims to IOM. In total, IOM and the government identified 104 victims of trafficking in 2010, compared with 63 victims of trafficking identified in 2009. Foreign-funded NGO shelters remained the primary source of victim services available in Tajikistan. Victims in these shelters were not detained involuntarily. Although the national government did not provide financial assistance to any NGOs or organization that provided specialized assistance to trafficking victims in 2010, the Khujand city government provided in-kind assistance to a shelter that assisted eight child trafficking victims. The national government also donated a building and free utilities for a shelter for women and girls, including victims of child prostitution. Victims were encouraged to participate in trafficking investigations and prosecutions, and police officials provided protection for two victims of trafficking who were threatened during a trafficking investigation and prosecution. Tajik consulate officials abroad assisted victims and referred them for repatriation. There were no reports of victims penalized for unlawful acts committed as a direct result of their being trafficked.

Prevention

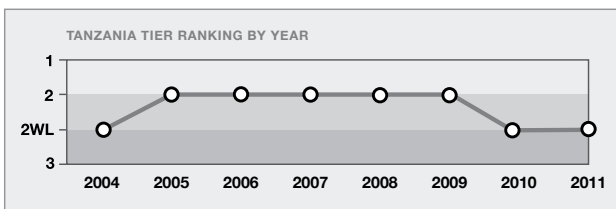
Tajikistan made efforts to raise awareness of trafficking during the reporting period. Local governments provided meeting space for, transportation to, and local publicity for awareness-raising events around the country conducted by NGOs and international organizations. Additionally, the Committee on Women and Families held information sessions to inform women and girls about the dangers of trafficking and state media outlets published information on trafficking that included warnings about common trafficking scenarios. The government provided in-kind assistance for a joint training of 300 Tajik and 40 Afghan border guards in an immigration education program, which included training on trafficking issues. The government did not undertake efforts to reduce the demand for commercial sex acts. The government has an action plan to combat human trafficking for 2011-2013.

TANZANIA (Tier 2 Watch List)

Tanzania is a source, transit, and destination country for men, women, and children who are subjected to forced labor and sex trafficking. The incidence of internal trafficking is higher than that of transnational trafficking, and is usually facilitated by family members', friends', and intermediaries' offers of assistance with education

or finding lucrative employment in urban areas. The use of young girls for forced domestic service continues to be Tanzania's largest human trafficking problem. Girls from rural areas of Iringa, Singida, Dodoma, Mbeya, Morogoro, and Bukoba regions are taken to urban centers and Zanzibar for domestic service; some domestic workers fleeing abusive employers fall prey to sex trafficking. Boys are subjected primarily to forced labor on farms, but also in mines, in the informal sector, and possibly on small fishing boats. In the Arusha region, unscrupulous agricultural subcontractors reportedly trafficked women and men to work on coffee plantations. Smaller numbers of Tanzanian children and adults are subjected to conditions of forced domestic service and sex trafficking in surrounding countries, South Africa, Saudi Arabia, the United Kingdom, France, and possibly other European countries. Trafficking victims, primarily children, from neighboring countries, such as Burundi and Kenya, are sometimes forced to work in Tanzania's agricultural, mining, and domestic service sectors. Some also are forced into prostitution in brothels. Citizens of neighboring countries may voluntarily migrate through Tanzania before being forced into domestic servitude and prostitution in South Africa, Europe, and the Middle East

The Government of Tanzania does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these significant efforts, particularly the conviction of three trafficking offenders during the reporting period, the government did not demonstrate overall increasing efforts to address human trafficking over the previous reporting period; therefore, Tanzania is placed on Tier 2 Watch List for a second consecutive year. The government made limited progress towards implementation of its Anti-Trafficking in Persons Act, in part due to poor inter-ministerial coordination and lack of understanding of what constitutes human trafficking; most government officials remain unfamiliar with the Act's provisions or their responsibility to address trafficking under it. Moreover, the ministries involved in anti-trafficking efforts had no budgetary resources allocated to combating the crime.



Recommendations for Tanzania: Enforce the Anti-Trafficking in Persons Act by prosecuting and punishing trafficking offenders; following the formation of the Anti-Trafficking Secretariat by the Ministry of Home Affairs and the presidential naming of a secretary to coordinate inter-ministerial efforts as required by the Act, begin implementation of the law's victim protection and prevention provisions; establish policies and procedures for government officials to identify and interview potential trafficking victims proactively and transfer them, as appropriate, to local organizations providing care; establish an anti-trafficking fund to support victims, as required

under the law; begin compiling trafficking-specific law enforcement and victim protection data at the national level; and provide additional training to law enforcement authorities on the detection of human trafficking crimes and methods of investigating these crimes.

Prosecution

The Tanzanian government made modest anti-trafficking law enforcement efforts during the reporting period, achieving its first three prosecutions and convictions under the country's anti-trafficking statute. The Anti-Trafficking in Persons Act of 2008, which came into effect in February 2009, outlaws all forms of trafficking and prescribes punishments of one to 10 years' imprisonment, punishments that are sufficiently stringent, but not commensurate with those prescribed for other serious crimes, such as rape. Under aggravated circumstances, such as the victimization of a child or trafficking crimes perpetrated by a law enforcement official, prescribed penalties are 10 to 20 years' imprisonment.

In September 2010, the District Court in Kasulu convicted a Burundian man under Section 4(1)(a) of the Anti-Trafficking in Persons Act and sentenced him to four years' imprisonment for forcing 15 Burundian refugee children to work on tobacco farms in Urambo-Tabora; the trial proceedings of four co-conspirators on identical charges had not concluded at the close of the reporting period. In August 2010, a court in Mwanza used both the anti-trafficking act and the penal code to convict a Kenyan trader of human trafficking and abduction after he attempted to sell a Kenyan man with albinism, to whom he had promised employment, to a Tanzanian businessman for \$263,300 for the purpose of exploitation. This conviction resulted in a combined sentence of 17 years' imprisonment or a fine of \$119,600; the trafficker is currently serving his prison sentence. In September 2010, a separate court in Mwanza region convicted a man of human trafficking for abducting two children from Isebania, Kenya and attempting to sell them at a mining site in Nyamongo area (Tarime District); he was sentenced to 12 years' imprisonment. Nonetheless, most police and immigration officials continued to find it difficult to distinguish human trafficking from smuggling. The two-person police trafficking desk, established in June 2010 to work with counterparts in other law enforcement agencies to respond to trafficking crimes, reportedly received few complaints of internal trafficking, which was likely attributable to the public's low level of understanding about the crime, victims' general reluctance to report incidents of forced labor, and limited awareness of the desk's existence. Although the Ministry of Labor, Employment and Youth Development reportedly conducted inspections and issued warnings to violators of child labor statutes, there were no forced child labor cases brought to court in during the year. Likewise, Zanzibar's Ministry of Labor, Economic Empowerment, and Co-Operatives did not take legal action against any alleged crimes of forced child labor. The government made no progress in compiling trafficking-specific law enforcement and victim protection data at the national level. Newly-hired law enforcement and immigration officials reportedly received anti-trafficking training as part of their introductory coursework.

Protection

The Tanzanian government's efforts to protect victims of trafficking during the reporting period were modest and suffered from a lack of resources. The government continued to rely on NGOs to provide care for victims of trafficking; however, NGO facilities for shelter and specialized services were limited to urban areas. The government lacked systematic victim referral procedures; any referrals that occurred were *ad hoc* and dependent on the particular official's recognition of the crime and familiarity with service providers. According to NGOs, Tanzanian police referred six trafficking victims to their organizations for protective services in 2010, and no referrals were reported from social welfare or community development officers. Government officials also occasionally provided food, counseling, and assistance with family reunification; IOM and the Department of Social Welfare reunified 63 victims with their families in 2010 and an additional 27 in the first two months of 2011. The government operated a 24-hour crime hotline, staffed by police officers, which was available for citizens to make reports about suspected trafficking victims; however, the hotline received no trafficking tips in 2010. The government did not provide information on the participation of Tanzanian victims in anti-trafficking investigations and prosecutions, but one Kenyan victim who testified during the trial of his trafficker was provided protection and repatriation by police at the conclusion of the proceedings.

In August 2010, the Department of Social Welfare trained 84 social welfare officers on the Anti-Trafficking Act and community support mechanisms available to victims during its annual National Forum; it also included information on human trafficking in its revised Community Justice Facilitation Manual. The lack of national procedures for victim identification may have led foreign victims to be detained in prisons and deported before they were identified or able to give evidence in court. The Anti-Trafficking in Persons Act provides foreign victims legal alternatives to their removal to countries where their safety or the safety of their families may be endangered; the government did not encounter a case that necessitated utilizing these provisions during the reporting period. Key victim protection provisions of the Anti-Trafficking Act, such as the establishment of a fund to support trafficking victims, have yet to be implemented due to funding constraints and because the Anti-Trafficking Committee and Secretariat, which would take the lead on drafting and implementing the regulations related to the Act, had not been formed.

Prevention

The government made moderate efforts to prevent human trafficking during the year. Understanding of what constitutes trafficking remained low among government officials and no government ministries launched formal anti-trafficking outreach or awareness raising activities. In June 2010, the Ministry of Foreign Affairs formally transferred the chairmanship of the Inter-Ministerial Committee on Human Trafficking, which met twice during the year, to the Ministry of Health and Social Welfare's Department of Social Welfare; this committee has, since

its establishment in 2006, been an ineffective mechanism for information sharing or coordination of national anti-trafficking efforts. At a meeting of the Committee, the Ministry of Home Affairs, the lead ministry for implementation of the anti-trafficking legislation, agreed to draft the regulations required to fully implement the Anti-Trafficking in Persons Act. It reportedly cannot begin this work, however, until a the president appoints a secretary to lead an Anti-Trafficking Secretariat as required by the Act. Although the relevant ministries have forwarded the names of their representatives to the Anti-Trafficking Committee – also required by the Act – to the Ministry of Home Affairs for approval, the body has not been officially convened. It remains unclear whether the Inter-Ministerial Committee will be disbanded after the formation of the Anti-Trafficking Committee and Secretariat.

The mainland Ministry of Labor's Child Labor Unit, which received only \$32,000 from the 2010 national budget, could not provide data on the number of child labor complaints made or the number of exploited child laborers identified and withdrawn by its 90 labor officers; inspectors continued to face myriad challenges, including chronic understaffing and lack of transportation to inspection sites. During the year, the Zanzibar Ministry of Labor withdrew 600 children from exploitative labor in the fishing, seaweed farming, and quarrying industries on the islands. While the Tanzania Employment Services Agency is responsible for licensing recruitment agencies, it did little to monitor their activities, did not maintain data on the exploitation of Tanzanian migrant workers abroad, and generally lacked capacity to perform such functions. The government did not make any efforts to reduce the demand for forced labor or commercial sex acts during the reporting period. All Tanzanian soldiers completed a module on human rights and anti-trafficking interventions as part of their basic curriculum. The government provided additional human rights training, including sessions on women's rights, human trafficking, the protection of civilians, and international humanitarian law, to Tanzanian troops prior to their deployments abroad on international peacekeeping missions.

THAILAND (Tier 2 Watch List)

Thailand is a source, destination, and transit country for men, women, and children who are subjected to forced labor and sex trafficking. Individuals from neighboring countries, as well as from further away such as Uzbekistan and Fiji, migrate to Thailand for reasons including to flee conditions of poverty. Migrants from Burma, who make up the bulk of migrants in Thailand, seek economic opportunity and escape from military repression. The majority of the trafficking victims identified within Thailand are migrants from Thailand's neighboring countries who are forced, coerced, or defrauded into labor or commercial sexual exploitation; conservative estimates have this population numbering in the tens of thousands of victims. Trafficking victims within Thailand were found employed in maritime fishing, seafood processing, low-end garment production, and domestic work. Evidence suggests that the trafficking of men, women, and children in labor sectors such as commercial fisheries, fishing-related

industries, and domestic work was a significant portion of all labor trafficking in Thailand.

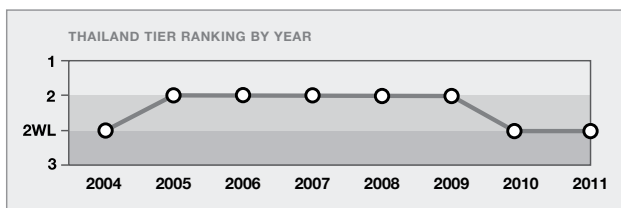
UN-affiliated NGO research made available during the year reported a significant population of trafficking victims in the country. An estimated 23 percent of all Cambodians deported by Thai authorities at the Poipet border were trafficking victims. The UN Inter-Agency Project on Human Trafficking (UNIAP) estimated that Thai authorities deport over 23,000 Cambodian trafficking victims a year. Similarly, Lao authorities reported during the year that groups of 50 to 100 Lao trafficking victims were among the thousands of Lao nationals deported by Thai authorities. An assessment of the cumulative risk of labor trafficking among Burmese migrant workers in the seafood industry in Samut Sakhon, Thailand found that 57 percent of these workers experience conditions of forced labor. An IOM report released in May 2011 noted prevalent forced labor conditions, including debt bondage, among Cambodian and Burmese individuals recruited – some forcefully or through fraud – for work in the Thai fishing industry. According to the report, Burmese, Cambodian, and Thai men were trafficked onto Thai fishing boats that traveled throughout Southeast Asia and beyond, and who remained at sea for up to several years, did not receive pay, were forced to work 18 to 20 hours per day for seven days a week, and were threatened and physically beaten. Similarly, an earlier UNIAP study found 29 of 49 (58 percent) surveyed migrant fishermen trafficked aboard Thai fishing boats had witnessed a fellow fishermen killed by boat captains in instances when they were too weak or sick to work. Fishermen typically did not have written employment contracts with their employer. Observers noted that traffickers (including labor brokers) who bring foreign victims into Thailand generally work as individuals or in unorganized groups, while those who enslave Thai victims abroad tend to be more organized. Informed observers also reported that labor brokers, some of whom facilitate or engage in trafficking, are of both Thai and foreign origin and work in networks, collaborating with employers and, at times, with law enforcement officials.

Migrants, ethnic minorities, and stateless people in Thailand are at a greater risk of being trafficked than Thai nationals, and experience withholding of travel documents, migrant registration cards, and work permits by employers. Undocumented migrants remain particularly vulnerable to trafficking, due to their economic status, education level, language barriers, and lack of knowledge of Thai law. The greatest risk factor for highland women and girls to being trafficked was their lack of citizenship. Some children from neighboring countries are forced to sell flowers, beg, or work in domestic service in urban areas. During the year, Vietnamese women were found to have been confined and forced to act as surrogate mothers after being recruited for work in Bangkok. Most Thai trafficking victims abroad who were repatriated back to Thailand during the year had been exploited in the United Arab Emirates (UAE), Malaysia, Sri Lanka, Bahrain, and China. Thai victims were also repatriated from Russia, South Africa, Yemen, Vietnam, the United States, the United Kingdom (UK), and Singapore. Thai nationals are also known to be trafficked to Australia, Canada, Germany, Indonesia, Israel, Japan, Kuwait, Libya, Malaysia, Qatar, Saudi Arabia, South Africa,

South Korea, Taiwan, and Timor-Leste. Some Thai men who migrate for low-skilled contract work and agricultural labor are subjected to conditions of forced labor and debt bondage. Sex trafficking generally involves victims who are women and girls. Sex tourism continues to be a problem in Thailand, and this demand likely fuels trafficking for commercial sexual exploitation. Thailand is a transit country for victims from North Korea, China, Vietnam, Pakistan, and Burma destined for third countries such as Malaysia, Indonesia, Singapore, Russia, Western Europe, South Korea, and the United States. There were reports that separatist groups recruited teenaged children to carry out attacks.

The Government of Thailand does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government continued implementation of its human trafficking law and conducted awareness-raising activities on human trafficking. The government continued work on its implementation of regulations that will allow trafficking victims to temporarily live and work within Thailand, though victims generally continue to be detained in government shelters. The Thai prime minister chaired meetings with labor and civil society organizations to coordinate anti-trafficking efforts, which led to the development of the Thai government's second six-year National Policy Strategy on human trafficking for 2011-2016. In July 2010, the prime minister publicly acknowledged the need to improve the government's weak interagency coordination in addressing human trafficking. The Thai government reported increases in trafficking prosecutions and convictions, but as of May 2011 there was insufficient data available to determine whether each of these could be categorized as human trafficking convictions. Despite these significant efforts, the government has not shown sufficient evidence of increasing efforts to address human trafficking over the previous year, particularly in the areas of prosecuting and convicting both sex and labor trafficking offenders, combating trafficking complicity of public officials, and trafficking victim protection; therefore, Thailand is placed on Tier 2 Watch List for a second consecutive year. Given the significant scope and magnitude of trafficking in Thailand, there continued to be a low number of convictions for both sex and labor trafficking, and of victims identified among vulnerable populations. Direct involvement in and facilitation of human trafficking by law enforcement officials reportedly remained a significant problem in Thailand; authorities reported investigating two cases of complicity involving four officials, including at the police colonel level, though there were no convictions or sentences of complicit officials during the year. The government did not respond to multiple reports of widespread corruption involving the extortion and trafficking of Burmese deportees from Thailand. NGOs reported that problems hindering the government's anti-trafficking efforts included local police corruption, biases against migrant laborers, the lack of a comprehensive monitoring system of the government's efforts, lack of understanding among local officials of trafficking, the courts' lack of a human rights-based approach to labor abuse cases, and systematic disincentives for trafficking victims to be identified. Authorities continued efforts to prevent human trafficking with

assistance from international organizations and NGOs, but have not yet adequately addressed structural vulnerabilities to trafficking created by its migrant labor policies. The government should continue to increase its efforts given the significant scope and magnitude of trafficking in Thailand.



Recommendations for Thailand: Enhance ongoing efforts to identify victims of trafficking among vulnerable populations, in particular undocumented migrants and deportees; increase efforts to investigate, prosecute, and convict both sex and labor trafficking offenders; improve efforts to investigate, prosecute, and convict officials engaged in trafficking-related corruption; ensure that offenders of fraudulent labor recruitment and of forced labor receive stringent criminal penalties; improve labor inspection standards and procedures to better detect workplace violations, including instances of trafficking; improve implementation of procedures to allow all adult trafficking victims to travel, work, and reside outside of shelters; provide legal alternatives to the removal of trafficking victims to countries in which they would face retribution or hardship; implement mechanisms to allow adult foreign trafficking victims to reside in Thailand; make greater efforts to educate migrant workers on their rights, their employers' obligations to them, legal recourse available to victims of trafficking, and how to seek remedies against traffickers; improve efforts to regulate fees and brokers associated with the process to legalize migrant workers in order to reduce the vulnerability of migrants to human trafficking; and increase anti-trafficking awareness efforts directed at employers and clients of the sex trade.

Prosecution

The Thai government made mixed progress in its anti-trafficking law enforcement efforts during the reporting period. Thailand's 2008 anti-trafficking law criminally prohibits all forms of trafficking and prescribes penalties from four to 10 years' imprisonment – penalties that are sufficiently stringent and commensurate with penalties prescribed for other grave offenses, such as rape. The Thai government reported 18 convictions in trafficking-related cases in 2010 – an increase from eight known convictions during the previous year; as of May 2011, only five of the 18 convictions reported by the government could be confirmed to be for trafficking offenses. The government also reported initiating 79 prosecutions in 2010, up from 17 prosecutions during the previous year. The police reported investigating 70 trafficking-related cases in 2010, including at least 49 cases of forced prostitution and 11 for forced labor. This compares to the 95 trafficking-related investigations reported in 2009. Very few cross-border labor exploitation investigations led to arrests of alleged traffickers, and even those arrested rarely found themselves prosecuted in court. A study released during

the year on the trafficking of fishermen in Thailand found that investigations of alleged human trafficking on Thai fishing boats, as well as inspections of these boats, were practically nonexistent, according to surveyed fisherman, NGOs, and government officials. The justice system remained slow in its handling of criminal cases, including trafficking cases. Additionally, frequent personnel changes hampered the government's ability to make greater progress on anti-trafficking law enforcement efforts. In December 2010, the police anti-trafficking unit, with assistance from NGOs, raided an apartment in Bangkok and removed 12 Uzbek trafficking victims, successfully identifying some of the victims; others who were likely also victims were returned to the streets or taken to Thai immigration for deportation, depending on their visa status. The alleged trafficker, an Uzbek woman, was initially jailed during a police investigation, but in February obtained bail and has reportedly resumed her involvement in Bangkok's sex industry. In January 2011, a senior police anti-trafficking officer involved in the investigation of the Uzbek trafficking ring, along with two subordinates, were placed on temporary suspension for allegations of corrupt practices.

The Court of Justice reported that the number of cases it adjudicated involving violations of the 2008 Anti-Trafficking in Persons Act has gradually increased since the law came into force. Sentences for convicted offenders in confirmed trafficking cases ranged from four to 20 years' imprisonment. In December, a Thai court convicted three defendants in the 2006 Ranya Paew case involving forced labor of Burmese workers in a shrimp processing factory and sentenced them each to 20 years in prison, the maximum penalty under the relevant Thai law; the offenders remain released pending the results of their appeal. In October, a Thai court sentenced a Thai woman to four years' imprisonment for operating a fraudulent employment agency involved in the trafficking of Thai workers abroad. Media outlets highlighted several arrests in sex trafficking cases. Thai law enforcement authorities cooperated with counterparts from around the world, leading to arrests and convictions of traffickers. Some observers believe that more needs to be done to arrest traffickers within Thailand through cross-border investigations.

Corruption remained widespread among Thai law enforcement personnel, creating an enabling environment for human trafficking to prosper. Allegations of trafficking-related corruption persisted during the year, including in cases of forced prostitution and forced labor of migrants. There were credible reports that officials protected brothels, other commercial sex venues, and seafood and sweatshop facilities from raids and inspections. In addition to well-known corruption of local-level police officers, there were also protective relationships between central-level specialist police officers and the trafficking hot-spot regions to which they were assigned. There was no information indicating tolerance for trafficking at an institutional level. The Department of Special Investigations reported investigating four policemen, undertaking some disciplinary action, for trafficking-related complicity during the year; these investigations were ongoing. The government did not respond to reports that Thai officials were involved in the trafficking of Burmese men, women, and children

deported to the hands of the Democratic Karen Buddhist Army (DKBA). Authorities also have not responded to reports that Thai police and immigration officials extort money or sex from Burmese citizens detained in Thailand for immigration violations, and sell Burmese unable to pay to labor brokers and sex traffickers. The government continued efforts to train thousands of police, labor, prosecutors, social workers, and immigration officials on victim identification.

Protection

The Thai government demonstrated limited efforts to identify and protect foreign and Thai victims of trafficking during the year. The Ministry of Social Development and Human Security (MSDHS) reported that 381 foreign victims were classified as trafficking victims in Thailand and received assistance at government shelters during the year, a decrease from the 530 foreign victims assisted in 2009. More than half of the victims assisted during the year were from Laos, and one fourth from Burma. The government continued to repatriate foreign victims of trafficking, including through regular coordination with Lao and Burmese authorities. MSDHS reported that in 2010, 88 Thai nationals were classified as trafficking victims abroad and were repatriated to Thailand with assistance from the Ministry of Foreign Affairs from the UAE, Malaysia, Sri Lanka, Bahrain, China, Russia, South Africa, Yemen, Vietnam, the U.S., the UK, and Singapore. This represented a significant decrease from the 309 Thai trafficking victims repatriated from abroad in 2009. The government reported increasing efforts to identify victims of trafficking among vulnerable populations through screening checkpoints at airports and border crossings. However, given the reportedly significant population of trafficking victims in Thailand out of which only 52 trafficking victims were reported identified in immigration detention centers, the government should continue to improve these efforts.

The government provided limited incentives for victims to participate in the investigation and prosecution of their traffickers. The Thai government continued to refer victims to one of nine regional shelters run by MSDHS, where they receive counseling, limited legal assistance, and medical care. Foreign adult victims of trafficking identified by authorities continued to be detained in government shelters and typically cannot opt to reside outside of a shelter or leave before Thai authorities are prepared to repatriate them. The 2008 law contains a provision for granting foreign victims the right to seek employment while awaiting conclusion of legal processes, and the Thai government passed a new regulation in May 2011 to implement this provision. The government passed new regulations that will allow foreign victims to temporarily live and work within Thailand. As a result of this detention practice, foreign victims of trafficking are not afforded the same opportunities as other foreign nationals who seek and receive permission to work in Thailand. There were regular reports during the year of foreign trafficking victims who fled shelters, likely due to slow legal and repatriation processes, the inability to earn income during trial proceedings, language barriers, and distrust of government officials. There were reported instances in which victims

opted not to seek designation as trafficking victims due to systemic disincentives, such as long stays in shelters during lengthy repatriation and court processes. NGOs reported that some individuals were trained by labor brokers on how to lie to government officials to prevent being identified as victims. Thai law protects victims from being prosecuted for acts committed as a result of being trafficked. However, some victims were likely punished due to the lack of effective victim identification procedures and authorities' efforts to arrest and deport immigration violators.

The government generally encourages victims to participate in the investigation and prosecution of trafficking, though some victims opt not to do so. There was no evidence during the reporting period that the government offered legal aid to encourage workers to avail themselves of the opportunity to obtain compensatory damages from employers in cases of forced labor. High legal costs, language, bureaucratic, and immigration barriers, fear of retribution by traffickers, distrust of Thai officials, slow legal processes, and the financial needs of victims effectively prevented most victims from participating in the Thai legal process. While in the past, authorities have assisted trafficking victims receive financial compensation from their trafficking offenders in a few cases, there were no such reported cases during the year. The lack of labor law coverage for fishermen in Thailand under the Labor Protection Act of 1998 makes this population particularly vulnerable to exploitation. Despite a 2005 cabinet resolution that established that foreign trafficking victims in Thailand who are stateless residents can be given residency status on a case-by-case basis, the Thai government has yet to report granting residency status to a foreign trafficking victim.

Prevention

The Thai government made notable efforts to prevent human trafficking, including through collaboration with international organizations and NGOs. Some prevention efforts included the involvement of the prime minister and members of his cabinet. While some activities aimed to raise awareness on trafficking within Thai society as a whole, others attempted to raise awareness among targeted high-risk industries. The government reported that throughout 2010 and early 2011, it reached more than 3,000 people from high-risk groups to raise awareness on trafficking, as well as approximately 2,000 employers to raise awareness on labor rights and trafficking. NGOs noted that awareness of human trafficking and labor rights grew, both among high-risk populations and government officials. The government made increased efforts to educate migrant workers on their rights and their employers' obligations to them. The government's *Nationality Verification and Granting an Amnesty to Remain in the Kingdom of Thailand to Alien Workers Program* offered inadequate legal rights to Burmese and other migrant workers and bound their immigration status to Thai employers, effectively leaving workers without legal recourse or protection from forced labor. Observers remained concerned that the process to legalize migrant workers with its associated fees, as well as costs imposed by poorly regulated and unlicensed labor brokers, increased the vulnerability of migrant workers to trafficking and debt bondage. In

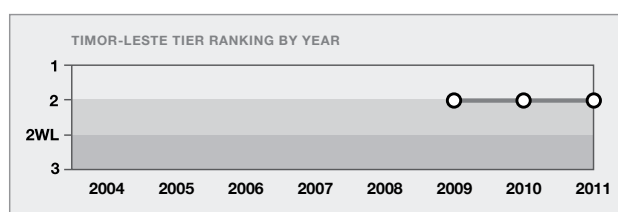
some cases, workers reportedly incurred debts imposed by their employers amounting to one year's wages for the required processing of their registration. During the past year, the government worked with the Government of Burma to open a Burmese government office in Thailand, reducing the need for some undocumented Burmese workers to return to Burma, and thus making them less at risk to being exploited. The government in 2010 announced plans to collect additional funds from migrant workers undergoing nationality verification in order to underwrite the cost of deporting undocumented migrants; if enacted, this could further increase workers' debt. In October 2010, the prime minister announced the creation of a "Centre to Suppress, Arrest and Prosecute Alien Workers Working Underground and Human Trafficking Processes." Authorities reported partnering with NGOs and international organizations that fund interpreters to assist the government in responding to foreign language queries reposted to the hotline that receives calls regarding trafficking cases; however, the government's decentralized call system made it difficult to ensure that localities systematically and adequately responded to calls that were diverted to them - particularly calls that came in from non-Thai callers. The government reportedly disbursed \$200,000 from its fund to assist trafficking victims and finance anti-trafficking activities - only a small portion of the government's overall fund to assist trafficking victims. In April 2010, the Thai government published its own report on the trafficking situation, its efforts to address it, trafficking statistical data, and recommendations on how to improve its operations. The government reported random interviews with Thai migrants at overland border-crossing checkpoints prevented 171 potential victims of trafficking or other exploitation from traveling. Authorities also reported "labor checkpoints" at international airports through which the Labor Ministry works with immigration authorities to randomly interview travelers who may be potential trafficking victims, though the government did not report identifying any potential or confirmed trafficking cases through these efforts. The government conducted awareness-raising campaigns targeting tourists' demand for child sex tourism, but did not make any other efforts to reduce the demand for commercial sexual acts or forced labor. Thailand is not a party to the 2000 UN TIP Protocol.

TIMOR-LESTE (Tier 2)

Timor-Leste is a destination country for women from Indonesia and China subjected to forced prostitution. In addition, men and boys from Burma, Cambodia, and Thailand are subjected to forced labor, including on fishing boats operating in Timorese waters; they occasionally escape their traffickers and swim ashore to seek refuge in Timor-Leste. The placement of children in bonded labor by family members in order to pay off family debts was also a problem. Timor-Leste may also be a source country for women or girls sent to Singapore and elsewhere in Southeast Asia for forced domestic work. Some migrant women recruited for work in Dili report being locked up upon arrival, and forced by brothel 'bosses' and clients to use drugs or alcohol while providing sexual services. Some

women kept in brothels were allowed to leave the brothel only if they paid 20 dollars an hour. Traffickers regularly retained the passports of victims, and reportedly rotate sex trafficking victims in and out of the country every few months. Male victims from Burma, Cambodia, and Thailand who were forced to labor on fishing boats with little space, no medical care, and poor food, sometimes escaped and swam ashore while in Timorese waters to flee the fishing boats. Traffickers used debt bondage through repayment of fees and loans acquired during their recruitment and/or transport to Timorese waters to achieve consent of some of the men laboring on the fishing vessels. Traffickers subjected victims to threats, beatings, chronic sleep deprivation, insufficient food and fresh water, and total restrictions on freedom of movement - victims on fishing vessels rarely or never went ashore during their time on board. Transnational traffickers may be members of Indonesian or Chinese organized crime syndicates, and the trafficking offenders who use male victims on fishing boats are reportedly Thai nationals.

The Government of Timor-Leste 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 increased efforts to raise public awareness of human trafficking. There was, however, a decrease in the number of trafficking cases the government investigated and the number of victims referred to international organizations and NGOs for assistance, and victim identification efforts were inadequate. Authorities continued to refer identified trafficking victims to protection services provided by NGOs and international organizations, as a serious lack of resources and personnel continued to limit the Timorese government's ability to provide services directly. The government did not investigate reports of trafficking-related complicity, including lower-level police and immigrations officials accepting bribes from traffickers.



Recommendations for Timor-Leste: Enact comprehensive anti-trafficking legislation; increase efforts to investigate, prosecute, convict, and punish trafficking offenders; make efforts to investigate and prosecute officials complicit in human trafficking; implement procedures to proactively identify victims of trafficking among vulnerable populations; train front-line law enforcement officers on proper victim identification procedures and referral mechanisms, including recognition of trafficking victims who may have possession of their own travel documents; increase the quality and types of assistance to trafficking victims; finish developing and institute formal national procedures for referring victims to service providers; and develop and conduct anti-trafficking information and education campaigns.

Prosecution

The Government of Timor-Leste did not make discernible progress in anti-trafficking prosecution efforts during the reporting period. The government reported investigating only two cases of trafficking during the year, both of which are ongoing, but did not prosecute or convict any trafficking offenders. During the previous reporting period, the government reported arresting nine suspected trafficking offenders; there were no reported efforts to prosecute these suspected offenders during the last year. The revised Penal Code defines and punishes the crime of trafficking and provides protection to witnesses and victims. Articles 163, 164, and 165 of the Penal Code specifically prohibit trafficking, and Articles 162 and 166 prohibit slavery and the sale of persons. The articles prescribe sufficiently stringent penalties ranging from four to 25 years' imprisonment, which are commensurate with punishments prescribed under law for other serious crimes, such as rape. Specific provisions prohibit trafficking offenses committed against a "particularly vulnerable" person or a minor, which it defines as a person under 17 years of age. During the year, the government cooperated with an international organization in the planning and implementation of anti-trafficking training provided to law enforcement and immigration officers with the funding support of foreign donors. The government did not report any efforts to investigate suspected trafficking complicity of public officials, despite some reports that immigration officials allegedly accept bribes to facilitate the illegal entry of Chinese victims into the country. There were also reports that some police officers in Dili accepted bribes to allow brothels – where potential trafficking victims may be identified – to continue operating. Some international and local NGOs alleged that some lower-level members of the police frequent these establishments. Although two brothels were shut down during the year, the government did not report any investigations to explore reports of police bribes or involvement in brothel-based sex trafficking.

Protection

During the past year, the government made limited efforts to identify and assist trafficking victims, but these efforts were inadequate. The number of suspected and confirmed trafficking cases referred by the government to NGOs and foreign embassies for victim assistance significantly decreased to just three confirmed victims in the last year. Authorities identified these three trafficking victims as a Timorese girl in domestic servitude, a Burmese boy in forced labor on a fishing boat, and a Chinese child in forced prostitution. An international organization reported assisting an additional six male victims of forced labor on board fishing vessels during the year; the government did not provide these victims with assistance. In operations conducted during the year by the Timor-Leste National Police and the UN Police and reported as anti-trafficking efforts, authorities apprehended 59 Chinese and Indonesian foreign nationals for prostitution, immigration violations and related activities. During these raids, police identified one trafficking victim among this group and arrested two potential traffickers who remain in detention on trafficking charges while investigations are ongoing. The government referred three victims to a

shelter run by IOM and local NGOs for services, including medical assistance, food, shelter, medical assistance, and return and repatriation services. The government did not provide any funding or in-kind assistance to the shelter during the reporting period, though it coordinated with service providers and foreign embassies in the repatriation of foreign victims. Victims were given limited access to legal assistance, mental health care, and translation services. Shelter services were reportedly sufficient to meet the current level of demand for victim shelter and assistance. Although the police and Migration Service were reportedly more active on conducting proactive trafficking investigations, efforts to identify victims of trafficking were inadequate; authorities relied on the possession of passports as the determining indicator of whether or not an individual was a trafficking victim. Potential victims who had possession of their own documents were not referred to IOM or NGOs for assistance; this may also have contributed to the decrease in the number of confirmed and potential trafficking cases referred to IOM and NGOs during the reporting period. It is possible that potential trafficking victims were deported by authorities during the reporting period for immigration violations, due to poor procedures to identify trafficking victims. The government did not provide temporary or extended work visas to trafficking victims during this review period. The government sometimes provided victims with legal alternatives to their removal to countries where they may face hardship or retribution.

Prevention

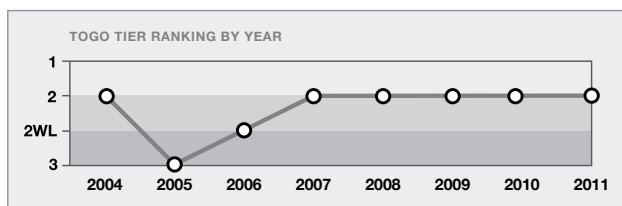
The Government of Timor-Leste improved efforts to prevent trafficking during the reporting period. Using newly acquired patrol boats, the government began patrolling its territorial waters to combat criminality, including forced labor on fishing vessels, though these efforts did not result in the identification of any trafficking cases during the reporting period. The government provided material support for two music concerts sponsored by MTV to raise public awareness on human trafficking. Subsequently, the government repeatedly broadcast a video compilation of the public awareness campaign and concert on state television station throughout the country. Government radio continued to broadcast a nation-wide weekly radio program on issues related to trafficking. The President of the Republic spoke out on anti-trafficking issues and posters of him delivering this message were posted throughout the country. The government's Inter-Agency Trafficking Working Group drafted a national action plan on trafficking and held government, community, and civil society consultations, though the plan has yet to be finalized. Authorities took no action to reduce the demand for commercial sex acts during the reporting period. The government's Inter-Agency Trafficking Working Group drafted anti-trafficking legislation, which has been presented to parliament for approval.

TOGO (Tier 2)

Togo is a source and transit country for men, women, and children subjected to forced labor and sex trafficking. The majority of Togolese victims are exploited within

the country; children from rural areas are brought to the capital, Lome, and forced to work as domestic servants, roadside vendors, and porters, or are exploited in prostitution. Togolese girls and, to a lesser extent, boys are transported to Benin, Gabon, Nigeria, Ghana, Cote d'Ivoire, and the Democratic Republic of the Congo and subsequently forced to work in agricultural labor. An NGO shelter in Cote d'Ivoire reported caring for three Togolese children during the year. Children from Benin and Ghana are recruited and transported to Togo for forced labor. Trafficking offenders are both women and men, and are often Togolese, Beninese, or Nigerian. Some reports indicate Togolese women are fraudulently recruited for employment in Lebanon, Saudi Arabia, the United States, and Europe, where they are subsequently subjected to domestic servitude and forced prostitution.

The Government of Togo does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government sustained moderate efforts to prosecute and punish trafficking offenders and protect trafficking victims. However, it did not make progress in completing and enacting legislation to prohibit trafficking crimes committed against adults, and limited resources restricted the government's ability to accurately track prosecution and protection data and disseminate it throughout government ministries.



Recommendations for Togo: Increase efforts to convict and punish trafficking offenders, including using existing statutes to prosecute trafficking crimes committed against adults; complete and enact the draft law prohibiting the forced labor and forced prostitution of adults; train law enforcement officials to identify trafficking victims among vulnerable populations, such as women in prostitution and children in workplaces, and refer them to protective services; develop a system within the Ministry of Social Affairs to track the number of victims referred to NGOs or returned to their families; ensure that the plan of action to establish a commission to coordinate anti-trafficking activities sets forth a clear division of responsibilities and budget allocations between the new committee and the National Committee for the Reception and Social Reinsertion of Trafficked Children (CNARSEVT); in coordination with NGOs, complete the transfer of the Oasis Center to the government and ensure sufficient funds are allocated to operate it; and increase efforts to raise public awareness about the dangers of trafficking.

Prosecution

The Government of Togo sustained modest anti-trafficking law enforcement efforts during the year. Togolese law does not prohibit all forms of trafficking, such as the

sex trafficking of adults, and laws against forced labor are inadequate with regard to definitions and prescribed penalties. The 2007 Child Code prohibits all forms of child trafficking and prescribes penalties of two to five years' imprisonment. These penalties are sufficiently stringent, but not commensurate with those prescribed for other serious crimes, such as rape. Unlike the country's 2005 Law Related to Child Smuggling, the 2007 Child Code provides a strong definition of trafficking and prohibits child prostitution and forced labor. The child smuggling law prescribes sentences of three months' to 10 years' imprisonment for abducting, transporting, or receiving children for the purposes of exploitation. Article 4 of the 2006 Labor Code prohibits forced and compulsory labor, but its prescribed penalties of three to six months' imprisonment are not sufficiently stringent, and its definition of forced or compulsory labor includes broad exceptions which may allow some forced labor offences to be excluded. No action was taken during the year to enact revisions of the Penal Code that would include provisions prohibiting all forms of trafficking of adults. During the reporting period, 14 trafficking offenders were arrested for allegedly forcing children to work in agricultural labor and domestic service, including three women who were apprehended while transporting 24 girls into Benin to force them into domestic service. Five trafficking offenders were prosecuted and convicted under the 2005 Law Related to Child Trafficking; these five traffickers, and 10 others who were convicted during the previous year, remained in prison awaiting sentencing at the close of the reporting period. Nine suspected trafficking offenders awaited trial. During the year, the government instituted a new policy of prosecuting trafficking offenses in the region in which the suspect was apprehended, rather than transferring the case to Lome, but courts have not yet implement this practice. In March 2010, the Ministry of Social Action and National Security (MSA) provided training on the country's Child Code, including how to differentiate trafficking crimes from other forms of child exploitation, to law enforcement and judicial personnel in two regions. Although there were reports that traffickers bribed border guards to avoid immigration controls, no government officials were investigated, prosecuted, or convicted for trafficking-related complicity during the reporting period.

Protection

During the past year, the government sustained its efforts to provide modest protection to child victims, but it did nothing to protect adult victims. The government did not put in place measures to identify trafficking victims among individuals in prostitution, but it took steps to proactively identify child victims of forced labor, and in November 2010, the MSA provided training to police, *gendarmes*, lawyers, and customs officials on how to identify trafficking victims. Although the government did not have specialized resources for trafficking victims, the MSA continued to run both a toll-free helpline, Allo 111, which received 380 trafficking-related calls during the year, and the Tokoin Community Center, which provided immediate shelter to child victims before they were referred to NGO shelters for additional care. Forty-eight victims identified through Allo 111 were referred by the Ministry of Social Affairs to the Tokoin Community Center during

the year, but as there was no formal referral system, the Director for the Protection of Children sometimes had to respond to calls personally or solicit funding from NGOs to transport the children to the shelter on an *ad hoc* basis. In 2010, the government provided \$45,000 to an NGO which cared for 24 trafficking victims, referred by the government, and the MSA reported reuniting 24 girls with their families. The government did not offer temporary or permanent residency status to foreign victims who faced hardship or retribution in their native country. According to NGOs, trafficking victims were not detained, fined, or jailed for unlawful acts committed as a result of being trafficked. There was no formal process, however, to encourage victims to assist in the prosecution of trafficking offenders, and it is not known whether any did so during the year.

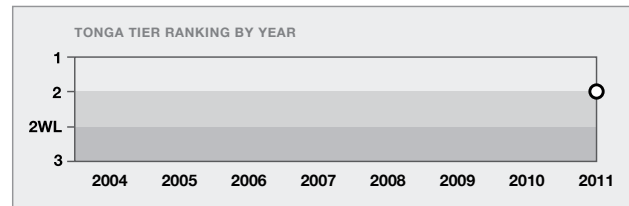
Prevention

The Government of Togo increased its efforts to prevent trafficking during the year. In August 2010, the Ministry of Social Affairs, in partnership with a local NGO, conducted a weeklong radio awareness campaign in targeted regions about the dangers of child trafficking. CNARSEVT, a national anti-trafficking committee comprised of government and NGO representatives that focuses on the reintegration of child victims, received a budget allocation of approximately \$20,000 for the year, which it used to fund administrative costs and victim protection efforts. In December 2010, the government hosted a Gabonese delegation to discuss establishing a bilateral agreement to extradite suspected traffickers and repatriate victims; however, no action was taken as a result of this meeting. The government reported that it began to take steps to establish a new commission to coordinate anti-trafficking activities and that it plans to take over supervision of an NGO-run shelter; however, these initiatives were not completed during the reporting year. During the reporting period, the government increased the number of labor inspectors whose responsibilities included identifying trafficking victims from 26 to 62, but this did not result in any arrests, and it took no discernible measures to decrease the demand for commercial sex acts. The government provided anti-trafficking training to Togolese troops prior to their deployment abroad on international peacekeeping missions.

TONGA (Tier 2)

Tonga is a source and destination country for women and children subjected to sex trafficking within the country and a source country for women subjected to forced labor abroad. Foreign women and local children are prostituted in bars and entertainment establishments; some East Asian women are recruited from their home countries for legitimate work in Tonga, paying large sums of money in recruitment fees, and upon arrival are forced into prostitution. Crew members on foreign fishing vessels in Tonga or in its territorial waters exploit prostituted children on board their vessels. There were suspected cases of Tongan nationals who were recruited for domestic work abroad, but subsequently had their passports confiscated and were forced to work with no pay.

The Government of Tonga 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 investigated and prosecuted its first case of trafficking involving two Chinese victims of forced prostitution, and provided these victims with some limited services. Nevertheless, the government did not take steps to proactively identify other victims of trafficking or educate the public about human trafficking.



Recommendations for Tonga: Publicly recognize, investigate, prosecute, and punish incidences of child sex trafficking; enact a law or establish a policy that provides for explicit protections for victims of trafficking, such as restitution, benefits, and immigration relief; criminalize the confiscation of travel documents as a means of obtaining or maintaining someone in compelled service; train officials on human trafficking and how to identify and assist trafficking victims; continue efforts to investigate, prosecute, and punish trafficking offenders; work with NGOs or international organizations to provide legal assistance to victims of trafficking and greater victim protection resources; adopt proactive procedures to identify victims of trafficking among vulnerable groups; and develop and conduct anti-trafficking information and education campaigns.

Prosecution

The Government of Tonga made limited efforts to investigate and prosecute trafficking offenders during the reporting period. Tonga prohibits all forms of human trafficking through its Revised Transnational Crimes Act of 2007, which defines human trafficking as including forced labor and forced prostitution and which prescribes penalties of up to 25 years' imprisonment for these offenses. These penalties are sufficiently stringent and commensurate with penalties for other serious crimes, such as rape. The government acknowledged that trafficking occurs in Tonga and reported investigating and prosecuting its first ever trafficking case during the year. In early 2011, the government prosecuted a Chinese national for forcing two other Chinese nationals into prostitution after recruiting them from China to work in her bar and restaurant business in Tonga in 2009. The victims paid their trafficker \$6,000 in recruitment and transportation costs. The government funded Chinese interpreters for the case. Sentencing of the convicted offender was expected in April 2011. Corruption is a known problem in Tonga, though the government did not report any investigations, prosecutions, convictions, or punishments of officials for complicity in human trafficking through corrupt practices during the reporting period. The government did not provide training to law enforcement and court personnel on trafficking awareness or how to identify trafficking victims or investigate trafficking cases.

Protection

The Government of Tonga made modest efforts to ensure trafficking victims' access to protective services during the year despite limited resources. Law enforcement and social services personnel did not demonstrate efforts to proactively identify victims of trafficking among vulnerable populations, but reported their use of a referral form used to direct general victims of crime to NGO assistance-providers. Authorities did not proactively identify any victims during the reporting period. Two victims identified themselves to authorities and were subsequently provided with medical assistance and police protection during their trafficker's trial. The victims were forced into prostitution in Tonga, and also were forced into labor at the trafficker's restaurant. Although the victims expressed a desire to pursue civil charges against their trafficker, they were not provided access to legal assistance to do so. The government offered to refer identified victims to NGO shelter and counseling services. Authorities did not punish identified victims for crimes committed as a direct result of being trafficked, such as immigration offenses. The Immigration Department assisted one victim who had overstayed her visa, and did not penalize her. However, the victim was not offered a work visa that would allow her to work for the duration of the trial or longer. The government did not yet provide victims with longer-term shelter or residency benefits in Tonga. 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 of Tonga made no discernible efforts to prevent human trafficking during the reporting period, such as through raising public awareness of the dangers of trafficking. The government did not provide any training for government or law enforcement officials on how to recognize, investigate, and prosecute instances of trafficking. It did not take action to reduce the demand for commercial sex acts or forced labor during the reporting period. Tonga is not a party to the 2000 UN TIP Protocol.

TRINIDAD AND TOBAGO (Tier 2)

Trinidad and Tobago is a destination, source, and transit country for adults and children subjected to sex trafficking and adults subjected to forced labor. Some women and girls from South America and the Dominican Republic are subjected to sex trafficking in Trinbagonian brothels and clubs. Trinbagonian teenagers enticed into providing sex acts for shelter or material goods by local men are a high risk group for sex trafficking. Economic migrants from the region and from Asia may be vulnerable to forced labor. Some companies operating in Trinidad and Tobago reportedly hold the passports of foreign employees, a common indicator of human trafficking, until departure. Trafficking victims from Trinidad and Tobago have in the past been identified in the United Kingdom and the United States. As a hub for regional travel, Trinidad and Tobago also is a potential transit point for trafficking victims traveling to Caribbean and South American destinations.

The Government of Trinidad and Tobago does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated some progress during the reporting period, most notably by formalizing and implementing victim identification procedures, training numerous officials, and identifying more potential victims. Legislation that would criminalize all forms of human trafficking and provide extensive protections to trafficking victims was introduced to parliament in April 2011. The absence of such legislation and related policies or laws on victim protection, however, limited the government's ability to prosecute trafficking offenders and provide comprehensive assistance for trafficking victims during the reporting period.



Recommendations for Trinidad and Tobago: Enact draft legislation that prohibits all forms of human trafficking and includes victim protection measures; encourage victims' assistance in the investigation and prosecution of trafficking offenses, including by offering legal alternatives to foreign victims' removal to countries in which they would face retribution or hardship and by ensuring that identified victims are not inappropriately incarcerated, fined, or otherwise penalized solely for unlawful acts committed as a direct result of being trafficked; vigorously investigate and prosecute trafficking offenses, and convict and sentence trafficking offenders; implement a national public awareness campaign in multiple languages that addresses all forms of trafficking, including forced domestic service and other forms of forced labor.

Prosecution

The government made limited progress in its prosecution and punishment of sex and labor trafficking offenders during the reporting period. The lack of comprehensive legislation that would make human trafficking a crime and would ensure protection of trafficking victims was a significant limitation in the government's ability to prosecute trafficking offenders and address human trafficking in Trinidad and Tobago. Nevertheless, the government's anti-trafficking task force, which was established in November 2009, drafted comprehensive legislation during the year that reportedly criminalizes all forms of trafficking and provides for victim protection; the legislation progressed to final stages of executive branch review before introduction to Parliament. Debate on the legislation began on April 8, 2011. The government claimed to have investigated trafficking offences during the reporting period, but did not provide the number of investigations, nor did it provide data on any prosecutions, convictions, or sentences of trafficking offenders or any officials guilty of trafficking complicity under any statute.

In partnership with IOM, the government co-funded a series of trainings for over 100 government officials, including police, immigration authorities, school guidance counselors, and labor inspectors, in responding to human trafficking.

Protection

The government made progress in victim protection during the reporting period. It reportedly identified at least two potential sex trafficking victims during the reporting period; this is an improvement over the lack of any victims identified during the previous year. An NGO reportedly identified at least five additional sex trafficking victims during the reporting period. The government's trafficking task force developed a formal system to identify trafficking victims, which officials used on an *ad hoc* basis between June and October 2010 and then consistently since October. It is now part of the standard operating procedure for all brothel raids. The Ministry of Labor reported it has hired translators to assist during labor inspections at job sites where there are Chinese laborers to better screen for unfair labor practices and human trafficking. During the reporting period, the government provided shelter and protection for at least one victim. The government offered human trafficking victims some social services directly and through NGOs that received government funding, but there was no specific budget dedicated toward trafficking victim protection.

Trinbagonian authorities encouraged crime victims in general to assist with the investigation and prosecution of offenders, though without legislation prohibiting human trafficking or providing formal protections for trafficking victims, few incentives existed for trafficking victims to assist in practice. During the reporting period, at least five victims reportedly were detained for immigration violations and deported.

Prevention

The government made some progress in the prevention of human trafficking during the reporting period. On occasion throughout 2010, both the newly elected prime minister and the new minister of national security spoke out publicly to raise awareness about human trafficking. An NGO that received government funding launched a human trafficking awareness day in March 2011 that involved a national teaching campaign for NGOs, government officials, and the general public, and explicitly addressed the demand for commercial sex acts. The government anti-trafficking task force included four NGO members, met monthly throughout the reporting period, and made final recommendations to the cabinet in October 2010 regarding legislative reform, government training, and public awareness. The government has no formal system for monitoring its anti-trafficking efforts. The government has dedicated a number for a future trafficking hotline, but the number is not yet functional. NGOs that operate existing hotlines with government funding for child abuse and domestic violence have participated in trafficking awareness training. Authorities did not consider child sex tourism to be a problem in Trinidad and Tobago during

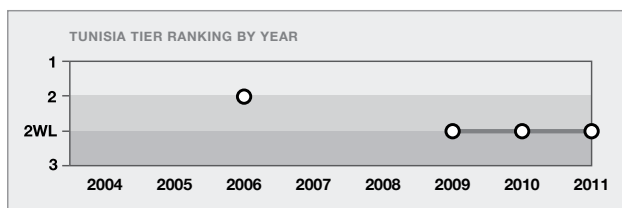
the reporting period and reported no cases of it identified, investigated, or prosecuted.

TUNISIA (Tier 2 Watch List)

Tunisia is a source, destination, and possible transit country for men, women, and children subjected to forced labor and sex trafficking. Some Tunisian girls in domestic work in Tunis and other governorates are trafficking victims. In northwest Tunisia, a network of brokers and hiring agencies facilitates child domestic work and domestic servitude, sometimes via weekly markets. One study and information from an NGO indicate that 30 percent of the girls enter domestic work before the age of 14; some enter as early as ages 6 or 7. The majority has no vacation, no work contracts, and the ones who live in their employers' homes have neither set hours of work nor freedom of movement. Almost all of the girls in the study admitted ill-treatment, including forced starvation and physical abuse; approximately one-fifth of the girls surveyed have been sexually abused as well. Thirty percent were forced to leave school, two-thirds want to change jobs, and almost all were unaware of labor laws. Fathers take and have control of the salary until the girls reach about 16 or 17. These are indicators of potential forced labor.

In 2010 and 2009, seven Tunisian females were rescued from forced prostitution in Lebanon and a female from Cote D'Ivoire was forced into domestic servitude by a senior staff member of the African Development Bank in Tunis. In that same period, an online magazine alleged that dozens of children under 16 were victims of forced labor and prostitution for Libyan tourists. In 2008, two women were rescued from forced prostitution in Jordan and three men from forced labor in Italy.

The Government of Tunisia does not fully comply with the minimum standards for the elimination of trafficking and has been placed on Tier 2 Watch List for the last three consecutive years. Tunisia was not placed on Tier 3 per Section 107 of the 2008 Trafficking Victims Protection Reauthorization Act, however, as the government has a written plan that, if implemented, would constitute making significant efforts to bring itself into compliance with the minimum standards for the elimination of trafficking and is devoting sufficient resources to implement that plan. Under the leadership of former Tunisian President Ben Ali, the government did not show evidence of progress in prosecuting and convicting trafficking offenders, proactively identifying or protecting trafficking victims, or raising public awareness of human trafficking over the last year. Victims of trafficking likely remain undetected because of a lack of the previous government's effort to identify them among vulnerable groups. However, in January 2011, Ben Ali was removed from power after 24 years of rule as the result of a popular revolution. The interim Government of Tunisia that replaced the Ben Ali regime has indicated their commitment to fight human trafficking through important initial steps. Most notably, the current government has established a National Commission to Combat Trafficking in Persons and is drafting comprehensive counter-trafficking legislation.



Recommendations for Tunisia: Pass and enact comprehensive counter-trafficking legislation that prohibits and adequately punishes all forms of human trafficking; use existing criminal statutes on forced labor and forced prostitution to investigate and prosecute trafficking offenses and convict and punish trafficking offenders; undertake a baseline assessment to better understand the scope and magnitude of the human trafficking problem; and institute a formal victim identification mechanism to identify victims among undocumented migrants and offer them access to protection services.

Prosecution

Under the Ben Ali regime, the government made no discernible anti-trafficking law enforcement progress over the reporting period. Tunisia's Penal Code prohibits some forms of human trafficking. The Penal Code prescribes punishments of 10 years' imprisonment for capturing, detaining, or sequestering a person for forced labor, and up to five years' imprisonment for forced prostitution of women and children. The Penal Code also criminalizes child prostitution. The prescribed penalties for forced labor are sufficiently stringent. The penalty for forced prostitution – five years' imprisonment – is sufficiently stringent, though not commensurate with penalties prescribed under Tunisian law for other serious offenses, such as rape. In addition to these laws the Penal Code prescribes one to two years' imprisonment for forced child begging. There were no reported investigations or prosecutions of trafficking offenses, or convictions of trafficking offenders, during the year. There was no information on prosecutions or convictions about the reported investigation of child sex tourism by Libyans, noted in the 2010 TIP Report. There is no evidence that the previous government provided anti-trafficking training to law enforcement officials in the reporting period, but neither is there evidence of official complicity in trafficking in persons. The current government is drafting legislation to prohibit and punish trafficking in persons, protect trafficking victims, and prevent human trafficking.

Protection

Under the Ben Ali regime, the government did not offer trafficking victims access to shelters or other services during the reporting period. During that time, the government lacked formal procedures to identify trafficking victims among vulnerable groups, such as undocumented migrants and those persons detained for prostitution offenses. As a result, persons whose trafficking victim status was not recognized by Tunisian authorities were vulnerable to imprisonment and deportation if caught engaging in illegal activities under Tunisian law. Some sources indicate that the previous government left undocumented migrants to fend for themselves in either

the Tunisian or Libyan deserts. It neither undertook efforts to identify trafficking victims among the undocumented migrants in its detention centers, nor did it allow outside parties to screen these detained migrants to determine if any were victims of abuse. Under the former regime, the government detained some child sex trafficking victims in the reporting period. The government's social workers provided direct assistance to abused migrant women and children – including possible trafficking victims – in two shelters operated by a local NGO. The Ministry of Women's Affairs, Family, Children, and Elderly Persons continued to assign a child protection delegate to each of Tunisia's 24 districts to intervene in cases of sexual, economic, or criminal exploitation of children; these delegates worked to ensure that child sex abuse victims received adequate medical care and counseling. The previous government did not offer trafficking victims legal alternatives to their removal to countries where they may face hardship or retribution.

Prevention

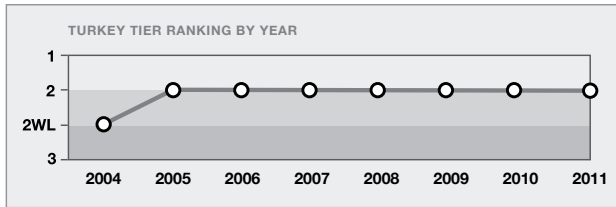
Under the Ben Ali regime, the government made no discernible efforts to prevent trafficking during the reporting period; there were no government campaigns to raise public awareness of trafficking. Tunisia took steps to reduce demand for commercial sex acts by enforcing laws against prostitution and arresting "clients" soliciting commercial sex, although these measures also resulted in the detention of women in prostitution, including possible trafficking victims. The current government, however, has established a National Commission to Combat Trafficking in Persons, composed of representatives of the Ministries of Justice, Interior, Foreign Affairs, Social Affairs, Health, Finance, and Women's Affairs, as well as members of civil society.

TURKEY (Tier 2)

Turkey is a source, destination, and transit country for women, men, and children subjected to sex trafficking and forced labor. Women and child sex trafficking victims found in Turkey originate predominately from the former Soviet Union and Eastern Europe. Turkish women are also subjected to forced prostitution within the country. According to regional experts, men and women from Turkmenistan, Tajikistan, and Mongolia are subjected to forced labor in Turkey. A recent report claimed that children involved in the drug trade, prostitution, and pick pocketing in Turkey are vulnerable to exploitation by criminal groups. According to a recent report by ECPAT, some Turkish children may be subjected to human trafficking through forced marriage.

The Government of Turkey does not fully comply with the minimum standards for the elimination of trafficking, but it is making significant efforts to do so. The government improved its recognition of forced labor and domestic trafficking during the reporting period and provided funding to the IOM-run anti-trafficking hotline. The government did not follow through on correcting its long-standing deficiency of inconsistent protection of victims in Turkey, resulting in significant gaps in protection and

assistance for victims. Further, the number of victims the police identified dropped by almost half compared to the previous year. While it prosecuted and convicted trafficking offenders in 2010, the government did not provide sentencing information to demonstrate that they received adequate jail sentences.



Recommendations for Turkey: Finalize and enact anti-trafficking legislation to prohibit internal trafficking in Turkey; vigorously prosecute and convict trafficking offenders; conduct a study to determine why a significant number of prosecuted trafficking cases result in acquittals; commit sustained funding for the three specialized NGO shelters in the country and consider establishing a victim assistance fund from fines levied against convicted traffickers for this purpose; allow potential victims some time to recover from their trafficking experiences and to make informed decisions about their options for protection and possible cooperation with law enforcement; expand the best practice of allowing NGOs access to detention centers; increase efforts to proactively identify potential victims of forced prostitution and forced labor; continue to improve witness protection measures to provide victims with more incentives to cooperate with law enforcement; and develop specialized assistance for children who are subjected to trafficking, as well as men who are subjected to forced labor.

Prosecution

The Government of Turkey proactively investigated and prosecuted cases of trafficking in 2010. Article 80 of Turkey's Penal Code prohibits both sex trafficking and forced labor, and prescribes penalties of eight to 12 years' imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. This statute, however, places emphasis on the movement, rather than the exploitation, of victims and does not explicitly prohibit trafficking occurring within Turkey's borders. Notably, the government revisited a case of alleged prostitution and trafficking involving children on a yacht discovered on October 28, 2010, which included the alleged involvement of a senior third country national official; authorities had initially determined that this case did not involve human trafficking, but have now begun the prosecution of 10 suspects. The government reported that it prosecuted 430 trafficking suspects under Article 80 during January through September 2010, of which 150 suspects were acquitted. Of the remaining 280 convicted offenders, 26 were sentenced to time in prison. Twenty-eight of these offenders were convicted under Article 80 with sentences ranging from two to 24 years' imprisonment. The government convicted other offenders under non-trafficking statutes. Further, the government reported it reached a verdict in 31 cases at the appellate level, which

resulted in "severe punishment" for traffickers, but did not provide further information on the sentences. Turkish law allows for the suspension of prison sentences of two years or less under certain conditions. The government continued its institutionalized and comprehensive anti-trafficking law enforcement training in 2010. Complicity in trafficking by law enforcement personnel continued to be a problem. The government did not take any additional action stemming from a 2009 prosecution involving three police officers under Article 80. Furthermore, the government did not report any follow-up to its 2008 investigation of 25 security officials for trafficking-related complicity.

Protection

The Government of Turkey demonstrated some limited progress in protecting trafficking victims in 2010; however, it did not address critically needed improvements to achieve a more victim-centered approach. While it improved identification of internal trafficking victims and some foreign victims of forced labor, its overall identification of foreign trafficking victims continued to decline in 2010. It did not provide sufficient funding or resources to its three anti-trafficking shelters, forcing one to shut down for eight months in 2010. During the reporting period, the government identified 58 trafficking victims; this represents a sharp decline from the previous year when it identified 102 victims. In partnership with the Istanbul trafficking shelter, the police continued the good practice of allowing shelter staff into the immigration detention facility to interview foreign women who may have been too afraid to disclose elements of their trafficking experience to police. However, police continued to detain and interview victims in a detention setting, inadvertently deporting some foreign trafficking victims. According to regional experts, Turkish authorities continued to arrest and deport women in prostitution without adequate efforts to identify trafficking victims among them; NGOs report that some of these women were subsequently identified as trafficking victims in Armenia. On October 28, 2010, police raided a yacht that functioned as a hotel, but was also discovered to be offering prostitution services from Ukrainian and Russian women, some of whom were as young as 17 years old. These women and child trafficking victims were deported after being detained and brought before a prosecutor for questioning. Authorities, however, subsequently indicted 10 suspects in this case on trafficking charges and began prosecuting them for human trafficking in December 2010. The fate of the deported victims in this case is unknown.

According to the police, 32 trafficking victims were referred to one of the three NGO-run anti-trafficking shelters in the country. The government's lack of consistent funding, however, continued to cause unpredictability in these shelters' ability to operate and assist victims, forcing one shelter to close down in 2010 for eight months. While the government encouraged victims to participate in trafficking investigations and prosecutions, most victims chose to return to their country of origin and declined to participate in prosecutions of traffickers, most often due to victims' perceived fear of authorities, retribution from their traffickers, and slow court procedures. IOM facilitated the repatriation of 21 victims in 2010. The government

offered victims legal alternatives to their removal to countries where they would face retribution or hardship. Foreign victims may apply for humanitarian visas and remain in Turkey for up to six months with permission to work, with the option to extend for an additional six months. The government granted two such permits to trafficking victims in 2010, an increase from previous years when no such permits were issued. According to a Turkish media report in 2010, some children were tried in court for prostitution-related offenses, although due to a new law passed in July, juveniles may now be tried in juvenile courts. This report noted that these children were “vulnerable to manipulation” by criminal or political groups, thus indicating possible third party involvement in their prostitution.

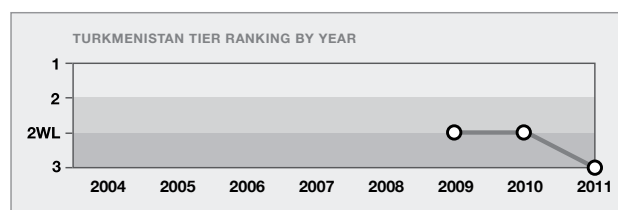
Prevention

The Turkish government took an important step to improve its anti-trafficking prevention efforts in 2010 by providing \$150,000 for the operation of its national IOM-run anti-trafficking (“157”) hotline. IOM continued to report that the highest percentage of calls came from clients of women in prostitution. The Turkish government provided anti-trafficking training to its military personnel prior to their deployment abroad for international peacekeeping missions. The government did not demonstrate efforts to reduce the demand for commercial sex acts or forced labor within Turkey. Prostitution by women who are Turkish citizens is legal under restricted conditions in Turkey, though the government reported efforts to screen both brothels and women involved in street prostitution to identify potential trafficking victims. The government did not take any discernible steps to prevent child sex tourism by Turkish nationals traveling abroad.

TURKMENISTAN (Tier 3)

Turkmenistan is a source country for men and women subjected to forced labor and forced prostitution. Women from Turkmenistan are subjected to forced prostitution in Turkey, and men and women from Turkmenistan are subjected to conditions of forced labor in Turkey, including in textile sweatshops, construction sites, and in domestic servitude. Turkmen trafficking victims were also identified for the first time in Russia, the United Kingdom, and within Turkmenistan.

The Government of Turkmenistan does not fully comply with the minimum standards for the elimination of trafficking, and is not making significant efforts to do so. Although the government continued discussions with IOM on providing shelter space, it did not fulfill its commitment to allocate financial or in-kind assistance to anti-trafficking organizations. Moreover, it did not work with IOM to carry out a human trafficking awareness program for students in the country’s five provinces, as anticipated in the 2010 TIP Report. Furthermore, the government did not show any significant efforts to investigate and prosecute trafficking crimes or to identify and protect victims of trafficking during the last year.



Recommendations for Turkmenistan: Improve implementation of the 2007 Law on Combating Trafficking in Persons; use Article 129(1) to investigate and prosecute suspected trafficking offenses and convict and punish trafficking offenders; continue to provide training for prosecutors and other relevant government authorities on the proper application of Article 129(1); develop systematic victim identification and referral procedures and train border guards, police, and other relevant government officials to use these procedures; provide financial or in-kind assistance to anti-trafficking organizations assisting victims; establish safeguards and training procedures to ensure victims are not punished for unlawful acts committed as a direct result of being trafficked, such as migration violations; conduct a trafficking awareness campaign to inform the general public about the dangers of trafficking; and develop a national action plan for countering trafficking in persons.

Prosecution

The Government of Turkmenistan demonstrated no significant law enforcement efforts to combat trafficking in persons during the reporting period. The government prohibits all forms of trafficking in persons through Article 129(1) of its criminal code, which was adopted in May 2010 and went into effect July 2010. It prescribes penalties ranging from four to 25 years’ imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government did not report whether it investigated or prosecuted suspected traffickers or convicted or punished any trafficking offenders during the reporting period. However, there were reports from other sources of one trafficking investigation and one unrelated conviction of a trafficking offender under a non-trafficking statute. During the previous reporting period, the government also had not reported efforts to investigate or prosecute suspected traffickers or convict or punish any trafficking offenders. The General Prosecutor’s Office conducted trainings for law enforcement officials on implementing Article 129(1). Various international organizations provided anti-trafficking training for more than 100 prosecutors, customs officers, police, migration officers, and judges. Five law enforcement officials participated in an IOM study tour in Turkey designed to improve anti-trafficking efforts and collaboration. Prosecutors also shared information about trafficking with Turkish counterparts. There were no reports of government officials complicit in human trafficking.

Protection

The Government of Turkmenistan demonstrated no efforts to protect or assist victims during the reporting period, despite provisions in the 2007 trafficking law for victim care facilities and protection and assistance for victims of

trafficking. The government did not provide counseling, shelter, legal assistance, or rehabilitative services to victims of trafficking, nor did it supply funding to international organizations or NGOs to provide such services to victims. In 2010, 38 victims were assisted by organizations that did not receive government funding, compared with 25 victims assisted by such organizations in 2009. The government did not refer any victims to NGOs or IOM for assistance in 2010. Government personnel employed no formal victim identification procedures and did not provide victim identification, victim referral, or victim sensitivity training to border guards or police. There was one report of a victim assisting in an investigation and receiving protection in return, although the government did not report encouraging victims to assist in trafficking investigations or prosecutions. Anecdotal information suggested, however, that many victims did not turn to the authorities for assistance. There were reports that the government fined trafficking victims upon return to Turkmenistan for visa violations.

Prevention

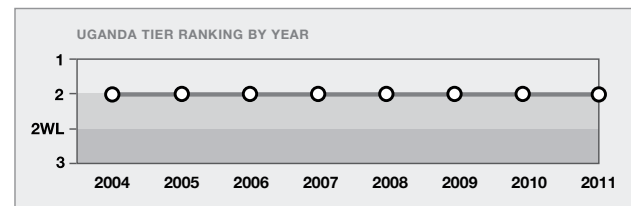
The Government of Turkmenistan demonstrated limited efforts to prevent human trafficking during the reporting period. The government did not fund or conduct any anti-trafficking awareness campaigns in 2010. Efforts to raise public awareness were made by NGOs; the government permitted NGOs to place advertisements about an NGO-operated trafficking hotline in a nationwide state-run newspaper. The government provided reduced rent to one anti-trafficking NGO and meeting space for other anti-trafficking NGOs. Transparency in anti-trafficking efforts was lacking, as the government did not report publicly on its anti-trafficking policies or activities, and it did not collaborate significantly with civil society organizations to address human trafficking issues.

UGANDA (Tier 2)

Uganda is a source and destination country for men, women, and children subjected to forced labor and sex trafficking. Ugandan children are exploited in forced labor within the country in fishing, agriculture, mining, stone quarrying, brick making, road construction, car washing, scrap collection, bars and restaurants, and the domestic service sector, and are exploited in prostitution. Ugandan children are taken to other East African countries for similar purposes, and are also forced to participate in illegal border smuggling of various goods, including counterfeit items and illicit drugs. Karamojong women and children are subjected to domestic servitude and forced cattle herding in Karamoja, and are transported to Kampala and other urban areas by traffickers who force them to beg in the streets, or engage in prostitution or domestic servitude. During the reporting period, Ugandan sex trafficking victims were discovered in Denmark, Oman, and Malaysia. Security companies and employment agencies in Kampala continued to recruit Ugandans to work as security guards, laborers, and drivers in the Middle East; some workers reported conditions indicative of forced labor, including passport withholding, nonpayment of wages and lack of food. South Asian and Chinese

migrant workers are subjected to forced labor in Uganda in construction, transportation, trade, and service activities, and South Asian crime networks transport South Asian children to the country for prostitution. Children from the Democratic Republic of the Congo (DRC), Rwanda, Burundi, Kenya, Tanzania, and Sudan are subjected to forced agricultural labor and prostitution in Uganda. Until August 2006, the Lord's Resistance Army (LRA) abducted children and adults in northern Uganda to serve as soldiers, sex slaves, and porters. While there have been no LRA attacks in Uganda since that time, some Ugandan children remain captive with LRA elements currently located in the DRC, Central African Republic, and southern Sudan.

The Government of Uganda does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. While the government began two prosecutions of four suspected trafficking offenders, among the first to be charged under Uganda's 2009 anti-trafficking law, there were no convictions during the reporting period and no action taken in 16 trafficking investigations outstanding since 2009. While the protection and prevention provisions of the 2009 anti-trafficking act have not been fully implemented or funded, the government referred over 150 trafficking victims to government and NGO care centers. The government monitored the activities of the 20 licensed external labor recruiting agencies and barred them from sending Ugandans to work as domestic employees abroad due to the high risk of exploitation; however the government also reissued a license to a recruiting agency connected to a past alleged trafficking case of domestic workers to Iraq.



Recommendations for Uganda: Increase efforts to prosecute, convict, and punish trafficking offenders; investigate and punish labor recruiters responsible for knowingly sending Ugandans into situations of forced labor abroad; finalize regulations to fully implement the protection and prevention provisions of the 2009 anti-trafficking act; institute a unified system for documenting and collecting data on human trafficking cases for use by law enforcement, labor, and social welfare officials; establish formal procedures for government officials to proactively identify trafficking victims among vulnerable populations and refer them to care; and launch a nationwide anti-trafficking public awareness campaign.

Prosecution

The Government of Uganda maintained its anti-trafficking law enforcement efforts, reporting two pending prosecutions under the anti-trafficking law during the reporting period; however, there were no convictions. The 2009 Prevention of Trafficking in Persons Act prohibits

all forms of trafficking, prescribing punishments of 15 years' to life imprisonment, penalties which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The Ugandan Police Force's (UPF) Child and Family Protection Unit (CFPU) did not report an aggregate number of investigations, prosecutions, or convictions for the reporting period; none of the 16 alleged child trafficking cases reported in the UPF's 2009 Crime Report resulted in prosecutions or convictions. In November 2010, a Kampala court charged two pastors and an alleged accomplice under the anti-trafficking law for transporting a 17-year-old girl from Soroti District to Kampala and fraudulently obtaining a passport in her name with the intent of taking her to the United Arab Emirates; the suspects were granted bail pending prosecution. In February 2011, a Kampala court charged two suspects with trafficking for allegedly misrepresenting employment opportunities when recruiting and sending two Ugandan women to Malaysia, where they were forced into prostitution to pay off large debts; the suspects remain in prison pending a decision in this case. Other suspected trafficking cases were settled by local police who facilitated mediation between trafficking offenders and victims, with some suspects being released after they returned the victim to his or her family and paid lost wages – an insufficient penalty to deter trafficking crimes. During the year, police intercepted at least three buses, one containing 38 children, from the Karamoja region bound for Kampala; authorities believe the suspects intended to use the children for forced begging or domestic servitude. Since 2009, trainers from the UPF's CFPU have provided anti-trafficking training to over 3,500 police recruits and more comprehensive training to 800 officers in criminal investigation courses. The government cooperated with the Governments of Kenya, Tanzania, Rwanda, DRC, Nigeria, and Malaysia on several potential human trafficking cases; for example, in September 2010, Ugandan police rescued three Tanzanian children and returned them to authorities in Tanzania. The police continued to operate a hotline for reporting trafficking cases that received trafficking-related tips during the year. Ugandan People's Defense Force operations against the LRA in neighboring countries led to the recovery and repatriation of an unknown number of Ugandan child trafficking victims. During the reporting period, there were no allegations of complicity among the police or Ugandan peacekeepers abroad.

Protection

The government sustained its moderate levels of protection for child victims during the reporting period. It failed, however, to draft implementing regulations or allocate funding for the application of the anti-trafficking law's victim protection provisions. Local police continued to provide short-term shelter, food, and medical care at police stations, while referring victims on an *ad hoc* basis to NGOs for long-term care and additional services. The government has not developed procedures for the systematic identification of victims among high risk groups; as a result, potential victims were sometimes prosecuted for immigration or prostitution violations and children in prostitution detained during police sweeps were released without care. During the reporting period, the government identified 245 potential trafficking victims,

including 83 children recovered from LRA captivity in neighboring countries, 156 internal cases, 12 Ugandans trafficked abroad, and 22 foreigners trafficked into Uganda. The government assisted in the repatriation of six Ugandan victims from abroad, including three from Iraq, two from Malaysia, and one from Oman. During the year, the UPF referred 77 of the internal child trafficking victims it identified to a local NGO's shelter in Kampala. Its memorandum of understanding with the same NGO sustained the presence of the NGO's social workers in three police stations, where they assisted trafficking victims with legal, medical, psychological, and family tracing services. During the reporting period, the Ugandan military's Child Protection Unit in Gulu received and debriefed 83 returned children who had been abducted by the LRA, before referring them to NGO-run rehabilitation centers for six weeks of care.

The Ministry of Gender, Labor, and Social Development (MGLSD) continued to remove Karamojong children in possible trafficking situations from Kampala's streets and transferred several hundred to two MGLSD-operated shelters in Karamoja that provided food, medical treatment, counseling, and family tracing. The ministry also operated a facility in Kampala for the initial intake of street children; however, it is unknown whether trafficking victims received services here, as the facility did not screen for trafficking victimization. There were, however, no similar government-funded or -operated facilities or services for adult trafficking victims. While the Ministry of Internal Affairs can permit foreign victims to remain in Uganda during investigation of their cases and provide residency and work permits, such benefits were not granted during the year. The government encouraged trafficking victims to testify against their exploiters and at least one victim did so during the reporting period.

Prevention

The Ugandan government made minimal efforts to prevent human trafficking during the year. The Ministry of Labor barred labor recruitment agencies from recruiting Ugandans to work as domestic servants in the Middle East, but continued to allow them to recruit guards, drivers, and laborers. The government did not conduct anti-trafficking educational campaigns during the year and remains without a national action plan to guide its efforts to combat trafficking. The interagency Task Force for the Elimination of Human Sacrifice, which is also responsible for coordinating anti-trafficking activities, met during the reporting period to strategize on actions to address human sacrifice and trafficking. In February 2011, the High Court in Masindi sentenced a man to 50 years' imprisonment under the anti-trafficking law for abducting a 7-year-old boy and removing his genitals. Two additional suspects were exonerated, while a third suspect was lynched by the community.

In the previous reporting period, the External Labor Unit (ELU) of the MGLSD suspended the license of an employment agency pending investigation into allegations that it fraudulently recruited women for work in Iraq; however, in December 2010, the MGLSD renewed its license, with the government taking no civil or criminal

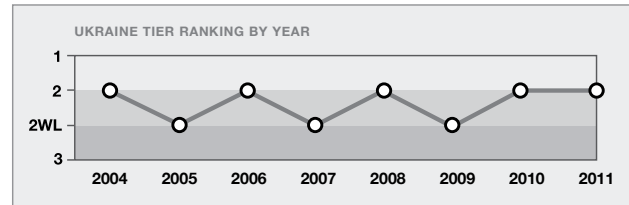
action against this agency. MGLSD officials reported that there was insufficient evidence that the agency fraudulently recruited the women or knowingly sent them into situations of forced labor abroad. In March 2011, five women repatriated from Iraq in 2009 filed a lawsuit against the Attorney General, the Inspector General of Police (IGP), the Director of Public Prosecution (DPP), and the labor recruiting agency, alleging that the agency trafficked them and approximately 150 other women to Iraq, that the IGP knew they were being abused and failed to carry out his constitutional duty to protect them, and that the DPP subsequently failed to prosecute the recruiting agency; hearing of the case remains pending. During the reporting period, the MGLSD's labor inspectors conducted no inspections of exploitative or forced child labor and initiated no criminal cases involving such crimes. The small number of labor inspectors and limited resources precluded inspections in the rural areas or the informal sector. In late 2010, the MGLSD's Child Labor Unit received \$6,087, in addition to its usual budget, to finalize the National Action Plan on the Worst Forms of Child Labor, which has been in draft form since 2007. The government did not make efforts to reduce the demand for commercial sex acts. The government provided anti-trafficking training to members of the Ugandan armed forces prior to their deployment abroad on international peacekeeping missions. Uganda is not a party to the 2000 UN TIP Protocol.

UKRAINE (Tier 2)

Ukraine is a source, transit, and increasingly destination country for men, women, and children subjected to forced labor and sex trafficking. Ukrainian victims are subjected to trafficking in Russia, Poland, Turkey, Italy, Austria, Spain, Germany, Portugal, the Czech Republic, the United Arab Emirates, Indonesia, Kazakhstan, Azerbaijan, the United Kingdom, Israel, Greece, Finland, Norway, Denmark, Ireland, Lebanon, Benin, Tunisia, Cyprus, Aruba, Equatorial Guinea, Bosnia and Herzegovina, Kosovo, Serbia, Hungary, Bulgaria, Moldova, Slovakia, Syria, Switzerland, the United States, Canada, and Belarus. Women continued to be forced into prostitution or subjected to domestic servitude or forced labor in service industries and textile or light manufacturing sectors. The majority of Ukrainian male labor trafficking victims were subjected to forced labor in Russia, but also in other countries, primarily as construction laborers, factory and agricultural workers, or sailors. Children were most often forced into prostitution or forced to beg. The number of Ukrainian victims subjected to forced labor and forced prostitution within the country continued to increase. Homeless children or children in orphanages continued to be particularly vulnerable to trafficking in Ukraine. Men, women, and children from the Democratic Republic of Congo, Moldova, Uzbekistan, the Czech Republic, and Pakistan are subjected to forced labor and sex trafficking in Ukraine.

The Government of Ukraine 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, a higher proportion of trafficking offenders were sentenced to time in prison compared

with last year and prosecutors continued appealing low sentences given to trafficking offenders. The government also increased the number of victims identified and referred to NGOs for assistance. However, the government did not take sufficient steps to investigate, prosecute, and convict government officials complicit in human trafficking crimes and did not develop and implement a national victim referral mechanism.



Recommendations for Ukraine: Vigorously investigate, prosecute, and convict government officials complicit in trafficking crimes and ensure that guilty officials receive time in prison; continue to seek sentences for convicted trafficking offenders that require them to serve appropriate jail time; continue to monitor human trafficking trial procedures and encourage prosecutors to give more serious attention to human trafficking cases by appealing non-custodial sentences; continue to take steps to establish formal mechanisms for the proactive identification and referral of trafficking victims to services; expand services provided by the government to victims of trafficking and provide funding for NGOs providing critical care to victims; consider establishing a fund derived from assets seized from convicted traffickers for this purpose; provide specialized assistance to child trafficking victims; further expand prevention efforts in coordination with civil society; increase interagency coordination to combat human trafficking; adopt national counter-trafficking legislation and a national action plan; and continue trafficking-specific training for prosecutors and judges.

Prosecution

The Government of Ukraine demonstrated some increased law enforcement efforts during the reporting period. The government prohibits all forms of trafficking through Article 149 of its Criminal Code. Penalties prescribed range from three to 15 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. However, courts in various regions throughout Ukraine have interpreted Article 149's applicability to labor trafficking cases differently, causing some convicted labor trafficking offenders to receive light sentences. The government reported initiating 145 investigations into trafficking offenses in 2010. The government prosecuted 110 trafficking cases under Article 149 in 2010, compared with 80 trafficking cases prosecuted in 2009. The government reported that it convicted 120 trafficking offenders in 2010, compared with 110 the previous year. Sixty convicted trafficking offenders were sentenced to time in prison in 2010, compared with 33 in 2009. Sentences ranged from less than two years' to 15 years' imprisonment. Thirty-three convicted traffickers were placed on probation, a decrease from 41 convicted traffickers placed on probation in 2009.

Additionally, 25 convicted traffickers remained free on appeal in 2010, compared with 36 convicted traffickers free on appeal in 2009. The government did not, however, disaggregate its law enforcement data to demonstrate whether it had investigated, prosecuted, or convicted any forced labor offenders in 2010. Government prosecutors continued to appeal low sentences imposed on convicted trafficking offenders, appealing 36 such sentences in 2010. Judges were often unwilling to acknowledge trafficking victims, hindering the prosecution of trafficking offenses. The government provided anti-trafficking training to investigators, prosecutors, and members of the judiciary, including 108 judges.

Government officials' complicity in human trafficking offenses continued to be a serious problem in 2010. As in previous years, NGOs reported that official trafficking-related corruption was a problem, including complicity of prosecutors, judges, and border guards. Local and *oblast*-level corruption interfered with the investigation and prosecution of trafficking cases. The government reported investigating only two cases related to corruption in local police counter-trafficking units, and did not report any new prosecutions or convictions of government officials complicit in human trafficking offenses. During 2011, three anti-trafficking officers who solicited bribes from women engaged in prostitution were convicted and sentenced to 3.5 years' imprisonment; their appeal was pending at the end of the reporting period.

Protection

The government sustained its efforts to protect and assist victims of trafficking during the reporting period. However, the government did not adopt or implement a law drafted in 2009 that would codify its anti-trafficking protection policies, establish a mechanism for referral of victims, and formalize cooperation between the government and NGOs. The government continued its pilot project, in partnership with the OSCE, to develop a referral mechanism in two *oblasts*; 20 victims were identified and assisted within the pilot project framework. In 2010, the government identified and referred to NGOs 449 new victims of trafficking, including 123 children, compared with 335 victims, including 42 children, identified in 2009. The government did not provide any funding to NGOs providing assistance to victims of trafficking, although it did provide some in-kind assistance to NGOs assisting victims, including administrative expenses and facility space. Government-supported shelters reported providing assistance to 39 trafficking victims in 2010 and NGO shelters assisted 31 victims of trafficking. The government, however, continued to rely on international donors to provide the majority of victim assistance. In 2010, IOM, working with its local partners, provided assistance to 1,085 victims, including 106 victims of internal trafficking, an increase from 773 victims, including 32 internal trafficking victims, assisted in 2009. The government continued to place child trafficking victims in temporary shelters for homeless children that do not offer specialized services for trafficking victims; some child trafficking victims were housed in juvenile detention centers. The government encouraged victims to cooperate with law enforcement in the prosecution of their traffickers and 214 victims assisted

in trafficking investigations or prosecutions in 2010; however, NGOs noted serious deficiencies in the protection of victims during the trial process. There were no reports of victims being punished for unlawful acts committed as a direct result of being trafficked; however, some victims were detained because there was no mechanism to release them from deportation proceedings. The government did not provide legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution.

Prevention

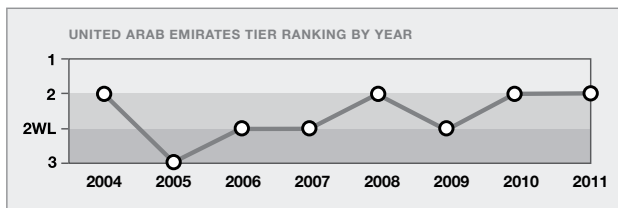
The Government of Ukraine continued its limited trafficking prevention activities during 2010. The government provided in-kind and limited financial assistance to NGOs for trafficking-prevention activities. In cooperation with foreign funders, the Ministry of Education and Science of Ukraine developed a secondary school lesson, "Prevention of Human Trafficking," and facilitated a series of workshops to help teachers discuss human trafficking issues with children. Local authorities provided modest financial and in-kind assistance to NGOs to carry out prevention campaigns, including television and radio announcements and leaflet distribution. Together with IOM, the government conducted six counter-trafficking training sessions for Ukrainian troops prior to deployment for international peacekeeping duties in 2010; these trainings are mandatory for Ukrainian peacekeepers. It remains unclear, following the government's re-organization in 2010, which agency has the primary responsibility for anti-trafficking efforts, and whether that entity will receive sufficient resources and political support to carry out trafficking prevention. The Government of Ukraine's National Plan on Combating Human Trafficking expired in mid-2010. Together with IOM, the government implemented a pilot program in 2010 to prevent child sex tourism, which included the distribution of anti-trafficking posters and information cards.

UNITED ARAB EMIRATES (Tier 2)

The United Arab Emirates (UAE) is a destination for men and women, predominantly from South and Southeast Asia, who are subjected to forced labor and forced prostitution. Migrant workers, who comprise more than 90 percent of the UAE's private sector workforce, are recruited from India, Pakistan, Bangladesh, Nepal, Sri Lanka, Indonesia, Ethiopia, Eritrea, China, Thailand, Korea, Afghanistan, Iran, and the Philippines. Women from some of these countries travel willingly to the UAE to work as domestic servants, secretaries, and hotel cleaners, but some are subjected to conditions indicative of forced labor, including unlawful withholding of passports, restrictions on movement, nonpayment of wages, threats, or physical or sexual abuse. Restrictive sponsorship laws for foreign domestic workers often give employers power to control their movements, threaten them with abuse of legal processes, and make them vulnerable to exploitation. Men from India, Sri Lanka, Bangladesh, and Pakistan are drawn to the UAE for work in the construction sector, but are often subjected to conditions of forced labor,

including debt bondage as they struggle to pay off debts for recruitment fees. Migrant workers were vulnerable to forced labor, particularly in the construction sector, as some employers declared bankruptcy and fled the country, effectively abandoning their employees. Women from Eastern Europe, Central Asia, Southeast Asia, the Far East, East Africa, Iraq, Iran, and Morocco are subjected to forced prostitution in the UAE.

The Government of the United Arab Emirates does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. This year, the government established a special court to hear human trafficking cases in Dubai and opened two new shelters for victims of trafficking. The government continued to prosecute and punish sex trafficking offenders, though its efforts to combat forced labor remained extremely weak. Although the government acknowledges the need to address forced labor, there continued to be no discernible anti-trafficking efforts against the forced labor of temporary migrant workers and domestic servants. These victims remained largely unprotected and, due to the lack of systematic procedures to identify victims of forced labor among vulnerable populations, they may be punished for immigration and other violations.



Recommendations for the United Arab Emirates:

Significantly increase efforts to investigate and prosecute labor trafficking offenses, and convict and punish trafficking offenders, including recruitment agents and employers who subject workers to forced labor; institute formal procedures to proactively identify victims of trafficking among vulnerable groups such as workers subjected to labor abuses, those apprehended for violations of immigration laws, domestic workers who have fled their employers, and foreign females in prostitution; provide protection services to all victims of trafficking, including by extending protection to victims of forced labor on par with victims of forced prostitution; ensure trafficking victims are not incarcerated, fined, or otherwise penalized for unlawful acts committed as a direct result of being trafficked, including victims of forced labor; enforce prohibitions on withholding of workers' passports; extend labor law protections to domestic workers; and reform the sponsorship system so it does not provide excessive power to sponsors or employers in granting and sustaining the legal status of workers.

Prosecution

The UAE government sustained law enforcement efforts against sex trafficking during the reporting period, but again failed to take any discernible measures to investigate or punish forced labor offenses. The UAE prohibits all

forms of trafficking under its federal law Number 51 of 2006, which prescribes penalties ranging from one year to life imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In November 2010, the Dubai authorities established a special court to hear human trafficking cases; this court is aimed at expediting trafficking prosecutions in Dubai. During the reporting period, the government continued to make efforts to address trafficking for commercial sexual exploitation. According to the government, the UAE prosecuted 58 sex trafficking cases during the reporting period involving 169 defendants, an increase from the 43 cases reported in the previous reporting period. The government did not, however, provide information on convictions or sentences for trafficking offenders. Despite the UAE's prohibition against labor forms of trafficking, the government again failed to report any criminal prosecutions, convictions, or punishments for forced labor during the reporting period. Prohibitions against practices that greatly contribute to forced labor, such as widespread withholding of workers' passports, remained unenforced. While the government took steps to respond to workers' complaints of unpaid wages, the authorities' response was limited to administrative penalties such as fines or mediation to recover the wages and did not involve the criminal investigation or punishment of any employer. The government's persistent failure to address labor forms of trafficking continues to be a major gap in the Emirates' law enforcement efforts against trafficking. The government's National Committee to Combat Human Trafficking and Dubai authorities continued to train judicial and law enforcement officials, in coordination with social services agency staff, on trafficking. The government did not report any investigations, prosecutions, or convictions for government complicity in trafficking offenses.

Protection

The UAE government made uneven progress in protecting victims of trafficking during the reporting period. Although it sustained progress in protecting victims of sex trafficking, it demonstrated no efforts to improve protective services for victims of forced labor. The government opened shelters for female and child victims of trafficking and abuse in Ras al Khaimah and Sharjah in January and continued to operate existing shelters in Dubai and Abu Dhabi. These facilities provide medical, psychological, legal, and vocational assistance to female and child victims of trafficking. In Dubai and Abu Dhabi, police conducted interviews in civilian clothes at shelters. Authorities report that government officials, houses of worship, and community centers refer victims to these shelters. In 2010, the Dubai shelter assisted 49 victims of trafficking and the Abu Dhabi shelter assisted 71. These identified victims reportedly were not punished for unlawful acts committed as a direct result of being trafficked, such as prostitution offenses. The government's lack of formal victim identification procedures, however, may have led to victims of sex trafficking remaining unidentified. As a result, victims of sex trafficking whom the government did not identify may have been punished through incarceration, fines, or deportation for unlawful acts committed as a direct result of being trafficked. The government encouraged identified

victims of sex trafficking to assist in the investigation and prosecution of traffickers by providing victims with housing and sometimes employment. Nonetheless, the UAE continues not to recognize people forced into labor as trafficking victims, particularly if they are over the age of 18 and enter the country voluntarily. While victims of trafficking were exempted from paying fines accrued for overstaying their visas, victims of labor trafficking – likely the most prevalent form of trafficking in the UAE – were not offered shelter, counseling, or immigration relief by the government. Domestic workers who ran away from their sponsors often accessed limited assistance at their embassies, but largely were presumed to be violators of the law by UAE authorities. The UAE government did not actively encourage victims of labor trafficking to participate in investigations or prosecutions and it did not initiate proactive investigations of forced labor offenses committed against these victims. The government continues to lack protection services for male victims of trafficking; these victims must also appeal to their embassies for assistance. In addition, although trainings for law enforcement officials included focus on victim identification, the government does not have formal procedures for proactively identifying victims of trafficking among high risk persons with whom they come in contact. As a result, victims of forced labor may have been punished for unlawful acts committed as a direct result of being trafficked, such as immigration violations. The government did not provide long-term legal alternatives to the removal of trafficking victims to countries where they face retribution or hardship.

Prevention

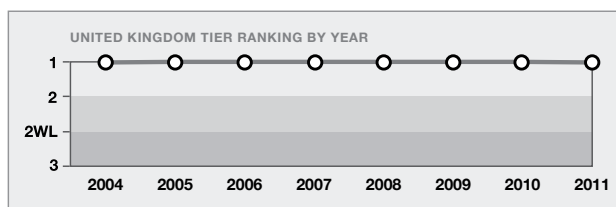
The UAE government continued its efforts to prevent trafficking during the reporting period. The government conducted anti-trafficking information and education campaigns within the UAE and with source country embassies, including an advertisement campaign in the Abu Dhabi and Al Ain international airports. The government launched a website in Dubai to raise awareness of trafficking and established a toll-free hotline to report labor abuses. The government was transparent about its anti-trafficking efforts, as it continued to publish an annual public report on anti-trafficking measures taken. Government authorities also produced and translated into source country languages pamphlets on workers' rights and resources for assistance for distribution to migrant workers. The government, however, did not take any measures to reduce the demand for commercial sex acts in the UAE or child sex tourism by UAE nationals.

UNITED KINGDOM (Tier 1)

The United Kingdom (UK) is a destination country for men, women, and children primarily from Africa, Asia, and Eastern Europe who are subjected to sex trafficking and forced labor, including forced domestic service. Unaccompanied children in the UK represent an especially vulnerable group for trafficking. Some UK children are subjected to sex trafficking within the country, and some foreign unaccompanied children continue to be forced to beg or steal. Some migrant workers are subjected to

forced labor in agriculture, construction, food processing, domestic service, and food services. Some domestic workers reportedly are subjected to forced labor by diplomats in the UK; there are concerns that these diplomatic employers are often immune from prosecution. Some children, mostly from Vietnam and China, continued to be subjected to debt bondage by Vietnamese organized crime gangs for forced work on cannabis farms. NGOs providing assistance to trafficked women reported a considerable increase in referrals of Ugandan nationals in 2010; Nigerian nationals remain one of the highest percentages of referrals. A recent study conducted by the Association of Chief Police Officers found that a large percentage of women forced into prostitution in England and Wales come from China.

The Government of the United Kingdom fully complies with the minimum standards for the elimination of trafficking. The government demonstrated vigorous prosecutions and convictions of sex trafficking offenders in England, obtaining during the reporting period the highest sentence on record for trafficking in the United Kingdom. The UK government improved its prosecution of forced labor offenses and continued to implement its National Referral Mechanism (NRM). NGOs, however, continued to report inadequate and inconsistent protection efforts for trafficking victims in the UK. Some potential and confirmed trafficking victims, including children, were prosecuted and imprisoned for committing offenses as a direct result of being trafficked. Due to devolution of law enforcement powers to Northern Ireland, Wales, and especially Scotland, each region has its own human trafficking laws and anti-trafficking enforcement powers. Inadequate protection measures for victims in Northern Ireland, Scotland, and Wales could result in their re-trafficking throughout the Kingdom and the Republic of Ireland.



Recommendations for the United Kingdom:

Standardize anti-trafficking responses across the UK insofar as possible given devolution of law enforcement powers; train law enforcement and the legal community on the slavery-based approach of the 2009 Act; examine sentencing structures to determine if they appropriately respond to domestic servitude or other labor trafficking situations; improve outreach and training to all front-line responders to ensure potential trafficking victims, including children, are identified as such to prevent their inadvertent punishment or deportation; appoint a victim coordinator in each region to ensure victims identified through the NRM are provided with specialized services and can fully access their rights; take further steps to ensure that confirmed trafficking victims are not penalized for unlawful acts committed as a direct result of being trafficked; increase capacity to ensure all trafficking victims are provided access to specialized services and safe accommodation; improve protections for UK-resident

child trafficking victims, as well as unaccompanied child asylum seekers who are victims of trafficking; conduct an assessment of forced labor and domestic servitude in the UK and its territories; share technical expertise and training to raise awareness and improve the law enforcement and victim protection response in UK overseas territories; and appoint a rapporteur in each region to make critical assessments and improve the UK's overall anti-trafficking response.

Prosecution

The Government of the United Kingdom continued to vigorously investigate and prosecute trafficking offenders. The majority of prosecutions and convictions of trafficking offenders took place in England in 2010; authorities have not convicted an offender for human trafficking in Northern Ireland, Wales, or Scotland. The UK prohibits all forms of trafficking through its 2009 Coroners and Justice Act, 2003 Sexual Offenses Act, and its 2004 Asylum and Immigration Act, which prescribe penalties of a maximum of 14, 14, and 10 years' imprisonment, respectively. Sentences for sex trafficking differ from those prescribed for rape as the maximum penalty for rape or forcible sexual assault is life imprisonment. The 2009 Coroners and Justice Act explicitly criminalizes slavery without a precondition of smuggling into the UK; according to an NGO, judicial and practitioner interpretations of other anti-trafficking laws in the last decade have gradually modernized away from old notions of cross-border movement in favor of a modern approach that focuses upon the condition of involuntary servitude. The government has not yet prosecuted a trafficking offender using its December 2009 slavery law. According to the Home Office, the British government prosecuted and convicted a total of 35 trafficking offenders between April 2010 and December 2010; this compares with 32 trafficking offenders convicted in 2009. The government convicted a total of 24 sex trafficking offenders under its Sexual Offenses Act or other trafficking-related laws. Traffickers convicted under its Sexual Offenses Act resulted in an average sentence of three years' and eight months imprisonment; sex traffickers convicted under other laws received average sentences of two years and six months'. The government convicted eight traffickers for labor exploitation, two of whom were convicted under its Asylum and Immigration Act; this compares with two offenders convicted for labor exploitation in 2009. Data on sentences given to convicted forced labor offenders were not available.

In January 2011, in a case in which six Romanian women were subjected to forced prostitution in the UK, the government handed down its longest sex trafficking sentence on record of 21 years; the women had been beaten, starved and sexually assaulted, and testified at the trial. In another case, two British nationals were sentenced in January 2011 for a total of 19 years' imprisonment for reportedly forcing approximately 100 children, some as young as 12, into prostitution. In 2011, a retired doctor was convicted under the Asylum and Immigration Act for subjecting her Tanzanian domestic worker to conditions of slavery. She received a two year suspended sentence and served no time in jail; she was ordered to pay her victim \$25,000 in compensation.

Protection

The UK government sustained and augmented funding for its efforts to identify and protect victims over the last year. NGOs continued to cite serious concerns over inadequate and inconsistent protection efforts that resulted in unidentified victims being detained, punished, or deported. In 2010, the government identified and referred trafficking victims through its National Referral Mechanism (NRM), which included a 45-day reflection period for potential trafficking victims. The government reported it identified 379 potential victims of sexual and labor exploitation between April 2009 and September 2010; 89 of these potential victims were children. The UK Border Agency and police identified the majority of victims. Authorities rescued 15 trafficking victims in 2010 in Northern Ireland, including three male victims. An Anti-Trafficking Monitoring Group noted in a June 2010 report that many victims are not referred through the NRM, as victims either do not view any benefits of referral, are afraid of retribution by their traffickers, or are fearful of the consequences of being brought to the attention of authorities because of their immigration status. The Group's report also faulted the NRM for failure to ensure that identified victims were truly referred to special care providers. Furthermore, the NGO report concludes that UK authorities focused on the credibility of a potential victim too early in the identification process, noting that most victims who have only recently escaped control of their traffickers do not always reveal the truth about their experiences when first questioned. According to an NGO that has assisted victims of domestic servitude in the residences of diplomats from Africa and the Middle East, UK immigration law does not allow diplomatic domestic workers to change their employer in the UK.

Between April and December 2010, the government granted a "reasonable grounds" decision for 225 presumed victims and referred them to NGO or government-funded accommodations. NGOs reported that dedicated accommodations for female trafficking victims were not always available due to limited space. Services available for male victims of trafficking were limited. The UK government provided approximately \$1.5 million to civil society organizations to accommodate and support adult victims of trafficking in 2010. The government continued to fund an NGO to provide specialized shelter and outreach support for adult women trafficking victims, awarding it \$1.45 million for 2010. Overall, the shelter assisted 162 trafficking victims between March and August 2010; these women were provided with shelter or supported on an outreach basis. The government's strict criteria for admission meant that some victims were not accommodated at the shelter. For admission, victims must be over 18 years of age; involved in prostitution or domestic slavery in the UK within three months of referral; willing to cooperate in the prosecution of their traffickers; and must have been trafficked into the UK from abroad. Furthermore, victims in transit who escape their traffickers before actual exploitation occurs cannot receive accommodation.

Local authorities and experts continue to cite significant concerns with the level of protection for child trafficking victims throughout the UK. A number of rescued children

placed in the care of local authorities continued to go missing, increasing their vulnerability to being re-trafficked or becoming victims of trafficking. Notably in 2010, Scotland began piloting a model of guardianship for unaccompanied children to help reduce their vulnerability to trafficking. Further, there are continued NGO reports of trafficked children in the prostitution sector, cannabis cultivation, or petty crimes; such children are subjected to criminal proceedings instead of recovery and care. In one particular case, NGOs asserted in a 2010 report that a girl in Scotland was convicted for cannabis cultivation, despite disclosing details of her exploitation to her attorney and an expert report presented during court proceedings about her trafficking experience.

The government encouraged victims to assist in trafficking investigations and prosecutions by offering renewable one-year residence permits to foreign victims who decide to cooperate with law enforcement. While the UK government has a policy of not penalizing victims for unlawful acts committed as a direct result of being trafficked, there are reports of identified trafficking victims being prosecuted for offenses they committed while under coercion of their traffickers. The UK government continued to provide foreign victims with legal alternatives to their removal to countries where they face hardship or retribution through established asylum procedures; some NGOs criticized the process for such alternatives as cumbersome and inconsistent. According to a February 2010 Human Rights Watch Report, some trafficking victims applying for asylum are routed through a “fast track” asylum system, which the report noted is not equipped to deal with complex trafficking cases and does not allow adequate time for a victim to recover and to explain case circumstances to an immigration official before adjudication and possible deportation.

Prevention

The UK government sustained partnerships with civil society to improve its anti-trafficking efforts in 2010. The transparent nature of the UK government and the significant level of information available on the UK allowed NGOs to make comprehensive, candid assessments of the UK’s anti-trafficking efforts during the year. During the year, the government conducted a review to assess and revise its overall anti-trafficking strategy; as a result of this review, the government opted in to the 2010 EU directive on trafficking in March 2011. The United Kingdom Human Trafficking Center (UKHTC), now under the direction of the Serious Organized Crime Agency (SOCA) continued to serve as a multi-agency, centralized point for the development of expertise among governmental, inter-governmental, and non-governmental stakeholders involved in anti-trafficking. Operation Golf, a joint investigation team involving 26 Metropolitan Police officers working with over 320 Romanian police to target Romanian organized gangs trafficking children in the UK, concluded in December 2010. The operation resulted in the sharing of best practices between the UK and Romania, and resulted in raids in both countries and the arrest of Romanian child traffickers thought to be responsible for the child prostitution and forced labor – including forced begging – of approximately 168 Romanian children in the

UK. Cooperation with other law enforcement agencies also extended to the Police Service of Northern Ireland (PSNI), which participated in a “Train the Trainers” Blue Blindfold course held for the Republic of Ireland law enforcement agency, Garda Síochána. Members of the UK Border Agency, London Metropolitan Police, and Romanian police officers also participated in this training. The government transparently reported on its anti-trafficking efforts and commissioned studies to enhance its understanding of its trafficking problem. In November 2010, the Northern Ireland Assembly voted to improve its law enforcement response to trafficking by expanding law enforcement cooperation and anti-trafficking prevention campaigns. This prompted the launch of the Organized Crime Task Force (OCTF) Annual Report and Threat Assessment as a tool to research and assess human trafficking in Northern Ireland. Notably, in March 2011, authorities appointed an anti-trafficking coordinator in Wales to monitor anti-trafficking efforts and make recommendations for improvement. The government provided anti-trafficking training to UK troops prior to their deployment abroad as part of international peacekeeping missions in 2010.

Overseas Territories of the United Kingdom

Turks and Caicos

Turks and Caicos reportedly was a destination country for women and girls subjected to sex trafficking. In 2010, some stakeholders reported sex trafficking of Dominican females on the island, some of who may be children. Stakeholders also reported some trafficking for forced labor among the Haitian and Chinese communities. There were no reported cases of forced labor involving children in 2010. Island contacts reported that trafficking-related complicity by some local government officials was a problem. In August 2009, the UK government suspended the territory’s self-rule amid widespread allegations of corruption.

During the reporting period, the Turks and Caicos Islands (TCI) government initiated anti-trafficking legislation that included measures to improve identification of and assistance for trafficking victims. TCI authorities also made progress on a multi-agency action plan to support the new legislation.

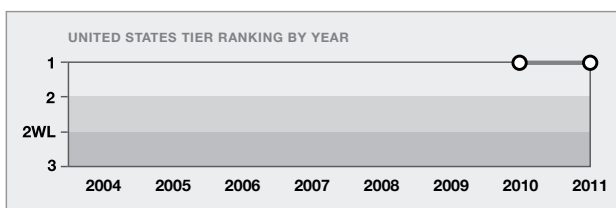
Bermuda

Migrant workers are employed in Bermuda under a strict system of government work permits obtained by employers on behalf of the foreign workers. The system may render migrant workers vulnerable to exploitation and trafficking in the construction, hospitality, and domestic service sectors. Some cases reportedly involved employers confiscating passports and threatening complaining migrant workers with having to repay the entire cost or the return portion of their airline tickets, which may be beyond their means and render them highly vulnerable to debt bondage. Bermuda authorities and NGOs reported victims rarely lodge a formal complaint out of fear of deportation. The Bermuda Industrial Union in 2009 began offering union protection to some migrant workers.

UNITED STATES OF AMERICA (Tier 1)

The United States is a source, transit, and destination country for men, women, and children subjected to forced labor, debt bondage, document servitude, and sex trafficking. Trafficking occurs for commercial sexual exploitation in street prostitution, massage parlors, and brothels, and for labor in domestic service, agriculture, manufacturing, janitorial services, hotel services, hospitality industries, construction, health and elder care, and strip club dancing. Vulnerabilities are increasingly found in visa programs for legally documented students and temporary workers who typically fill labor needs in the hospitality, landscaping, construction, food service, and agricultural industries. There are allegations of domestic workers, foreign nationals on A-3 and G-5 visas, subjected to forced labor by foreign diplomatic or consular personnel posted to the United States. Combined federal and state human trafficking information indicates more sex trafficking than labor trafficking investigations and prosecutions, but law enforcement identified a comparatively higher number of labor trafficking victims as such cases uncovered recently have involved more victims. U.S. citizen victims, both adults and children, are predominantly found in sex trafficking; U.S. citizen child victims are often runaways, troubled, and homeless youth. Foreign victims are more often found in labor trafficking than sex trafficking. In 2010, the number of female foreign victims of labor trafficking served through victim services programs increased compared with 2009. The top countries of origin for foreign victims in FY 2010 were Thailand, India, Mexico, Philippines, Haiti, Honduras, El Salvador, and the Dominican Republic.

The U.S. government fully complies with the minimum standards for the elimination of trafficking. The government sustained strong federal law enforcement efforts, strengthening support for federal task forces and initiating efforts to improve coordination and proactively identify cases. The government continued to provide funding to NGOs for services to victims and identified an increased number of victims. Immigration relief, which may lead to residency and eventual citizenship, is offered to qualified victims and immediate family members. The government sustained its prevention efforts, continuing to examine federal procurement and specific visa categories for vulnerabilities as well as to undertake public awareness efforts. The U.S. government annually reports on its activities to combat human trafficking in a report compiled by the Department of Justice available at www.justice.gov/ag/publications.htm including detailed information on funding and suggestions for improved performance.



Recommendations for the United States: Improve data collection on human trafficking cases at the federal, state and local levels; continue federal partnerships with state and local law enforcement agencies to encourage training, protocols, and dedicated and incentivized personnel at the state and local level; train field reporting collectors to recognize and report on human trafficking; mandate training in the detection of human trafficking for Department of Labor and Equal Employment Opportunity Commission investigators; increase the incorporation of anti-trafficking efforts into existing structures such as labor, child protection, education, housing, victim services, immigration courts, runaway/homeless youth, and juvenile justice programs; provide victim identification training for immigration detention and removal officers and conduct screening in immigration detention centers; increase funding for victim services, including legal services; offer comprehensive services to identified, eligible victims regardless of type of immigration relief sought, if any; increase training for consular officers to reduce vulnerabilities in visa programs; examine guestworker programs to reduce vulnerabilities; conduct briefings for domestic workers of foreign diplomats to ensure that they know their rights; improve oversight and enforcement of employment-based visas to forestall vulnerability and abuse; increase cooperation between the private and public sectors to encourage business practices that rid supply chains of human trafficking; and expand anti-trafficking outreach, services, and training in the insular areas.

Prosecution

The U.S. government demonstrated significant and sustained progress in its anti-trafficking law enforcement efforts through 2010. The United States prohibits all forms of trafficking in persons through criminal statutes that were enacted almost 150 years ago in the wake of the U.S. Civil War to effectuate the Constitutional prohibition of slavery and involuntary servitude. These statutes were updated and modernized by the Trafficking Victims Protection Act of 2000 (TVPA) and subsequent legislation. Enforcement of the involuntary servitude and slavery efforts has since been carried out under the umbrella term “trafficking in persons.” U.S. law prohibits peonage, involuntary servitude, forced labor, sex trafficking, and servitude as well as confiscation or withholding of documents, such as passports. U.S. criminal law also prohibits conspiracy and attempt to violate these provisions, as well as obstructing enforcement of these provisions. Sex trafficking prosecutions involving minors do not require a showing of force, fraud, or coercion. Additional federal laws can also be utilized in trafficking prosecutions and traffickers may be convicted under those statutes instead of specific trafficking offenses.

Penalties prescribed under these statutes range from five to 20 years’ imprisonment for peonage, involuntary servitude, forced labor, and domestic servitude, and up to life imprisonment for aggravating circumstances. Penalties for sex trafficking range up to life imprisonment with a mandatory minimum sentence of 10 years for sex trafficking of minors and 15 years for sex trafficking by force, fraud, or coercion or sex trafficking of minors under age 14. There is also a five-year maximum penalty for the

related offense of fraud in foreign labor contracting under a related statute, 18 U.S.C. § 1351, which can be used in trafficking prosecutions. Under federal law, those who financially benefit through participation in a trafficking venture with knowledge or in reckless disregard of the trafficking conduct are subject to sentences equivalent to the underlying trafficking statutes. These penalties are sufficiently stringent and commensurate with penalties prescribed under U.S. law for other serious offenses, such as rape, kidnapping, or if death results from the trafficking situation.

Federal trafficking offenses are investigated by federal law enforcement agencies and prosecuted by the U.S. Department of Justice (DOJ). The federal government tracks its activities by Fiscal Year (FY) which runs from October 1 through September 30. In FY 2010, collectively federal law enforcement charged 181 individuals, and obtained 141 convictions in 103 human trafficking prosecutions (32 labor trafficking and 71 sex trafficking). These numbers do not reflect prosecutions of cases involving the commercial sexual exploitation of children that were brought under statutes other than the TVPA's sex trafficking provision. This represents the largest number of federal human trafficking prosecutions initiated in a single year, including large-scale, complex cases. In FY 2010, the average prison sentence imposed for federal trafficking crimes was 11.8 years and prison terms imposed ranged from three months to 54 years. In the past year, notable federal prosecutions included the longest sentence returned in a single-victim forced labor case - a 20-year sentence for holding a woman in domestic servitude for eight years; the initiation of the largest trafficking case to date involving the exploitation of over 600 Thai agricultural workers which is pending trial; multiple cases involving the systematic nonviolent coercion of groups of documented guestworkers; a life sentence in a sex trafficking case; convictions of 10 defendants in a multinational organized criminal conspiracy that exploited guestworkers in 14 states; and a bilateral enforcement initiative with Mexico resulting in indictments of sex trafficking networks under both U.S. and Mexican law.

Traffickers were also prosecuted under a myriad of state laws, but no comprehensive data is available on state prosecutions and convictions. All 50 states prohibit the prostitution of minors under state and local laws that predate the enactment of the TVPA. By the end of the reporting period, forty-five states had enacted specific anti-trafficking statutes using varying definitions and a range of penalties. Over the last decade, human trafficking cases under state statutes were initiated in 18 states. The majority of state cases involved child sex trafficking; at least three states used their state statutes for forced labor prosecutions. State laws are enforced by approximately 16,000 local, county and state agencies. While state prosecutions continue to increase, one study found that less than 10 percent of state and local law enforcement agencies surveyed had protocols or policies on human trafficking, and recommended augmented training, standard operational protocols, and dedicated personnel within police agencies.

The lack of uniform nationwide data collection remained an impediment to compiling fully accurate statistics.

Activities were undertaken during the reporting period to address this issue, but differing data systems used by the diverse array of enforcement agencies now partnering on human trafficking issues remain difficult to integrate. Amendments to the TVPA in 2008 tasked the Federal Bureau of Investigation (FBI) to incorporate human trafficking offenses in the annual statistics collected from police forces nationwide; development of technology to implement this mandate was underway during the reporting period and it is expected that collection will begin in early 2013. The Department of Defense (DoD) undertook a similar effort to amend its criminal data systems, but did not collect information during the reporting period. As part of their responsibilities under their federal grants, 39 task forces reported 750 investigations during the reporting period, although it is unknown how many were state versus federal investigations, how many convictions resulted, or to what extent the data included investigations that required stabilization of potential victims but that did not ultimately culminate in the official identification of victims under the TVPA.

DOJ continued to fund 39 anti-trafficking task forces nationwide, each comprised of federal, state, and local law enforcement investigators and prosecutors, labor enforcement, and a nongovernmental victim service provider. DOJ implemented a number of new measures to address critiques that state law enforcement participation mainly continued pre-existing programs to combat commercial vice and that the success of the task forces had varied widely. To further develop best practices, DOJ funded three Enhanced Collaboration Model Task Forces in Illinois, California, and Texas, in which state and federal law enforcement agencies and service providers addressed sex and labor trafficking whether victims were citizen or noncitizen, adult or child. DOJ, in cooperation with the Departments of Homeland Security and Labor, also announced the creation of Anti-Trafficking Coordination Teams to bring together federal investigators and prosecutors to develop and implement coordinated, proactive federal interagency investigations and prosecutions in select areas nationwide. The Department of State announced the creation of a dedicated anti-trafficking unit within the headquarters staff of the Diplomatic Security Service.

Efforts continued to incorporate civil enforcement in the anti-trafficking response. The Department of Labor (DOL) carries out civil law enforcement in the nation's workplaces and its field investigators are often the first government authorities to detect exploitative labor practices; the investigators then coordinate with other law enforcement agencies to ensure restitution on behalf of trafficking victims. DOL investigators have not yet been funded, trained, or given the mandate to focus on human trafficking cases and did not receive mandatory trafficking-specific training during the reporting period. Anti-trafficking activities have not been funded or disseminated to labor and employment agencies within state and territorial governments. The U.S. Equal Employment Opportunity Commission (EEOC), which investigates discrimination charges against employers, held a public hearing devoted to human trafficking, taking testimony

on identification and remediation of trafficking cases and identifying possible future actions. DOJ began partnering with the EEOC to strengthen referrals and protocols and to develop victim identification training for EEOC attorneys and investigators. During the reporting period, the EEOC completed two investigations and filed civil actions against the alleged traffickers; two other investigations were ongoing at the close of the reporting period.

There were no reports of official complicity in human trafficking during the reporting period.

The U.S. government undertook considerable law enforcement training efforts during the reporting period. In collaboration with NGOs, DOJ launched an online task force resource guide, and conducted a national training for 700 task force members and law enforcement, governmental, and nongovernmental partners, which included advanced training to identify, investigate, and prosecute human trafficking cases and assist human trafficking victims. The national training conference was followed by a series of regional conferences to build upon the exchanges of expertise at the national conference. The DOJ task forces trained over 24,278 law enforcement officers and other persons likely to come into contact with human trafficking victims. The FBI provided comprehensive anti-trafficking training to over 1,000 new agents and support personnel and specialized training for agents assigned to the FBI Civil Rights squads in field offices around the country as well as training 960 state and local law enforcement officers. The Department of Homeland Security (DHS) provided advanced training to 72 veteran U.S. Immigration and Customs Enforcement (ICE) Special Agents and overview training to all agents attending the ICE Training Academy, and updated mandatory training for more than 40,000 Customs and Border Protection (CBP) officers and agents. DHS launched web-based training and continued in-person trainings that reached more than 14,000 federal, state, and local law enforcement officials during the reporting period. Information about services for human trafficking victims is included in the training offered to participating agencies in cooperative agreements following section 287(g) of the Immigration and Nationality Act, which authorizes state and local law enforcement agencies to carry out enforcement of certain immigration authorities related to the investigation, apprehension, and detention of unauthorized immigrants in the United States. NGOs reported instances in which noncitizen trafficking victims in 287(g) locations were fearful to report crimes. DoD continued mandatory training to its law enforcement personnel on identification, investigation, and information sharing with civilian and host nation law enforcement agencies.

Protection

The U.S. government demonstrated sustained protection efforts, increased numbers of victims assisted, and continued efforts to address challenges to increase identification and service provision. The U.S. government has formal procedures to guide officials in victim identification and referrals to victim services provided by

NGOs, and funds an NGO-operated national hotline and referral service.

The U.S. government and its federally funded trafficking victim service providers encouraged foreign national and U.S. citizen victims to assist with investigations and prosecutions. The TVPA provides two principal types of immigration relief to foreign trafficking victims: 1) continued presence, which allows temporary immigration relief and may allow work authorization for victims who are also potential witnesses in an investigation or prosecution; and 2) T nonimmigrant status or "T visas," which allow for legal immigration status for up to four years for victims who cooperate with reasonable law enforcement requests for assistance with an investigation or prosecution. Testimony against the trafficker, conviction of the trafficker, or formal denunciation of the trafficker is not required, nor is sponsorship or approval by an investigating agency. Victims may also apply for T visas on behalf of certain family members, including spouses and unmarried children under 21, parents and minor unmarried siblings of victims under 21, and parents and minor unmarried siblings of victims 21 and over if the relative faces danger as a result of the victim's escape from the trafficker or cooperation with law enforcement. T visa holders and their family members are authorized to work and after three years are then eligible for permanent residence status and eventual citizenship.

Also available is U nonimmigrant status or a "U visa," which allows for legal immigration status for up to four years for victims of certain crimes, including trafficking, who cooperate or are willing to cooperate with reasonable law enforcement requests in the investigation or prosecution of the qualifying criminal activity. An arrest, prosecution, or conviction is not required. Victims may also apply for U visas on behalf of certain family members, including spouses and minor children, and parents and minor siblings of victims under 21. U visa holders and their family members are authorized to work, and after three years are then eligible for permanent residence status and eventual citizenship.

In FY 2010, continued presence was issued to 186 potential victim-witnesses, a decrease from 299 last year. T visas were granted to 447 victims and 349 immediate family members of victims, representing an increase from 313 and 273, respectively, last year. Five hundred and eighteen T visa holders, including 309 victims and 209 family members, became lawful permanent residents in FY 2010, which puts them on a path to obtaining U.S. citizenship.

Unlike T visas, the number of U visas granted to trafficking victims is not tracked.

Foreign nationals in the United States without a lawful immigration status generally are not eligible for federal public benefits such as food assistance and health care programs; there are exceptions, including services provided by homeless shelters and emergency medical assistance. When continued presence is granted or a potential victim has made a bona fide application for a T visa, HHS can issue a certification letter. That enables the victim to receive public benefits and services to the same extent as a

refugee, which includes targeted assistance with income, health care, and employment searches as well as access to all assistance programs available to citizens. In FY 2010, 449 such certifications were issued to foreign adults and 92 eligibility letters were issued to foreign children, an increase from 330 for adults and 50 for children in FY 2009. Certified victims came from 47 countries. Primary countries of origin for foreign victims were Thailand, India, Mexico, Honduras, Philippines, Haiti, El Salvador and the Dominican Republic. Fifty-five percent of foreign adult victims were labor trafficking victims, of which 70 percent were men and 30 percent were women; 12 percent were adult sex trafficking victims, all of whom were women; and 10 percent were victims of both sex and labor trafficking. Sixty-two percent of foreign child victims were labor trafficking victims, of which half were boys and half were girls; 29 percent were sex trafficking victims, of which 30 percent were boys; and nine percent were victims of both labor and sex trafficking.

From July 1, 2009, to June 30, 2010, DOJ and HHS provided trafficking victim assistance funding to NGOs that served at least 1,472 potential victims (foreign nationals and citizens), more than double the number served in 2009; the exact number is unknown because some victims were assisted with funding from both agencies but an unduplicated count is not available. Adult victims who were citizens, including Native Americans, are not included in the number of victims served. In 2010, DOJ released a new funding opportunity that includes a focus on adult U.S. citizen victims that can also serve Native Americans. DOJ took steps to gauge the need and the type of culturally competent services required to assist trafficked Native Americans with the hope that a pilot project can be developed in the future, and provided specialized training to law enforcement and service providers in jurisdictions serving Native American communities.

Federally funded victim assistance included services coordination and referrals, medical care, dental care, mental health treatment, sustenance and shelter, translation and interpretation, immigration and legal assistance, and transportation. In FY 2010, DOJ provided grant funding to 34 NGO service providers to assist foreign nationals and six to assist U.S. citizen and lawful permanent resident victims, and HHS provided funding for services that were delivered by more than 100 NGO service providers.

DOJ used an increase in victim services funding to create the Enhanced Collaborative Model Task Forces, with half of the funding applicable for services. The other half supported law enforcement investigations and coordination aimed at identifying victims. As increasing numbers of victims have been identified and assisted, HHS has directed an increasing percentage of available funding toward services for victims, their family members, and potential victims. The NGO contractor of the HHS services program reports having contributed non-government funds to support this effort.

Under the HHS services program, there is a maximum reimbursement amount allowed per month for each victim and a maximum number of months during which

a victim may be assisted, with some exceptions allowed. NGOs reported cases in which the limits have been reached and they are no longer providing services to the victim before a case came to trial. However, once a victim is certified by HHS or, in the case of a minor, receives an eligibility letter from HHS, that individual is eligible for services, including income supports, health care, and social services, through the provider network that assists refugees resettle in the United States. While legal services are often crucial to access civil and immigration remedies and undertake the advocacy necessary to navigate the complex federal system of benefits and the justice system, the HHS services program does not allow reimbursement for immigration legal assistance. In 2010, DOJ extended its program to offer this assistance. Should a foreign national victim decide not to report the crime or comply with reasonable law enforcement requests, DOJ and HHS funded services must in most cases be terminated; approval for continuation on a case-by-case basis is sometimes granted, and the law provides an exception to the cooperation requirement where physical or psychological trauma renders a victim unable to participate in an investigation or prosecution. Services under the HHS services program must be discontinued if an adult victim pursues long-term immigration relief other than the T visa.

NGOs reported isolated incidents of officers citing victims risking withdrawal of benefits when faced with reluctant victims; NGOs also reported continued challenges in getting law enforcement to recognize reluctant victims for protection purposes. Law enforcement continued to face challenges in identifying child victims of sex trafficking, particularly because the victims are often provided false identification by their traffickers and at least initially self-identified as adults. There was no targeted federal funding to support state child welfare agencies' anti-trafficking efforts. In some states, state child welfare agencies' missions did not formally extend to human trafficking, focusing instead on children who have been abused, abandoned, or neglected by caretakers and have not been expanded to reflect the anti-trafficking policy developments of the last decade. NGOs reported that these programs generally did not assist children over 14 years of age. State and local law enforcement, in some jurisdictions, was hampered by a lack of mandates, protocols, and training to identify and respond to child trafficking victims. The challenge of incorporating modern anti-trafficking concepts into these existing institutions has resulted in misidentification and referrals to juvenile justice or immigration systems rather than protective services. During the reporting period, the states of Illinois, Georgia, New York, Connecticut, and Florida created new procedures to increase identification or conducted initiatives to train child protection workers on human trafficking.

When an unaccompanied child (UAC) comes to the attention of federal authorities, those children are usually put into the care and custody of HHS, Office of Refugee Resettlement (ORR), Division of Unaccompanied Children's Services (DUCS). DUCS screens UACs to identify potential victims of trafficking. UACs who may be trafficking victims are referred to the ORR Anti-Trafficking in Persons Division (ATIP) for an eligibility determination. If the UAC is found to be a trafficking victim by ORR/

ATIP, they are eligible for federal long-term foster care through the same program that cares for unaccompanied refugee minors who come to the United States. UACs who are not determined to be victims of trafficking by ORR/ATIP remain in the ORR/DUCS program until they reunify with a sponsor in the United States, age-out of care, return to their home country, or adjust their legal immigration status. Children may also be referred directly to ORR/ATIP for assistance without being placed in the ORR/DUCS program. Sometimes service providers believe a child may be a trafficking victim but HHS cannot substantiate the claim.

A study of UACs in immigration proceedings, a population vulnerable to trafficking, indicated a substantial gap between the number of children service providers identified as victims and the number of children who received federal benefits. For those unaccompanied children who may be trafficking victims and in deportation proceedings, the 2008 amendment of the TVPA allows for procedural protections such as access to counsel and child advocates. HHS funds projects to coordinate *pro bono* legal assistance and child advocates. Funding of direct counsel is not permitted, and not all of these children are matched with a *pro bono* attorney that is willing to volunteer their time to represent the child. In practice, child advocates are not always provided for these children as child advocate programs are only available in few areas due to funding constraints.

While federal, state and local grant programs exist for vulnerable children, including those who are on the streets, NGOs reported that identified child trafficking victims faced difficulties accessing needed services. HHS-funded short-term shelter programs served 44,000 homeless and runaway youth and more than 800,000 youth received contact from an HHS-funded street outreach worker, but these programs require training and specialized services to be able to identify and assist child trafficking victims. HHS conducted training for runaway and homeless youth services in an effort to fill this gap. Additionally, the executive branch proposed additional funding for training within the runaway and homeless youth system to identify, prevent and address sex trafficking of minors. DOJ continued grants for services coordination, technical assistance, and comprehensive services to U.S. citizen child victims of both sex and labor trafficking; 45 citizen child victims received services through this program.

In 2010, the United States' Return, Reintegration, and Family Reunification Program for Victims of Trafficking reunited 165 family members with trafficked persons in the United States and assisted three victims in returning to their country of origin. In September, 2010, due to lack of funding, the program was suspended; approximately 89 individuals are on a waiting list for assistance, unable to reunify with their family members in the United States.

While the TVPA sets forth a federal victim protection framework and principles that covers victims in all 50 states and territories, such protections were not also codified in most state laws. Nine of 50 states, as well as Washington, DC, offered state-funded public benefits to trafficking victims; 18 permitted victims to bring civil lawsuits;

seven encouraged law enforcement to provide supporting documentation for T visa applications; 21 instituted mandatory restitution; and nine required that victims' names and/or locations be kept confidential. DOJ took positive steps to eliminate barriers, educate administrators, and encourage the states to use the federal Crime Victims Fund to fund mainstream crime victim service providers to assist trafficking victims.

The TVPA provides that victims should not be inappropriately incarcerated, fined, or otherwise penalized for unlawful acts committed as a direct result of being trafficked. NGOs reported identifying increased numbers of potential victims in deportation proceedings and immigration detention. The prostitution of children has traditionally been handled by some state governments as a vice crime or a juvenile justice issue, and the anti-trafficking approach of the TVPA has been slow to fully permeate the state juvenile justice system. DOJ made efforts to engage state juvenile justice professionals in order to increase identification of minor trafficking victims and has trained state prosecutors. In 2009, the most recent year for which data is available, 235 males and 844 females under 18 years of age were reported to the FBI as having been arrested for prostitution and commercialized vice, an increase from 206 males and 643 females in 2008. Jurisdictions continued to formulate varying responses to help decrease arrests and view trafficked persons as victims; several states passed laws decriminalizing children found in prostitution, diverting arrested children into shelters and services, or allowing prostitution convictions to be expunged.

DHS hired six additional Victim Assistance Specialists nationwide, bringing the total to 18 human trafficking specialists and 250 generalists who are trained on the issue. All asylum field offices conducted training on identifying trafficking victims in the context of affirmative asylum adjudications, and this training is required for all incoming asylum officers. CBP has mandatory training and protocols in place to screen unaccompanied children for trafficking victimization. A study reported that the screenings are not effective because they are not conducted in a child appropriate manner by child welfare specialists in appropriate facilities. As in the last reporting period, detention and removal officers did not receive training on victim identification and did not conduct screenings in immigration detention centers. HHS conducted online trainings on identification, outreach and services and the HHS hotline center conducted general awareness and identification trainings nationwide. The Department of Education increased efforts to provide educational resources to school districts to help them prevent, identify and respond to human trafficking and commercial sexual exploitation of children, training chiefs of school police forces and surveying school districts for promising practices that can be disseminated nationwide. States have not yet created programs to increase awareness or identification within schools.

Prevention

The U.S. government made significant progress on addressing prevention throughout the reporting period,

continuing efforts to ensure government procurement is free from forced labor, examine visa categories for vulnerabilities, and conduct public awareness activities. The Cabinet-level President's Interagency Task Force (PITF) is statutorily directed to coordinate federal efforts to combat trafficking in persons. The Senior Policy Operating Group, which meets quarterly and consists of senior officials designated as representatives by PITF members, coordinates interagency policy, grants, research, and planning issues involving international trafficking and the implementation of the TVPA.

The U.S. government undertook multiple efforts to reduce the demand for commercial sex and forced labor. The Departments of Agriculture, Labor, and State completed recommendations to Congress on how to reduce the likelihood that imported agricultural products and commodities are produced with the use of forced labor and child labor. The Departments of State and Defense were part of a multi-stakeholder process that led to 60 private security companies signing on to an International Code of Conduct for Private Security Service Providers. These companies pledged to uphold a number of principles in their company policies and in the conduct of their personnel, including not engaging in human trafficking, sexual exploitation, or prostitution. The U.S. Agency for International Development (USAID) launched a code of conduct that prohibits USAID contractors, subcontractors, grantees, and sub-grantees during the period of performance of their contracts or awards from engaging in trafficking in persons, procuring commercial sex acts, or using forced labor. DOL published an updated list of 128 goods from 70 countries that DOL had reason to believe were produced by child labor or forced labor in violation of international standards, and released the ninth annual Findings on the Worst Forms of Child Labor and a revised list of products produced by forced or indentured child labor. DHS continued to enforce the prohibition against importing such products under the relevant statute, the Smoot-Hawley Tariff Act of 1930. New legislation was proposed but not passed to increase enforcement capabilities in this area. DoD continued its demand reduction campaign to help make contractors, government personnel, and military members aware of common signs of human trafficking and hotline numbers to report suspected incidents. Enforcement of the zero-tolerance policy involved two service members who were punished for prostitution offenses, which included withholding promotions, reducing grades, levying fines, and restricting movement to the base.

State and local jurisdictions also engaged in a number of efforts to reduce demand for commercial sex. Some jurisdictions tested various combinations of arrests, shaming, and education of apprehended purchasers of prostitution. NGOs devoted to ending demand for commercial sex developed school curricula, conducted outreach campaigns, and worked with law enforcement. Reports continued to reflect significant numbers of arrests for commercial sexual activity. Data continued to reflect the arrests of more women than men for such activity; state and local law enforcement arrested 38,593 women versus 16,968 men for prostitution offenses and commercialized

vice in 2009, the year for which the most recent data is available.

Allegations against federal contractors engaged in commercial sex and labor exploitation continued to surface in the media. During the reporting period, allegations were investigated and one employee was dismissed by a DoD contractor. The Inspectors General at the Departments of State and Defense and USAID continued their audits of federal contracts to monitor vulnerability to human trafficking and issued public reports of their findings and reparations. USAID also created an entity dedicated to proactively tracking contractor compliance with the authority to suspend contracts and debar contracting firms, a positive step toward increasing enforcement in this area. No prosecutions occurred and no contracts were terminated.

The U.S. government continued prevention efforts within its temporary worker and student programs. The A-3 and G-5 visa categories allow persons to enter the United States as domestic workers of foreign diplomatic or consular personnel ("foreign mission personnel") or foreign employees of international organizations. The Department of State continued its ongoing work to help protect these visa holders, including implementing a system to track the visa application process of A-3 and G-5 visa holders, to require their payment into bank accounts, and to track allegations of abuse. During the reporting period, there were more than a dozen allegations of various forms of abuse and domestic servitude, including civil lawsuits against, and criminal investigations of, foreign mission personnel. The Department of State put procedures in place to closely review and, where appropriate, to deny A-3 and G-5 visas for workers of foreign mission personnel in the United States against whom serious allegations of abuse had been lodged. Under U.S. law, a foreign mission will lose the ability to sponsor additional domestic workers if the Secretary determines that there is credible evidence that a domestic worker was abused and that the mission tolerated the abuse; no suspensions occurred within the reporting period. However, the threat of suspension has been effective in alerting missions to the importance the Department places on the treatment of domestic workers and the need for missions to ensure that domestic workers are treated in accordance with Department guidance. The Department also issued new guidelines on prevailing wages for domestic workers employed by foreign mission personnel, including a prohibition against lodging deductions for live-in workers, and capping the percentage of salary that can be assessed for three meals per day at 20 percent. A-3 and G-5 visa holders who filed civil lawsuits against their former employers were eligible for temporary immigration relief and work authorization.

DOJ and DHS led several investigations and prosecutions for trafficking of temporary agricultural workers on H-2A visas and temporary hospitality, food service, and construction workers on H-2B visas. Employers who have committed certain violations of the temporary worker programs may be barred from filing future applications for a three-year period; five H-2B employers – the first ever – and three H-2A employers were barred during the reporting period, for a total of eight debarred employers. A DOL

regulation came into effect during the reporting period that strengthened protections for agricultural guestworkers by prohibiting foreign recruiters from charging workers certain fees. Reports indicate that recruiters adjusted their practices by charging fees after the workers had obtained their visas and levying charges under the guise of “service fees,” which are permitted under the regulation; indebtedness prior to arrival in the United States is a common mechanism of making victims vulnerable to control and compelled work. Recruiters discouraged former workers from reporting labor violations, claiming that U.S. embassies or consulates would not grant future visas for those who complain – assertions that are false and contrary to U.S. law. Workers also feared seeking assistance because of blacklisting and other retaliation against workers who complain about their conditions. The new regulation addresses these issues by imposing on employers an affirmative obligation against retaliation, the failure of which can result in removal from program participation.

During the reporting period, the Department of State received a significant increase in the number of complaints regarding the J-1 Summer Work Travel program, which provides foreign students an opportunity to live and work in the United States during their summer vacation from college or university. Complaints were reported from foreign governments, program participants, their families, concerned American citizens, the media, law enforcement agencies, other federal and local agencies, and the Congress. These included reports of fraudulent job offers, inappropriate jobs, job cancellations on arrival, insufficient number of work hours, and housing and transportation problems. To minimize the risk that J-1 Summer Work Travel program participants may become victims of crime, the Department adopted new program-wide regulations and undertook a pilot program requiring verified employment prior to arrival in the United States, prohibiting the use of third party staffing agencies, and enhanced oversight by the Department of State.

The U.S. government continued measures to inform and educate the public, including potential victims, about the causes and consequences of human trafficking. HHS distributed public multi-lingual awareness materials, including brochures, fact sheets and posters, as part of an extensive nationwide campaign that began in 2004 and funded an NGO to operate a national hotline. In FY 2010, the hotline received a total of 11,381 phone calls, an increase of more than 4,000 from the previous year. The hotline received a broad range of calls, from information requests and wage disputes to exploitation and abuse. Of all legally documented foreign nationals, the national human trafficking hotline received the highest number of calls from J-1, H-2A, H-2B, A-3 and G-5 visa holders. HHS also funded 18 projects to conduct outreach, public awareness, and identification efforts. Embassies and consulates worldwide continued distribution of a “know your rights” pamphlet and oral briefings for approved student or work-based visa applicants – efforts which resulted in 624 calls to the national hotline in FY 2010. DHS launched the “Blue Campaign,” an initiative to coordinate and enhance the Department’s anti-human trafficking activities. International and domestic awareness campaigns included multi-lingual television and radio announcements,

billboards, newspaper advertisements, victim assistance materials, and indicator cards for law enforcement. DHS also expanded online resources, including social media, and distributed a virtual toolkit to employers in the lodging, transportation, entertainment, agricultural, manufacturing and construction industries. DOL launched a nationwide campaign to inform low-wage workers in such industries as construction, janitorial work, hotel services, food services and home health care about their rights and how to recover wages owed; the campaign did not include specific anti-trafficking information.

The United States does not directly participate in UN peacekeeping and has only a minimal presence within those operations. Nevertheless, pre-deployment anti-trafficking training takes place for all military personnel. DoD updated its mandatory general human trafficking awareness training, with the potential to reach 3.5 million military members and civilian employees.

U.S. laws provide extraterritorial jurisdiction over child sex tourism offenses perpetrated overseas by U.S. citizens. DHS made seven criminal arrests resulting in five indictments and six convictions in child sex tourism cases in FY 2010.

U.S. Insular Areas

The U.S. insular areas consist of American Samoa, the Commonwealth of the Northern Mariana Islands (CNMI), Guam, the Commonwealth of Puerto Rico, and the U.S. Virgin Islands. Federal authority over these areas resides in the Department of the Interior (DOI), which participated in the President’s Interagency Task Force in 2010. While the U.S. government has compacts of free association with Palau, the Federated States of Micronesia, and the Republic of the Marshall Islands, they are independent of the United States and thus discussed and ranked in separate narratives. The insular areas are a destination for men and women subjected to forced labor, debt bondage, and forced prostitution.

In the Territory of American Samoa, there were no new reported human trafficking cases. The legislature did not pass a bill, introduced in October 2009, which would have criminalized human trafficking as a felony offense.

In CNMI, there were six reported human trafficking cases involving multiple victims held in clubs, restaurants and massage parlors. A trend was observed involving the cancellation of victims’ return airplane tickets upon admission, stranding them with no financial means to return and rendering them wholly dependent on their employers. During the reporting period, the Federal Labor Ombudsman identified 71 victims of trafficking or fraud in labor contracting, of whom about 20 percent were sex trafficking victims. In 2010, the NGO working on the local anti-trafficking task force assisted 36 human trafficking victims and 40 fraud in labor contracting victims; an additional 31 victims qualified for services but could not be assisted due to insufficient funds.

In the Territory of Guam, DOJ prosecuted a multi-victim sex trafficking case, convicting a karaoke bar owner who forced multiple young women from Chu’uk in the Federated States of Micronesia and one juvenile girl into

prostitution. The Guam legislature did not address a draft bill that would have closed loopholes that allow massage parlors to conduct illicit activities. There continued to be concern that a military build-up on Guam could involve labor exploitation and trafficking of the thousands of guestworkers expected; efforts were made by federal actors to have this considered in the planning stages. DOJ led a coordinated effort to identify human trafficking cases, provide services to victims, and bring the traffickers to justice in Guam and the CNMI. Uniquely, this effort included participation of foreign consulates from source countries and cross-training with investigators and other government officials from other Pacific jurisdictions.

In the Commonwealth of Puerto Rico there were no reported trafficking cases. NGOs worked to bring the issue to the attention of the legislature, law enforcement, service providers and the public at large. Puerto Rico had no local anti-trafficking law; there is an outstanding proposal to revise the penal code to include trafficking. There were no local government efforts or coordination with federal authorities to address human trafficking.

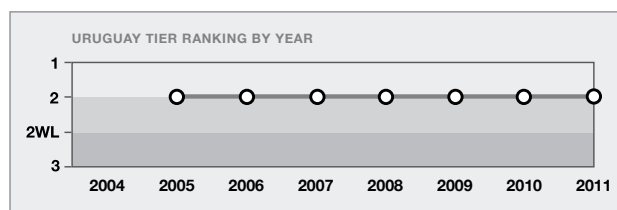
There were no documented cases of human trafficking in the U.S. Virgin Islands.

In the aftermath of the 2010 earthquake in Haiti, ICE officers in the U.S. Virgin Islands were placed on alert for potential human trafficking, but no victims were identified.

URUGUAY (Tier 2)

Uruguay is a source and transit country for men, women, and children subjected to sex trafficking and forced labor. Most victims are women and girls trafficked within the country to border and tourist areas for commercial sexual exploitation; some boys are also trafficked for the same purpose. Lured by fraudulent recruitment offers, some Uruguayan women migrated to Spain and Italy, and were subsequently forced into prostitution. During the reporting period, there were specific cases of Uruguayan children subjected to sex trafficking in Brazil. Although there have been few confirmed cases of forced labor in Uruguay, there are reports of exploitation of foreign workers in the agricultural sector, including fisheries. There is anecdotal evidence that some cases of human trafficking were linked to local and international crime rings that smuggle narcotics and other contraband and which operate in industrial areas.

The Government of Uruguay does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government increased its prevention efforts and convicted and sentenced two trafficking offenders under laws prohibiting the sexual exploitation of children. The government, however, continues to lag in employing its anti-trafficking law to prosecute and convict trafficking offenders and in proactively investigating potential forced labor cases. The Government of Uruguay also lacked a formal system for identifying trafficking victims, as well as specialized staff and services focused on the needs of victims.



Recommendations for Uruguay: Intensify efforts to investigate and prosecute trafficking offenses and convict and sentence trafficking offenders using the 2008 trafficking law; enact legislation that would establish victim protections; proactively investigate potential cases of forced labor; increase anti-trafficking training for law enforcement officials, prosecutors, judges, and social workers; establish a formal mechanism to identify trafficking victims among vulnerable populations, including prostituted women and girls; and expand specialized services for trafficking victims, particularly outside the capital.

Prosecution

The Government of Uruguay maintained law enforcement efforts against sex trafficking offenders during the reporting period. Article 78 of the immigration law, enacted in 2008, prohibits all transnational forms of trafficking, prescribing penalties of four to 16 years' imprisonment; these penalties are increased if the victim is a child or if the trafficker used violence, intimidation, or deceit, and are sufficiently stringent and commensurate with punishments prescribed for other serious crimes, such as rape. For internal cases of forced labor, authorities can employ Article 280 of the penal code, which prohibits reducing a person to slavery and authorizes sentences between two and six years' imprisonment, or Article 281, which prohibits imprisonment for the purposes of profiting from the coercive use of the victim's services, with sentences of six to 12 years' imprisonment. More often, Uruguayan courts convict trafficking offenders under statutes relating to sexual violence against children or the exploitation of people in prostitution; however, these statutes carry lesser sentences and some can be commuted to community service or fines.

Uruguayan officials investigated several possible trafficking cases in 2010, most of which involved Uruguayan children and all but one of which involved sex trafficking. There have been no reported convictions achieved under the Article 78, or any reported prosecutions or convictions under Article 280 and 281 during the reporting period. As two judges in the specialized court on organized crime in Montevideo are the country's only authorities with jurisdiction over trafficking cases, it is possible that many trafficking cases are not delegated to these officials and are investigated and tried under other statutes. The government sentenced four convicted trafficking offenders under statutes prohibiting the sexual exploitation of children: sentences ranged from three years and six months' to four years and six months' imprisonment. Authorities also convicted another trafficking offender of pimping a child. In comparison, during the previous reporting period, the Government of Uruguay prosecuted two trafficking offenders and reported no convictions or sentences for human trafficking. The government maintained training on

identifying and assisting trafficking victims for members of its diplomatic service. The government coordinated several trafficking investigations with Argentine and Brazilian authorities. The government did not report the investigation, prosecution, conviction, or sentencing of any public officials for trafficking-related offenses.

Protection

The Uruguayan government continued to provide limited protection to trafficking victims, with international donors providing significant funding for these services and few specialized services available. The government does not have a formal system for identifying trafficking victims among vulnerable populations, such as adults in prostitution or undocumented migrants. During the reporting period, one NGO reported providing services to between five and 15 trafficking victims: there were no government estimates of victims identified or assisted. Uruguayan authorities reported referring child victims of trafficking to government institutions for care. The government operated shelters accessible to adult female victims of abuse, including trafficking victims, and sought to provide them with legal, medical, and psychological care, although it is unclear how many adult trafficking victims, if any, received services at these shelters. Victim care services were uneven outside the capital and could not accommodate the demand for services. Government operated shelters did not detain adult trafficking victims involuntarily. Adult male trafficking victims remain ineligible for services. The government did not provide funding to anti-trafficking NGOs and budgetary constraints limited the government's ability to comply with victim assistance mandates. The government encouraged, but did not require, victims to assist in the investigation and prosecution of their traffickers. During the year, there were no reports of identified trafficking victims being jailed, deported, or otherwise penalized for acts committed as a direct result of being trafficked. The government offered no specific alternatives to trafficking victims' removal to countries where they face retribution or hardship beyond asylum.

Prevention

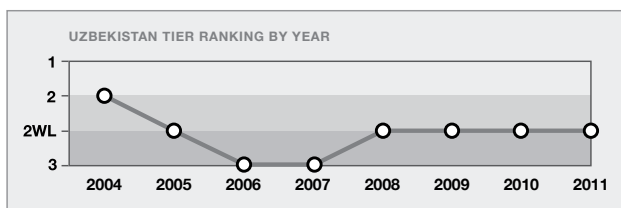
The Uruguayan government increased its efforts to raise public awareness of the dangers of sex trafficking during the reporting period. The Ministry of Social Development chaired an interagency roundtable that coordinated government anti-trafficking efforts and met six times in 2010. A committee that addressed cases of commercial and noncommercial sexual exploitation of children met on a more regular basis. The Ministry of Tourism (MOT) conducted "train the trainer" courses in Montevideo for over 250 government officials who work in tourist locales and continued a campaign launched last reporting period to raise awareness about the commercial sexual exploitation of children. The MOT also continued an awareness campaign on commercial sexual exploitation of children and solicited hotels and service providers to sign on to an anti-trafficking code of conduct; 30 new service providers signed during the reporting period for a total of 148 signatories. Transparency in the government's anti-trafficking measures was minimal; it did not publicly

report on the effectiveness of its own efforts during the year, though it reported doing so internally. However, the government financed a study on the trafficking of minors in the border region with Brazil; the findings reportedly will be published later in 2011. Authorities provided anti-trafficking training to Uruguayan troops being deployed on international peacekeeping missions during the year. The government continued to distribute pamphlets on human trafficking to women in prostitution at their mandatory medical checkups. There were no known efforts to address the demand for forced labor.

UZBEKISTAN (Tier 2 Watch List)

Uzbekistan is a source country for men, women, and children subjected to conditions of forced labor and women and children subjected to sex trafficking. Uzbek men who have emigrated in search of work are forced to labor in Kazakhstan and Russia in the construction, cotton, and tobacco industries. Women and children are subjected to sex trafficking, often through fraudulent offers of employment, in the United Arab Emirates, India, Kazakhstan, Russia, Turkey, Thailand, Israel, Malaysia, South Korea, Japan, China, Indonesia, and also within Uzbekistan. Men and women from Uzbekistan are subjected to domestic servitude and forced labor in the agricultural and construction industries in Russia. Domestic forced labor remains prevalent during the annual cotton harvest, when many school-age children, college students, and adults are forced to pick cotton.

The Government of Uzbekistan does not fully comply with the minimum standards for the elimination of trafficking. The Uzbek government demonstrated negligible progress in ceasing forced labor, including forced child labor, in the annual cotton harvest and did not make efforts to investigate or prosecute government officials suspected to be complicit in forced labor; therefore, Uzbekistan is placed on Tier 2 Watch List for a fourth consecutive year. Uzbekistan was not placed on Tier 3 per Section 107 of the 2008 Trafficking Victims Protection Reauthorization Act, however, as the government has a written plan that, if implemented, would constitute making significant efforts to bring itself into compliance with the minimum standards for the elimination of trafficking and is devoting sufficient resources to implement that plan. As in previous years, the government set a quota for national cotton production and paid farmers artificially low prices for the cotton produced, making it almost impossible for Uzbek farmers to pay wages that would attract a consenting workforce. Provincial governors were held personally responsible for ensuring that the quota was met; they in turn passed along this pressure to local officials, who organized and forced school children, university students, faculty, and other government employees to pick cotton. The government permitted UNICEF to assess child labor in all 12 regions of the country. The government did not conduct any awareness campaigns regarding forced labor in the annual cotton harvest or other internal trafficking, but did continue its previous awareness campaigns about the dangers of transnational trafficking.



Recommendations for Uzbekistan: Take substantive action to end the use of forced labor during the annual cotton harvest; investigate and prosecute government officials suspected to be complicit in trafficking, particularly those who force children and adults to pick cotton during the annual harvest, and convict and punish complicit officials; allow international experts, such as the ILO, to conduct an independent assessment of the use of forced labor during the annual cotton harvest; provide financial support and continue to provide in-kind support to anti-trafficking NGOs to assist and shelter victims; take steps to establish additional shelters outside of Tashkent; continue efforts to investigate and prosecute suspected trafficking offenses and convict and punish trafficking offenders; require officials from the Ministry of Labor and Social Responsibility or the Ministry of Education to monitor school attendance and ensure that schools are not closed during the harvest; work to ensure that identified victims are not punished for acts committed as a result of being trafficked; and continue efforts to improve the collection of law enforcement trafficking data.

Prosecution

The Government of Uzbekistan demonstrated mixed law enforcement efforts, including sustained efforts to combat sex and international labor trafficking and a lack of efforts to address forced labor in the cotton harvest during the reporting period. The Government of Uzbekistan did not demonstrate efforts to investigate or prosecute government officials suspected to be complicit in the use of forced adult and forced child labor during the 2010 cotton harvest, nor did they convict or punish any complicit government officials involved in transnational trafficking. Article 135 of the criminal code prohibits both forced prostitution and forced labor, and prescribes penalties of three to 12 years' imprisonment, which are sufficiently stringent and commensurate with punishments prescribed for other serious crimes, such as rape. In 2010, law enforcement agencies reported conducting 529 trafficking investigations, including 399 labor trafficking and 123 sex trafficking investigations, compared with 1,978 investigations in 2009. Authorities reported prosecuting 632 trafficking cases involving 801 individuals in 2010, compared with 815 trafficking cases in 2009. Authorities reported convicting 736 trafficking offenders in 2010, compared with 1,198 in 2009. The government reported that 476 convicted trafficking offenders were sentenced to time in prison, compared with approximately 960 convicted offenders sentenced to some time in prison in 2009. The government provided in-kind support to NGOs and international organizations for training of government officials including law enforcement officials, prosecutors, and government employees in education, health, border control, and labor and social protection agencies. The government continued its partnership with UNODC to maintain a centralized

database of anti-trafficking law enforcement activities and reported increased success working with law enforcement in the UAE, though bureaucratic hurdles frequently prevented the data from being easily shared with other countries in a timely manner.

Although the government did not report investigations or prosecutions of any incidents of official complicity in trafficking or trafficking-related activities, media reports indicated that there were some convictions of Ministry of Labor officials accepting bribes in exchange for coordinating illegal employment overseas. The government did not, however, investigate or prosecute any government officials suspected of forcing children and adults to work the fields during the annual cotton harvest, nor did it convict or punish any officials complicit in such forced labor. Local government officials in regions where cotton is grown closed rural schools and forced children to go to the fields to pick cotton. There were some reports of government officials threatening students with retaliation if they did not work or achieve designated quotas. Teachers were often held accountable by local officials for student cotton quotas; there were reports of repercussions if public employees or students refused to work in the fields, including reports of beatings, expulsion, and threats of employment termination. There were reports that government officials withheld social benefit payments to mothers and the elderly until they picked a designated amount of cotton. Additionally, there were reports of border guards and low-level police officers involved in the fraudulent issuance of exit visas, as well as allegations of individual police officers accepting bribes from traffickers. The government did not report investigation or prosecution of acts of public officials' suspected complicity in trafficking during the reporting period.

Protection

The Government of Uzbekistan demonstrated mixed efforts to identify, assist, and protect victims of trafficking, including sustained efforts to assist victims of sex and international labor trafficking, but no efforts to assist victims of forced labor in the cotton harvest. The government operates a shelter for male, female, and child trafficking victims that assisted 225 victims in 2010, including 101 victims of sexual exploitation and 124 victims of forced labor. In 2010, the shelter expanded available psychological services, legal assistance, and vocational training opportunities to victims of trafficking. Victims are not detained in the shelter; they may freely enter and leave, including to pursue employment outside the shelter. Privately-funded NGOs ran two additional shelters in the country that provided assistance to 148 female trafficking victims in 2010; these shelters received some in-kind assistance from the government and victims were eligible for medical assistance from the government. The government identified 2,325 victims, a decrease from 4,660 victims identified in 2009. The leading NGO identified and assisted 612 victims in 2010. Officials did not provide information on a national referral mechanism. NGOs provided repatriation assistance to 261 Uzbek victims of trafficking in 2010; the government provided child victims of trafficking with a small amount of money upon repatriation. The national government reported

providing local governments with financial assistance for the long-term reintegration of victims. NGOs report that victims who cooperate with law enforcement receive some protection during the trial process; however, the government does not have a formal program to provide protections for witnesses. Though the law prohibits victims of trafficking from being punished for acts committed as a result of being trafficked; these laws were not uniformly enforced during the period. NGOs reported that when they appealed immigration charges against victims, these charges were often dropped; however these charges were less likely to be dropped if the victim refused to cooperate with a trafficking investigation.

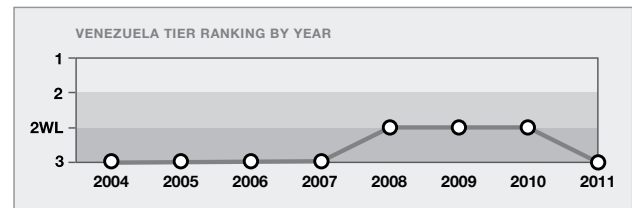
Prevention

The government continued its transnational labor and sex trafficking awareness efforts; however, it did not make efforts to prevent the use of forced labor of adults and children during the annual cotton harvest. Although the government did not respond to the international community’s calls for an independent assessment of the use of both forced adult and forced child labor during the 2010 cotton harvest, it again permitted UNICEF to conduct some monitoring of forced child labor during the harvest. The Ministry of Labor reported distributing 10,000 trafficking-awareness brochures in 2010. The Ministry of Labor also sponsored 26 radio broadcasts, 16 articles in the mass media, and six television programs to raise awareness on trafficking in persons. The government ran an awareness campaign entitled “Don’t be Deceived,” which included a radio program and poster distribution. The government reports that over 85 percent of Uzbeks are aware of the threat of transnational sex and labor trafficking. The government also provided venues for NGO training programs and awareness-raising activities and granted permission for an anti-trafficking NGO to expand its awareness campaign to include child labor.

VENEZUELA (Tier 3)

Venezuela is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Venezuelan women and girls are found in conditions of sex trafficking within the country, lured from poor interior regions to urban and tourist centers, such as Caracas, Maracaibo, and Margarita Island. Victims are often recruited through false job offers. To a lesser extent, Brazilian women and Colombian women are subjected to forced prostitution in Venezuela. Some Venezuelan children are forced to work as street beggars or as domestic servants. Some Venezuelan women are transported from coastal areas by small boats to Caribbean islands, particularly Aruba, Curacao and Trinidad & Tobago, where they are subjected to forced prostitution. Organized crime is widely believed to be involved in sex trafficking in Venezuela. Venezuela is a transit country for men, women, and children from neighboring countries, such as Colombia, as well as a destination for migrants from China, who may be subjected to commercial sexual exploitation and forced labor in Venezuela.

The Government of Venezuela does not fully comply with the minimum standards for the elimination of trafficking and has been placed on Tier 2 Watch for the last four consecutive years. Therefore, pursuant to Section 107 of the 2008 Trafficking Victims Protection Reauthorization Act, Venezuela is deemed not to be making significant efforts to comply with the minimum standards and is placed on Tier 3. According to the public ministry’s website, the government investigated potential cases of suspected human trafficking and arrested at least 12 people for trafficking crimes during the reporting period; however, there was no further publicly available information regarding those cases. Authorities maintained public awareness initiatives but did not implement formal procedures for identifying trafficking victims or provide victims with specialized care or services. The government drafted a comprehensive bill that would prohibit all forms of trafficking in persons, but did not enhance its interagency efforts to combat trafficking. The Government of Venezuela did not provide information on its efforts to combat human trafficking for this report, and there were no official statistics or comprehensive data on the extent and nature of the trafficking problem in Venezuela.



Recommendations for Venezuela: Amend existing trafficking laws to prohibit and adequately punish all forms of human trafficking; intensify efforts to investigate and prosecute cases of forced prostitution and forced labor, and convict and punish trafficking offenders; provide greater assistance and specialized services to trafficking victims; implement formal and proactive procedures for identifying trafficking victims among vulnerable populations; strengthen government anti-trafficking framework by developing and implementing a national plan or strategy to combat trafficking; enhance interagency cooperation; and improve data collection for trafficking crimes.

Prosecution

The Government of Venezuela maintained limited anti-trafficking law enforcement efforts over the last year. Venezuelan law prohibits most forms of human trafficking through its 2007 Organic Law on the Right of Women to a Violence-Free Life. Article 56 of this law prohibits the trafficking of women and girls for the purposes of sexual exploitation, forced labor, slavery, irregular adoption, or organ extraction, prescribing punishments of 15 to 20 years’ imprisonment. Articles 46 and 47 prohibit forced prostitution and sexual slavery, and carry penalties of 10 to 20 years’ imprisonment. Article 16 of the Organic Law Against Organized Crime, enacted in 2005, prohibits trafficking across international borders for labor or sexual exploitation, and prescribes penalties of 10 to 18 years’ imprisonment. The above penalties are sufficiently stringent, and commensurate with those for other serious

crimes, such as rape. These anti-trafficking provisions, however, do not address the internal trafficking of men or boys. Prosecutors also could use Venezuela's Child Protection Act and various articles of the penal code to prosecute the internal trafficking of children, though there were no publicly available reports of convictions for this crime during the reporting period and many of these statutes prescribe inadequate penalties – typically a maximum of three months in jail or fines. In November 2010 the government presented a draft Organic Law against Trafficking in Persons to the National Assembly, written in consultation with civil society organizations. The draft law would increase the penalties for trafficking to 15-25 years' imprisonment, impose a penalty of 10-12 years' imprisonment on collaborators, and extend the prohibition against trafficking in women and girls to all persons, which would include men and boys, for cases of internal trafficking, in addition to establishing provisions for victim protection and interagency coordination.

The government investigated and arrested individuals in a small number of trafficking cases, most of which involved the forced prostitution of women and children. During the reporting period, there were no publicly available reports of convictions of human trafficking offenders; in comparison, authorities reported achieving one trafficking conviction and one conviction for child prostitution during the previous year. There was no public information regarding joint trafficking investigations between the Government of Venezuela and other foreign governments. There were no public allegations that Venezuelan government officials were complicit in human trafficking, and the Venezuelan government did not report any investigations, prosecutions, convictions, or sentencing of public officials. There were continued media reports of corruption among public officials related to the issuance of false identity documents.

Protection

The government sustained limited efforts to assist trafficking victims during the reporting period. According to NGOs, the government did not employ a formal mechanism for identifying trafficking victims among vulnerable populations, such as women in prostitution. The government did not operate shelters specifically for trafficking victims, but its shelters for victims of domestic violence or at-risk youth were open to trafficking victims. One NGO operated two shelters that provided specialized services for female sex trafficking victims as well as services for victims of domestic violence. In February 2011, local media reported that law enforcement officials took 11 girls who were forced into prostitution in Caracas to a government shelter for victims of sexual abuse after arresting their alleged traffickers. Government-provided psychological and medical examinations were available to trafficking victims, but additional victim services, such as follow-up medical aid, legal assistance with filing a complaint, job training, and reintegration assistance, remained lacking. In May 2010, the Government of Venezuela established Women Help Units to provide legal, psychological and medical assistance to female victims of gender-based violence; it is unclear whether these units have assisted any trafficking victims.

There was no information publicly available about whether the government encouraged victims to assist in the investigation and prosecution of their traffickers. Also, there were no reports of victims being jailed or penalized for unlawful acts committed as a direct result of being trafficked. Foreign victims who faced retribution if returned to their country of origin could apply for refugee status; however, the government did not report whether any trafficking victims applied for or received this status over the past year. There were no publicly available reports of government assistance to repatriated trafficking victims during the reporting period.

Prevention

The Venezuelan government maintained efforts to prevent human trafficking over the year by raising public awareness through anti-trafficking campaigns and by training public officials. The government continued to operate a national 24-hour hotline through which it received trafficking complaints; however, NGOs reported it functioned only sporadically. The government aired public service announcements and distributed materials to raise awareness about commercial sexual exploitation. The extent of anti-trafficking training provided by government officials was unclear; however, the Ministry of Interior and Justice reported holding training sessions for law enforcement agencies, community organizations, and schools during the reporting period. The lack of a central coordinating body for the government's anti-trafficking efforts led to difficulties in obtaining comprehensive information about the government's efforts. Overall transparency in the government's anti-trafficking efforts was low, and the government did not report publicly on the extent of the problem or its policy or measures to combat human trafficking. In December 2010, local media reported that Venezuelan authorities arrested two individuals who allegedly operated an online network offering child sex tourism packages to Spanish citizens visiting Venezuela. No specific activities to reduce the demand for commercial sex acts or forced labor were reported during the year.

VIETNAM (Tier 2 Watch List)

Vietnam is a source and, to a lesser extent, a destination country for men, women, and children subjected to sex trafficking and conditions of forced labor. Vietnam is a source country for men and women who migrate abroad for work through predominantly state-affiliated and private labor export companies in the construction, fishing, agriculture, mining, logging, and manufacturing sectors, primarily in Taiwan, Malaysia, South Korea, Laos, the United Arab Emirates, and Japan, as well as in China, Thailand, Saudi Arabia, Libya, Indonesia, the United Kingdom, the Czech Republic, Cyprus, Sweden, Trinidad and Tobago, Costa Rica, Russia, and elsewhere in the Middle East, and some of these workers subsequently face conditions of forced labor. Vietnamese women and children subjected to forced prostitution throughout Asia are often misled by fraudulent labor opportunities and sold to brothels on the borders of Cambodia, China, and Laos, with some eventually sent to third countries, including Thailand and Malaysia. Some Vietnamese women are

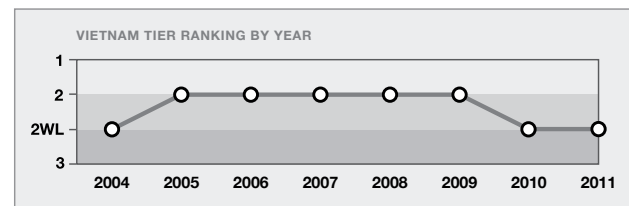
forced into prostitution in Thailand, Malaysia, Singapore, and in Europe.

Vietnam's labor export companies, most of which are affiliated with the state, as well as unlicensed middlemen brokers, may charge workers in excess of the fees allowed by law, sometimes as much as \$10,000, for the opportunity to work abroad. This forces them to incur some of the highest debts among Asian expatriate workers, making them highly vulnerable to debt bondage and forced labor. Upon arrival in destination countries, some workers find themselves compelled to work in substandard conditions for little or no pay despite large debts and no credible avenues of legal recourse. Some of Vietnam's recruitment companies reportedly did not allow workers to read their contracts until the day before they were scheduled to depart the country, after the workers had already paid significant recruitment fees, often incurring debt. Some workers even reported signing contracts in languages they could not read. There also have been documented cases of recruitment companies being unresponsive to workers' requests for assistance in situations of exploitation.

Vietnamese and Chinese organized crime groups are involved in the forced labor of Vietnamese children on cannabis farms in the United Kingdom, where they were subject to debts of up to \$32,000. According to a UK government report released during the year, many of these Vietnamese victims flew with an agent to Russia, transported via trucks through the Ukraine, Poland, the Czech Republic, Germany, France, and then to the UK. During the year, 15 Vietnamese men who were victims of forced labor on a Taiwan-owned fishing vessel were freed in Costa Rica, and Vietnamese women in Thailand were reportedly forced to be surrogate birth mothers for foreigners. There are also reports of some Vietnamese children trafficked within the country as well as abroad for forced labor. In both sex trafficking and labor trafficking, debt bondage, confiscation of identity and travel documents, and threats of deportation are commonly utilized to intimidate victims. Some Vietnamese women moving to China, Taiwan, Hong Kong, Macau, and increasingly to South Korea as part of internationally brokered marriages are subsequently subjected to conditions of forced labor (including as domestic servants), forced prostitution, or both. There are reports of trafficking of Vietnamese, particularly women and girls, from poor, rural provinces to urban areas, including Hanoi, Ho Chi Minh City, and newly developed urban zones, such as Binh Duong. While some individuals migrate willingly, they may be subsequently sold into forced labor or commercial sexual exploitation. Vietnamese children from rural areas are subjected to commercial sexual exploitation. Children also are subjected to forced street hawking and forced begging in the major urban centers of Vietnam, though some sources report the problem is less severe than in years past. Some Vietnamese children are victims of forced and bonded labor in urban family-run house factories and gold mines. There continued to be evidence of forced labor in drug treatment centers in which drug offenders, sentenced administratively, are required to perform low-skilled labor, though this practice is reportedly declining. While the number of persons sent to such centers is approximately one-third of what it was three years ago,

there are reports that individuals who failed to meet work quotas were punished through beatings and other physical abuse. Vietnam is a destination for child sex tourism with perpetrators reportedly coming from Japan, South Korea, China, Taiwan, the United Kingdom, Australia, Europe, and the United States, though the problem is not believed to be widespread.

The Government of Vietnam 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 passed new anti-trafficking legislation and a new five-year national action plan on trafficking. Nevertheless, while a number of structural reforms were carried out during the year, there remained a lack of tangible progress in the prosecution of trafficking offenders and protection of trafficking victims during the reporting period. In March 2011, the government passed an Anti-Trafficking Statute that provides a comprehensive list of prohibited acts, including some forms of trafficking not previously prohibited by other statutes, and also provides for trafficking prevention efforts. While the government states that most trafficking acts, including labor trafficking, are already covered under Vietnam's Criminal Code, other acts of trafficking require additional legislation and implementing regulations before Vietnam's laws have criminal penalties for all forms of trafficking. The government did not provide information to substantiate reports that authorities criminally prosecuted and criminally punished labor trafficking offenders during the year. Vietnam, therefore, is placed on Tier 2 Watch List for a second consecutive year. Vietnam continued to promote increased labor exports as a way of addressing unemployment and alleviating poverty through foreign exchange remittances, though further measures are required to protect the rights of Vietnamese migrant workers and to prevent new incidents of labor trafficking, such as the implementation of adequate laws to regulate labor recruitment companies. The government also did not take steps to increase its efforts to address the problem of internal trafficking in Vietnam.



Recommendations for Vietnam: Supplement Vietnam's new anti-trafficking law with additional legislation, implementing regulations, or other appropriate mechanism to ensure that the criminal code prohibits all forms of trafficking in persons and prescribes stringent criminal penalties for these prohibited acts; criminally prosecute those involved in forced labor, the recruitment of persons for the purpose of forced labor, or fraudulent labor recruitment; identify Vietnamese migrant workers who have been subjected to forced labor and ensure that they are provided with victim services; develop formal procedures to this end, and train relevant officials in the use of such procedures, including internationally recognized indicators

of forced labor such as the confiscation of travel documents by employers or labor brokers; increase efforts to protect Vietnamese workers going abroad through memoranda of understanding and agreements with destination countries that include measures to protect Vietnamese workers; criminally prosecute and punish state-licensed recruitment agencies and unlicensed brokers that engage in fraud or charge illegal commissions for overseas employment; take measures to protect victims of labor trafficking to ensure that workers are not threatened or otherwise punished for protesting labor conditions or for leaving their place of employment; increase efforts to assist male victims of trafficking and victims of labor trafficking; increase the ability of workers to have effective legal redress from labor trafficking; report on greater efforts to work closely with destination governments to investigate and prosecute trafficking cases, including in particular labor trafficking cases; improve interagency cooperation on anti-trafficking efforts; improve data collection and data sharing on trafficking prosecutions, particularly labor-related prosecutions; and implement and support a visible anti-trafficking awareness campaign directed at clients of the sex trade.

Prosecution

While the Vietnamese government demonstrated some efforts in addressing transnational sex trafficking, it demonstrated overall inadequate law enforcement efforts to combat all forms of human trafficking during the reporting period, including in particular labor trafficking. Authorities did not report any investigations or prosecutions of cases of internal trafficking and did not provide information to substantiate reports that it had prosecuted 14 cases of labor trafficking. In March 2011, the National Assembly passed a new Anti-Trafficking Statute, which provided further definitions on trafficking in persons, as well as victim care and trafficking prevention, but did not assign criminal penalties to the additional prohibited trafficking offenses enumerated in the law. The government acknowledged that there must be further implementing regulations, agency guidelines, or amendments to the Criminal Code to ensure that perpetrators are held criminally accountable for all trafficking crimes. During the year, the government reported that the majority of traffickers were prosecuted under Articles 119 and 120 of the Penal Code, which can be used to prosecute a variety of trafficking and related crimes. Authorities reported that Article 119 can be used to prosecute some forms of trafficking, including labor trafficking, and prescribes punishments of two to seven years' imprisonment, which is sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. It does not cover, however, all forms of trafficking, including some provisions enumerated in the new Anti-Trafficking Statute. Vietnamese law still does not include provisions that would specifically punish attempts to commit a trafficking offense. During the year, the government reported that it prosecuted most labor trafficking cases not under Article 119, but rather under criminal fraud statutes and under Vietnamese labor laws, the latter of which do not provide criminal penalties for labor trafficking.

Contract disputes between Vietnamese workers and their Vietnam-based export labor recruitment companies or companies overseas – including for fraudulent recruitment and conditions that are indicative of forced labor – are left largely to the export labor recruiting company to resolve. Although workers have the legal right to take cases to court, in practice few have the resources to do so, and there is no known record of a Vietnamese labor trafficking victim successfully achieving compensation in court; thus in practice, workers are left without reasonable legal recourse. Vietnam's National Supreme Court reported that between January and December of 2010, authorities prosecuted 153 cases of sex trafficking and convicted 274 individuals for sex trafficking offenses; however, these statistics were based on Articles 119 and 120 of the Vietnamese Penal Code, which include crimes other than trafficking, such as human smuggling and child abduction for adoption, and thus cannot be disaggregated. Most individuals convicted were sentenced to prison terms ranging from seven to 15 years' imprisonment. The government did not report any prosecutions or convictions of internal trafficking in Vietnam. The government continued to work with international organizations during the year to train law enforcement officials, border guard officials, and social workers on trafficking.

Many NGOs suggested trafficking-related corruption continued to occur at the local level, where officials at border crossings and checkpoints took bribes to look the other way. During the reporting period, police arrested a local official in Can Tho for accepting bribes to help register marriages between Vietnamese women and foreign men, though it is unclear whether these women had been trafficked. The government did not report any criminal prosecutions or convictions of officials for trafficking-related complicity during the year. Government and NGO sources report that lack of financial resources, inadequately trained personnel, cumbersome mechanisms for interagency cooperation, poorly coordinated enforcement of existing legal instruments across the country, and the current legal structure that is ill-suited to supporting the identification and prosecution of trafficking cases remain obstacles to greater progress in the country's anti-trafficking efforts.

Protection

The Vietnamese government sustained some efforts to protect victims of transnational sex trafficking and outlined additional victim protection plans in its new anti-trafficking law, though it did not make sufficient efforts during the year to identify or protect victims of labor trafficking or internal trafficking. The government has yet to employ systematic procedures nationwide to proactively and effectively identify victims of trafficking among vulnerable populations, such as women arrested for prostitution and migrant workers returning from abroad, and victim identification efforts remained poor across all identified migration and trafficking streams. Border guards and police at the district and provincial levels received limited training about identification of trafficking victims and handling of cases, which in some cases improved some officers' ability to monitor and investigate trafficking cases, but the lack of adequate training reportedly led to

poor investigations and techniques that were harmful to some victims. Vietnam's National Steering Committee on Trafficking in Persons reported that 250 Vietnamese trafficking victims were identified by Vietnamese and foreign police, and 500 victims were identified and repatriated by foreign governments, 100 of whom were trafficked to South Korea, Malaysia, and Singapore. Vietnamese statistics, however, include some cases in which children were abducted and sold for adoption; it is not clear if any of these cases constituted trafficking. While authorities have formal procedures for receiving victims and referring them to care, there is wide recognition that the referral system has significant deficiencies and remains inadequate, including because of challenges of identifying victims who do not return via official border crossings and victims who do not want to be identified by authorities due to social stigma and other reasons.

The government did not provide adequate legal protection or assistance in Vietnam or abroad from conditions of forced labor. During the year, more than 85,000 Vietnamese workers travelled abroad to work, and the total number of Vietnamese working overseas in 40 countries and territories is estimated to be around 500,000. Though no new agreements were signed during the reporting period, the government continued to seek agreements with countries to facilitate the employment of Vietnamese laborers abroad; it is unclear whether agreements signed with governments of demand countries had provisions to prevent human trafficking and protect trafficking victims. Vietnam maintains labor attaches in nine countries receiving the largest number of Vietnamese migrant workers, but it does not maintain embassies in some countries where there are reports of trafficking and in some cases responded weakly to protect migrant workers. Diplomats were reportedly unresponsive to complaints of exploitation, abuse, and trafficking by migrant workers in some cases. One Vietnamese embassy abroad reportedly intervened in an identified labor trafficking case to support the Vietnamese labor export company involved in the trafficking of Vietnamese workers. Government regulations also do not prohibit labor export companies from withholding the passports of workers in destination countries and companies were known to withhold workers' travel documents, a known contributor to trafficking. The Ministry of Labor, War Invalids, and Social Affairs (MOLISA) and the Ministry of Foreign Affairs (MFA) announced increased efforts to monitor labor conditions for Vietnamese workers in destination countries and to look for signs of trafficking, though the government did not publish data about individual cases where it identified or assisted Vietnamese migrant workers subjected to forced labor. Vietnamese workers do not have adequate legal recourse to file complaints in court against labor recruitment companies in cases where they may have been the victim of trafficking. Although workers have the right in principle to sue labor export companies, the cost of pursuing legal action in civil cases remains in effect prohibitively expensive, and there has been no indication of victims receiving legal redress in Vietnamese courts.

The government's Vietnamese Women's Union (VWU), in partnership with NGOs, continued to operate three trafficking shelters in Vietnam's largest urban areas, which

provided counseling and vocational training to female sex trafficking victims. The VWU and border guards also operate smaller shelters that provide temporary assistance to migrants in need of assistance at some of the most heavily used crossing points. The government, however, lacks the resources and technical expertise to adequately support shelters, and as a result, in many areas shelters are rudimentary, underfunded, and lack appropriately trained personnel. Trafficking victims also are inappropriately housed at times in MOLISA shelters co-located with those of drug users' rehabilitation and reintegration of individuals leaving prostitution. There are no shelters or services specifically dedicated to assisting male victims of trafficking or victims of labor trafficking. The government reportedly encourages victims to assist in the prosecution of their traffickers, though Vietnam generally does not provide police-assisted witness protection to victims of crime. There were no data on the number of victims involved in prosecutions during the reporting period. Victims are often reluctant to participate in investigations or trials due to social stigma, particularly as it relates to prostitution, fear of retribution in their local communities, and lack of incentives for participation. Vietnamese law does have provisions to protect trafficking victims from facing criminal charges for actions taken as a direct consequence of being trafficked. There are no legal alternatives for the removal of foreign victims to countries where they face retribution or hardship.

Prevention

With assistance and cooperation from international organizations, NGOs, and foreign donors, the Vietnamese government continued some efforts to prevent trafficking in persons. In April 2011, the government passed a new five-year National Plan of Action on Human Trafficking, which at the time of publication was awaiting final approval from the prime minister. However, as the government continued to support an increased number of laborers going overseas to work, including travel to countries where abuses of migrant workers are rife, the Vietnamese government has not made sufficient efforts to prevent labor trafficking by requiring destination governments to provide adequate safeguards against forced labor of its migrant workers. Government regulations of labor and marriage brokers remained in general weakly enforced. MOLISA reported that in 2010, the government investigated 34 labor recruitment companies, issued fines to nine companies for insufficient pre-departure trainings, charging excessive recruiting fees, failing to properly register work contracts, and sending abroad more workers than were officially reported to MOLISA, and suspended two companies' operations for six months for underreporting the number of workers sent abroad and failing to follow regulations governing employee contracts. These two firms were fined \$1,250 and \$4,750, respectively, but were not criminally prosecuted.

The Vietnamese Women's Union and the Youth Union continued anti-trafficking education campaigns, including in border areas, on the dangers of sex trafficking, and the VWU began public awareness efforts on safe migration. The VWU continued to cooperate with its South Korean counterpart in pre-marriage counseling to prevent

trafficking of Vietnamese women through international marriage. The government distributed leaflets aimed at both foreign and domestic tourists to combat child sex tourism. Authorities did not report any other efforts to reduce the demand for commercial sex or forced labor. During the year, the government signed memoranda of understanding to cooperate on human trafficking with China and Laos. In July 2010, MOLISA promulgated an optional code of conduct for labor export companies, developed with the assistance of an international organization, and reported that 96 of 171 licensed labor recruiting companies have signed the agreement. During the year, authorities worked to evacuate over 10,000 Vietnamese workers, some of whom may have been trafficking victims, displaced by the conflict in Libya. Each returnee was provided with safe passage home and \$95 towards short-term resettlement expenses, and the government is working to connect returnees with new employment opportunities in Vietnam and abroad. Nevertheless, the government has yet to reach adequate agreements with all destination governments on safeguards against forced labor. Vietnam is not a party to the 2000 UN TIP Protocol.

YEMEN (Tier 3)

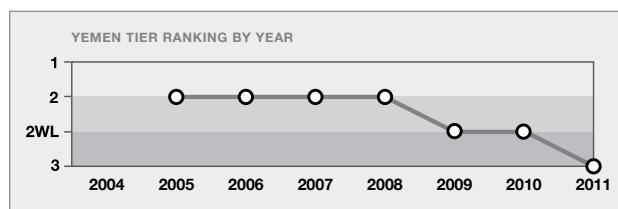
Yemen is a country of origin and, to a much lesser extent, a transit and destination country for men, women and children subjected to forced labor and sex trafficking. Yemeni children, mostly boys, migrate to the Yemeni cities of Aden and Sana'a or travel across the northern border with Saudi Arabia or, to a lesser extent, to Oman and are forced to work in domestic service, small shops, or as beggars. Some of these children are subjected to prostitution by traffickers, border patrols, other security officials, and their employers in transit or once they arrive in Saudi Arabia. The government and local NGOs estimate there are hundreds of thousands of children in forced labor in Yemen. An unconfirmed government report indicates that fewer Yemeni children may have been forced to work in Saudi Arabia in the reporting period due to a combination of awareness campaigns, collaboration between Yemeni and Saudi authorities, and the outbreak of civil war in northern Yemen. Some parents may have refrained from sending their children to Saudi Arabia for fear of them encountering violence in northern Yemen, while other Yemeni children attempting to reach Saudi Arabia were abducted by rebel groups to serve as combatants. In addition, some sources report that the practice of chattel slavery still exists in Yemen; although no official statistics exist detailing this practice, sources report that there could be 300 to 500 men, women, and children sold or inherited as slaves in Yemen, including in the Al-Zohrah district of Al-Hudaydah Governorate, west of Sana'a, and the Kuaidinah and Khairan Al-Muharraq districts of the Hajjah Governorate, north of the capital.

To a lesser extent, Yemen is also a source country for girls subjected to sex trafficking within the country and in Saudi Arabia. Girls as young as 15 are exploited for commercial sex in hotels and clubs in the governorates of Sana'a, Aden, and Taiz. The majority of child sex tourists in Yemen originate from Saudi Arabia, with a smaller

number possibly coming from other Gulf nations. Yemeni girls who marry Saudi tourists often do not realize the temporary and exploitative nature of these agreements and some are subjected to sex trafficking or abandoned on the streets after reaching Saudi Arabia. Yemen is a transit and destination country for women and children from the Horn of Africa; Ethiopian and Somali women and children travel voluntarily to Yemen with the hope of working in other Gulf countries, but once they reach Yemen, they are subject to sex trafficking or domestic servitude. Others migrate voluntarily based on false promises of comfortable employment as domestic servants in Yemen, but upon arrival are subject to sex trafficking or domestic servitude. Female Somali refugees are forced into prostitution in Aden and Lahj governorates and Yemeni and Saudi gangs traffic African children to Saudi Arabia. Somali pirates capitalize on the instability in the Horn of Africa to subject Africans to forced labor and prostitution in Yemen, in addition to their piracy and human smuggling crimes.

Despite a 1991 law that stipulates that recruits to the armed forces must be at least 18 years of age, and assertions by the government that the military is in compliance with these laws, credible reports exist that children have been conscripted into official government armed forces – as well as into government-allied tribal militias and militias of the Houthi rebels – since the sixth round of the intermittent war in Sa'ada began in August 2009. A local NGO estimated that children under the age of 18 may make up more than half of some tribes' armed forces, both those fighting with the government and those allied with the Houthi rebels.

The Government of Yemen does not fully comply with the minimum standards for the elimination of trafficking, and has been placed on Tier 2 Watch List for a third consecutive year. Pursuant to Section 107 of the 2008 Trafficking Victims Protection Reauthorization Act, therefore, Yemen is deemed not to be making significant efforts to comply with the minimum standards and is placed on Tier 3. Due to political unrest, the Government of Yemen was unable to provide data to contribute to this report. In November 2010, the Yemeni cabinet approved the country's accession to the 2000 UN TIP Protocol. In addition, the government reportedly prosecuted and convicted traffickers during the reporting period. Despite these efforts, the Yemeni government did not take steps to address trafficking for commercial sexual exploitation or to institute formal procedures to identify and protect victims of trafficking.



Recommendations for Yemen: Increase law enforcement efforts against trafficking in persons, including trafficking of women, men, and children for sex trafficking and forced labor; take measures to investigate and eradicate the practice of chattel slavery in Yemen, including by enforcing the prohibition against slavery against slave "owners;"

expand victim protection services to rehabilitate victims of forced prostitution; make greater efforts to stop the forcible recruitment of child soldiers and provide protection services to demobilized children; institute a formal victim identification mechanism to identify and refer trafficking victims to protection services; expand educational campaigns on trafficking to include information on the sex trafficking of children and adults; and adopt and dedicate resources to a national plan of action to combat trafficking.

Prosecution

The Government of Yemen made some progress in enforcing laws against trafficking during the reporting period. Article 248 of the penal code prescribes up to 10 years' imprisonment for anyone who "buys, sells, or gives as a present, or deals in human beings; and anyone who brings into the country or exports from it a human being with the intent of taking advantage of him." Although the prescribed penalty under this provision is commensurate with that prescribed for other serious crimes, such as rape, this transaction- and movement-based statute does not prohibit debt bondage or many forms of forced labor and forced prostitution. Article 161 of the Child Rights Law specifically criminalizes the prostitution of children. The government did not report official statistics on its efforts to arrest, prosecute, convict, or sentence trafficking offenders. Media reports, however, indicate the government prosecuted five trafficking cases, resulting in the conviction of at least three defendants who received sentences ranging from six to 10 years' imprisonment and fines. It is unclear whether these trafficking cases involved forced prostitution or forced labor. In addition, the Ministry of Interior continues to operate women's and children's units that could be used to investigate trafficking offenses; it is unclear, however, whether these units investigated trafficking cases during the reporting period. The government made no known efforts to investigate or punish the practice of chattel slavery, and in one case, a judge in Hajja sanctioned the transfer of the title deed of a slave from one master to another. There was no evidence of prosecutions or punishments of government officials for complicity in trafficking during the reporting period.

Protection

The government made no progress in protecting victims during the reporting period. The government continues to lack formal victim identification procedures to proactively identify and assist victims of trafficking among vulnerable groups, such as women arrested for prostitution or those detained for illegal immigration. As a result, Yemen did not ensure that victims of trafficking are not inappropriately incarcerated, fined, or otherwise penalized for unlawful acts committed as a direct result of being trafficked. Although the government, in partnership with UNICEF and NGOs, continued operation of two reception centers in Sana'a and Harath to rehabilitate child labor trafficking victims and maintained contact with the Government of Saudi Arabia on cross-border trafficking issues, it did not report how many children were assisted in these centers. In addition, the government did not expand these reception centers to protect child victims of sex trafficking. The government does not provide protection services to

adult victims of either forced prostitution or forced labor. The government did not encourage victims to assist in investigations or prosecutions of their traffickers. The government did not provide assistance to its nationals who are repatriated as victims of trafficking, although NGOs provided limited assistance and helped reunite some victims with their families. There were no legal alternatives to the removal of foreign trafficking victims to countries in which they may face hardship or retribution.

Prevention

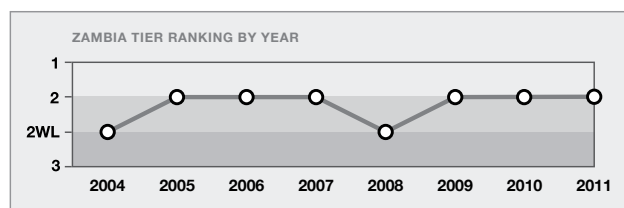
The Yemeni government made limited efforts to prevent trafficking during the reporting period. The government maintained an inter-ministerial committee to coordinate anti-trafficking initiatives among relevant agencies; it is unclear, however, whether this committee met during the reporting period. The government reportedly expanded public awareness campaigns to include information on trafficking for commercial sexual exploitation. In 2010, the Ministry of Social Affairs and Labor hosted a workshop attended by Ministry of Education and local NGO representatives to discuss combating the prostitution of children. Nonetheless, the government did not take any significant measures during the reporting period to reduce the demand for commercial sex acts, address the problem of child sex tourism, or ensure its nationals deployed to international peacekeeping missions do not facilitate or engage in human trafficking. The government did not make efforts to prevent sex trafficking of children or adults and remained reticent about addressing these issues. The government has not yet developed a universal birth registration system and many children, especially in rural areas, were never registered or registered only after several years, depriving them of a key identity document and therefore increasing their vulnerability to trafficking. It is unclear whether the government enforced its 2009 decree aimed at reducing trafficking via "temporary marriages." Yemen is not yet a party to the 2000 UN TIP Protocol.

ZAMBIA (Tier 2)

Zambia is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Most trafficking occurred within the country's borders and involved women and children from rural areas exploited in cities in domestic servitude or other types of forced labor in the agricultural, textile, and construction sectors. Zambian trafficking victims have also been identified in South Africa, the Democratic Republic of the Congo, and Namibia. While orphans and street children are the most vulnerable, children of more affluent village families are also vulnerable to trafficking, as sending children to the city for work is perceived as a status symbol. Some child domestic workers receive adequate room and board, but others are starved, beaten, deprived of sleep, or overworked to the point of exhaustion – practices indicative of forced labor. To a lesser extent, Zambia is a destination for migrants from Malawi and Mozambique who are exploited in forced labor or forced prostitution after arrival in Zambia. Asian and South Asian males continue to be trafficked to and through Zambia for forced labor in the mining and construction industries in Zambia

or South Africa. An increasing number of Chinese and Indian men recruited to work in Chinese- or Indian-owned mines in Zambia's Copperbelt region are reportedly kept in conditions of forced labor by the mining companies. Officials believe transnational labor trafficking of South Asians through Zambia is becoming increasingly organized and linked to criminal groups based largely in South Africa. Zambia's geographic location and numerous porous borders make it a nexus for trafficking from the Great Lakes Region to South Africa. While the movement of Congolese children to and through Zambia remains a concern, the destination of these children remains unclear; some may be trafficking victims.

The Government of Zambia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government increased law enforcement efforts by convicting one trafficking offender under its 2008 anti-trafficking law and investigating and prosecuting three additional suspected trafficking cases. Government-provided protection for victims remained weak; though the government continued to provide services to victims through partnerships with international organizations and NGOs, the continued lack of shelters significantly hindered appropriate victim care, as victims were, at times, detained in jails alongside trafficking offenders.



Recommendations for Zambia: Train police, immigration officials, prosecutors, and judges on effectively investigating and prosecuting trafficking crimes; formalize and implement victim identification and referral procedures; improve government services for human trafficking victims as provided for in the new law, including the establishment of victim shelters; increase officials' awareness on the application of the specific provisions of the new anti-trafficking law, particularly among labor officials and magistrates; investigate and prosecute mining company personnel who operate mines using forced labor; institute a unified system for documenting and collecting data on human trafficking cases for use by law enforcement, immigration, and social welfare officials; and continue to conduct public awareness campaigns.

Prosecution

The Government of Zambia demonstrated increased anti-trafficking law enforcement efforts during the reporting period, convicting one trafficking offender under the 2008 anti-trafficking law and investigating and prosecuting additional suspected trafficking cases. Zambia's comprehensive Anti-Human Trafficking Act of 2008 criminalizes all forms of trafficking and prescribes penalties that range from 20 years' to life imprisonment,

which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. In 2010, the government amended its Immigration Act, adding additional prohibitions against human trafficking. During the reporting period, the government convicted one trafficking offender, acquitted two suspected traffickers, and detained two suspects who are awaiting trial or sentencing; two investigations were ongoing at the end of the year. In December 2010, a Zambian court convicted a Zambian man under the anti-trafficking law, and sentenced him to 10 years' imprisonment for confining seven Indian nationals in a Zambian home with the intention of forcing them to labor in construction in South Africa. The sentence for this conviction was below the minimum prescribed penalty of the anti-trafficking law. Additional cases were investigated as trafficking offenses; however, with insufficient evidence on the intentions of the suspects to exploit the potential victims, the courts dropped the human trafficking charges and tried these as smuggling cases or dismissed them. One such case involved seven Congolese children who were traveling with individuals who were not their legal guardians, were locked in a small room, and were unaware of why they left the Congo or where they were going; though originally charged as a trafficking case, with insufficient evidence on the intent to exploit these children, this case is pending trial as a smuggling case. In partnership with IOM, the government provided anti-trafficking training for law enforcement and immigration officials. In addition, during the reporting period, the Director of the Research, Planning and Information Department of the Ministry of Home Affairs led trafficking awareness briefings for new police recruits and immigration officers at the Police Training Academy. An immigration official, charged with trafficking in 2010, was dismissed from his job and convicted of smuggling, as the court lacked sufficient evidence to support a conviction under the anti-trafficking law; he was given a suspended sentence in September 2010. The government reported no other investigations, prosecutions, convictions, or sentences of public officials complicit in human trafficking. The government did not take action to criminally prosecute mining company personnel who reportedly operated their mines through the use of forced labor; however, the government did not receive any new reports of trafficked labor in the mining sector during the reporting period.

Protection

The government continued to ensure victim care through partnerships with international organizations and local NGOs during the reporting period. These efforts remained lacking in critical areas, however, including the establishment of victim shelters, though such initiatives are mandated in the 2008 anti-trafficking law. The government did not develop or implement systematic procedures for the identification of trafficking victims, nor did it demonstrate use of a formal mechanism for referring victims to NGOs for protective services. Due to limited secure shelter space in certain parts of the country and limited means for transporting victims, foreign victims were jailed alongside traffickers for extended periods. The government acknowledged this shortcoming and, through a partnership with an international NGO, began to plan the construction of Zambia's first dedicated human trafficking

shelter. While existing NGO shelters offered limited accommodation for women and children, no services were available for men. The Department of Immigration and the National Secretariat identified 37 potential trafficking victims and informally referred 18 of these to IOM for care; IOM independently identified and assisted four additional victims with psychological counseling, medical treatment, and skills training during the reporting period. The government also sustained a partnership with IOM on the repatriation of victims; during the reporting period, 18 Congolese and one Zimbabwean were repatriated to their home countries. The government offers temporary residency and legal alternatives to the removal of victims to countries where they may face hardship or retribution; during the reporting period, the government granted temporary residency to at least 19 victims. Without proper procedures for the identification of victims and with the unavailability of shelters, the government likely arrested, jailed, and penalized victims for unlawful acts committed as a direct result of being trafficked. Officials encouraged victims to assist in the investigation and prosecution of traffickers; during the reporting period, one trafficking offender was convicted based on testimony provided by victims.

Prevention

The Zambian government maintained its efforts to prevent trafficking during the reporting period. In 2010, the government worked with partners to prioritize and implement key components of the 2009 National Anti-Trafficking Plan, including multi-media outreach, employer workshops, and the formation of child coalitions to raise awareness on human trafficking. During the year, the government developed the 2011-2012 National Anti-Trafficking Plan, which prioritizes the development of victim referral procedures. It also selected representatives of government ministries to serve on the national anti-trafficking Secretariat, created in 2009; however, they remain overburdened by their primary functions due to understaffing in their respective ministries. The six members of the Secretariat met monthly and, in addition, held several *ad hoc* meetings as necessary in response to specific cases. The government continued its "Break the Chain of Human Trafficking" campaign, with support from the UN Joint Programme and local NGOs. Beginning in October 2010, the government helped plan and participated in a UN Joint Programme-funded outreach campaign on gender-based violence and human trafficking, including forced labor, and involving school debates, cycle races, marathons, dramatic performances, with traditional leaders and community radio taking part. As a result of this campaign, child coalitions were formed in 10 districts to continue awareness-raising efforts. Throughout 2010, the Ministry of Community Development and Social Services spearheaded a 13-episode English language television program on human trafficking, as well as an interactive radio program in seven local languages. In 2010, a Zambian court sentenced a Zambian man to 18 years' imprisonment for selling his 7-year-old daughter for the purpose of harvesting her organs for use in ritual practices in Tanzania. Action to combat labor trafficking was hampered by an inadequate number of labor inspectors; during the reporting period, the Ministry of Labor and Social Security (MLSS) conducted 15 child

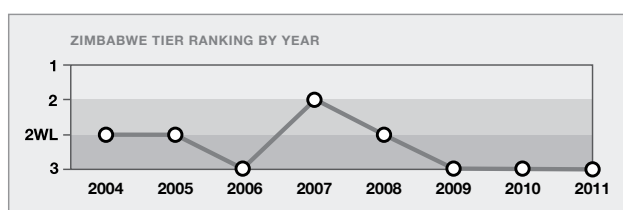
labor inspections, none of which resulted in prosecutions. In December 2010, the MLSS, in partnership with the UN Joint Programme, conducted a workshop for employers and trade unions on the demand for forced labor, working towards the development of employer guidelines, and both entities partnered to begin a study on internal trafficking to be completed in 2011. The government did not make efforts to reduce the demand for commercial sex acts during the reporting period. The Ministry of Home Affairs and Ministry of Defense provided anti-trafficking training to Zambian troops prior to their deployment abroad on international peacekeeping missions.

ZIMBABWE (Tier 3)

Zimbabwe is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Women and girls from Zimbabwean towns bordering South Africa and Zambia are subjected to sex trafficking in brothels that cater to long-distance truck drivers. Recent reports indicate that young women from rural areas are recruited into forced prostitution through the guise of beauty pageants held in cities. Some victims of forced prostitution are subsequently transported across the border to South Africa where they suffer continued exploitation. Zimbabwean men, women, and children are subjected to forced labor in agriculture and domestic service in rural areas, as well as domestic servitude and sex trafficking in cities and towns. Children are also utilized in the commission of illegal activities, including gambling and drug smuggling. Although security forces still maintain control of Marange district, sources indicate that forced labor abuses, including Zimbabwean security services forcing young men and boys to mine for diamonds, have ended.

Zimbabwean men and boys migrate illegally to South Africa, where some are forced to labor for months on farms, in mines, or in construction without pay before their employers report them to authorities for deportation. Many Zimbabwean women and some children willingly migrate to South Africa, often with the assistance of taxi drivers who transport them to the border at Beitbridge or nearby; some of the migrants are given to thugs, who subject them to violent attacks, rape, deception, and, in some cases, sex trafficking in Musina, Pretoria, Johannesburg, or Durban. Zimbabwean women and men are lured into exploitative labor situations in Angola, the United Arab Emirates, Malaysia, Nigeria, and South Africa with false offers of employment in agriculture, construction, information technology, and hospitality, and some subsequently become victims of forced labor. Young women and girls are also lured to China, Egypt, the United Kingdom, and Canada under false pretenses, and then subjected to prostitution. Men, women, and children from Bangladesh, Somalia, India, Pakistan, the Democratic Republic of the Congo, Malawi, Mozambique, and Zambia are trafficked through Zimbabwe *en route* to South Africa. Women and children from border communities in neighboring countries are trafficked to Zimbabwe for forced labor and prostitution. A small number of South African girls are exploited in Zimbabwe in domestic servitude.

The Government of Zimbabwe does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. While high-level officials showed an increased interest in trafficking issues, others denied the existence of a trafficking problem in Zimbabwe. The government did not report investigations, prosecutions, or convictions of trafficking cases. The government continued to rely on an international organization to provide law enforcement training, coordinate victim care and repatriation, and lead prevention efforts. During the year, draft anti-trafficking legislation was finalized and introduced to the Council of Ministers for debate; at the time of this report, the draft legislation had not yet reached Parliament for consideration. Reports indicate that the exploitation of children and adults in forced labor in the Marange diamond fields has ceased.



Recommendations for Zimbabwe: Prosecute, convict, and punish trafficking offenders; finalize and pass draft anti-trafficking legislation; formalize procedures for interviewing victims and transferring them to the care of appropriate governmental or non-governmental service providers; incorporate trafficking crimes into police procedures for recording and reporting crime data; and launch a broad awareness-raising campaign on the nature of trafficking and the availability of assistance for victims.

Prosecution

The Government of Zimbabwe did not record or release information on the number of trafficking investigations, prosecutions, or convictions it pursued over the year and the country remained without a comprehensive anti-trafficking law. Zimbabwean law does not prohibit all forms of trafficking in persons, though existing statutes prohibit forced labor and sex trafficking. The Labor Relations Amendment Act prohibits forced labor and prescribes punishments of up to two years' imprisonment, a fine of between \$5 and \$400, or both; these penalties are not sufficiently stringent. The Criminal Law (Codification and Reform) Act also prohibits procuring a person for unlawful sexual conduct, inside or outside of Zimbabwe, prescribing insufficiently stringent penalties of up to two years' imprisonment, a fine up to \$5,000, or both; if the victim is under 16, the sentence is increased to up to 10 years' imprisonment. The Act also prohibits coercing or inducing another person to engage in unlawful sexual conduct with another person by threat or intimidation, prescribing sufficiently stringent penalties of one to five years' imprisonment, a fine, or both. Pledging a female for forced marriage or to compensate for the death of a relative or any debt or obligations, is punishable under the Act, prescribing penalties of up to two years' imprisonment, a fine up to \$5,000, or both. None of these penalties are

commensurate with penalties prescribed for other serious crimes, such as rape. In 2010, the attorney general and the Ministry of Home Affairs finalized draft anti-trafficking legislation and, in September 2010, it was introduced in the Council of Ministers for debate; however, neither the Ministry of Home Affairs or the Council of Ministers have transferred the bill to the Cabinet, which is the first step in introducing it for parliamentary consideration. The Prime Minister's Office, however, identified the draft anti-trafficking bill as priority legislation and it was included on the 2010-2011 legislative agenda. Despite these legislative plans, high level officials in the Ministry of Justice, including the minister, publicly denied the existence of the trafficking problem in Zimbabwe.

The government did not prosecute forced labor or forced prostitution offenses during the reporting period. The Zimbabwe Republic Police's (ZRP) Victim Friendly Unit (VFU) has responsibility for investigating cases involving women and children, which may include trafficking victims, and the referral of victims to support services. Although NGOs referred several trafficking victims to the Department of Social Welfare for assistance, the VFU did not report investigating any of these cases. In August 2010, the Zimbabwean Labor Court ruled in favor of seven Zimbabweans, recruited in Zimbabwe by a Chinese national for forced labor in construction in Angola. The employers refused to pay the back wages, and filed an appeal to the High Court in January 2011. The government did not pursue criminal charges against the recruiters in this case. In 2010, there were no investigations or prosecutions of cases involving forced child labor. In February 2010, the newly formed Border Control Unit within the Criminal Investigating Department (CID) of the Zimbabwe police organized a number of trainings for its officers on human trafficking to raise awareness ahead of the 2010 World Cup; the training was provided and funded by an international organization. Overall corruption in law enforcement and the judiciary remained serious problems. Victims refused to report or pursue cases of trafficking because they feared that their traffickers would bribe police or judges; there was anecdotal evidence of limited government involvement in or tolerance of trafficking on a local level and at border crossing points. There are no reports of trafficking among Zimbabwean peacekeepers deployed abroad.

Protection

The Zimbabwean government provided trafficking victims with some protection and continued to ensure victims' access to shelter and care services provided by NGOs and international organizations. Although the government sustained its employment of a formal process for referring some types of trafficking victims to international organizations and NGOs for services, it continued to rely on these organizations to identify most trafficking victims. During the reporting period, IOM and local NGO partners identified and assisted at least eight Zimbabwean trafficking victims during the reporting period with safe shelter, psycho-social support, family tracing, and reunification; in contrast to 2009, the Zimbabwean police and Department of Social Services did not refer any victims to these organizations for care

in 2010. IOM and NGO partners referred six alleged child trafficking victims to the Department of Social Welfare for care and case evaluation. Government-run shelters are in place to assist vulnerable and orphaned children, including trafficking victims, through their provision of longer-term shelter; it is unknown whether they provided such services to trafficking victims during the year. The Ministry of Labor and Social Welfare operates programs in three districts to provide orphans and vulnerable children with counseling, as well as other services; it is unknown whether they provided such services to trafficking victims during the year. During the reporting period, partnerships between the police and NGOs and international organizations enabled the establishment of one new one-stop drop-in center for victims of gender-based violence, where victims can receive examinations, file police reports, and receive psycho-social counseling; it is unknown if any victims of sex trafficking were assisted by these centers. At its centers at Beitbridge and Plumtree border crossings, trained Department of Social Welfare staff referred identified victims to safe houses where short-, medium-, and long-term assistance could be provided, and worked closely with IOM and other NGOs at these centers to ensure the protection of vulnerable children. The government encouraged child and adult victims of exploitation, including trafficking, to testify in court and established Victim Friendly Courts specifically to support such testimony; however, due to resource constraints, their ability to operate as intended is limited. The Department of Immigration continued to require all deportees from South Africa and Botswana to attend an IOM briefing on safe migration, which includes a discussion of trafficking. With the exception of deportees from South Africa and Botswana, the government's law enforcement, immigration, and social services authorities did not have formal procedures with which to proactively identify victims of trafficking among vulnerable populations, such as women in prostitution and irregular migrants. The lack of formal identification procedures impaired the government's ability to ensure that trafficking victims were not inappropriately incarcerated or otherwise penalized for unlawful acts committed as a direct result of being trafficked. Victims could have received relief from deportation while their cases are being investigated, though none were known to have received such temporary residency.

Prevention

The government demonstrated minimal efforts to prevent trafficking. The inter-ministerial task force on trafficking, made up of senior government officials, met at least once during the reporting period, did not execute any anti-trafficking programming, and continued to lack a national plan of action. The government did not conduct any anti-trafficking awareness campaigns during the reporting period; however, NGOs and international organizations developed and aired an anti-trafficking information campaign around the World Cup in South Africa on state-run television and radio. State-run media continued to print and air stories about the dangers of illegal migration, false employment scams, underage and forced marriages, engaging in prostitution, and exploitative labor conditions. Information regarding any potential measures adopted by the government to ensure its nationals deployed to

peacekeeping missions did not facilitate or engage in trafficking was unavailable. The government did not make efforts to reduce the demand for commercial sex acts. Zimbabwe is not a party to the 2000 UN TIP Protocol.

COTE D'IVOIRE (Special Case)

In the months prior to the October 31, 2010 presidential election, the Government of Cote d'Ivoire made fair anti-trafficking progress. However, prospects for additional progress were extinguished by the political stalemate and civil war following the November runoff as incumbent Laurent Gbagbo refused to concede defeat to the internationally-recognized winner, Alassane Ouattara. During the four-month period that, critically, came at the end of the reporting period – months slated for implementation of the newly-passed child trafficking law – there was no national governing structure that could assume responsibility for addressing the country's human trafficking problem. Police were militarized, courts were non-functional, and prisoners were freed from jail. Basic public services were not available, including social services necessary to address the needs of victims. Government ministries were minimally staffed and effectively shut down due to a lack of funding for salaries. The country descended into a period of sustained violence that damaged the national infrastructure necessary to address the trafficking problem. During this period, Ouattara's legitimate, elected regime lacked control over government ministries and functions and the ability to engage in serious and sustained efforts to combat trafficking.

The following summary covers the anti-trafficking efforts of the Gbagbo government until the October 31, 2010 presidential election. The government failed to prosecute and convict trafficking offenders or take steps to identify trafficking victims among women and girls in prostitution. Although it referred some child victims to NGOs for care, the government did not provide services to adult victims, and it abandoned a plan to build two shelters for trafficking victims. Though the government acknowledged that certain forms of trafficking are a problem in the country, such as forced child labor, it did not recognize other forms, such as the forced prostitution of adults, and has never reported a prosecution of forced labor in the cocoa sector.

The following recommendations are provided to guide newly-installed government officials in undertaking future anti-trafficking initiatives in Cote d'Ivoire. The new government's policies and perspectives on Cote d'Ivoire's human trafficking problem are presently unknown.

Scope and Magnitude: Cote d'Ivoire is primarily a country of destination for children and women subjected to forced labor and forced prostitution. It is also a country of transit and origin for trafficking victims. Trafficking within the country's borders is most prevalent, with victims primarily recruited and transported from the north of the country to the more economically prosperous south. Boys from Ghana, Mali, and Burkina Faso are subjected to forced labor in Cote d'Ivoire's agricultural sector, including on cocoa, coffee, pineapple, and rubber plantations. Boys from Ghana are forced to work in the mining sector, boys from

Togo in construction, and boys from Benin in carpentry and construction. Girls recruited from Ghana, Togo, and Benin to work as domestic servants and street vendors often are subjected to conditions of forced labor. Women and girls are also lured to Cote d'Ivoire from Ghana and Nigeria with promises of jobs such as waitressing in restaurants and bars, selling clothing, or skills training, and are subsequently subjected to forced prostitution. During the year, an international organization reported receiving an Ivorian trafficking victim who had been forced into domestic servitude in Tunisia. There were reports that children may have been recruited, at times by force, into armed groups loyal to both Gbagbo and Ouattara.

Recommendations for Cote d'Ivoire: Increase efforts to investigate, prosecute, and convict trafficking offenders, particularly those who exploit children in the commercial sex trade or in forced labor, including in the agricultural sector; train judges and magistrates on the provisions of the new child trafficking law, as well as on existing legislation that criminalizes the trafficking of adults; form a basic government structure, such as a committee or task force with an allocated budget, to coordinate the government's anti-trafficking efforts across ministries; complete construction on two government-run shelters intended to care for trafficking victims; take steps to integrate screening, separation, and reintegration of any children that may be associated with security forces, militias, and armed groups into overall security sector reform; and train law enforcement officials to identify potential victims among vulnerable populations, such as women and girls in prostitution, and to refer them to protective services.

Government Efforts: While the Government of Cote d'Ivoire enacted legislation to address child trafficking, it did not prosecute or convict trafficking offenders using existing legislation during the reporting period. In September 2010, the government passed Law No. 2010-272 Pertaining to the Prohibition of Child Trafficking and the Worst Forms of Child Labor, its first specific law punishing trafficking offenses. Although most criminal acts covered under this law were already proscribed under various articles of the country's penal code, the new law increases penalties for compelling or offering children for prostitution to five to 20 years' imprisonment and a fine; these penalties are sufficiently stringent, but not commensurate with penalties prescribed for other serious offenses, such as rape. The law's penalty for submitting a child to forced labor, or situations akin to bondage or slavery, is 10 to 20 years' imprisonment and a fine, punishments which are sufficiently stringent. Penal Code Article 378 prohibits the forced labor of adults and children, prescribing a sufficiently stringent penalty of one to five years' imprisonment and a fine of approximately \$800 to \$2,200. Article 376 criminalizes entering into contracts that deny freedom to a third person, prescribing a punishment of five to 10 years' imprisonment and a fine. Pimping and exploitation of adults and children in prostitution by means of force, violence, or abuse is outlawed by Articles 335-336. The Criminal Police Unit reportedly arrested and investigated six persons suspected of human trafficking during the reporting period, four of whom remain in prison awaiting trial. Efforts to obtain additional information about these cases were unsuccessful.

The Ivorian government made inadequate efforts to protect victims of trafficking during the year. Law enforcement authorities did not demonstrate adequate efforts to proactively identify trafficking victims among vulnerable groups, such as foreign children entering the country without their parents or working in agriculture, though some victims were identified and referred to NGOs for care. One NGO shelter for trafficking victims cared for five victims, three of whom were Togolese, referred by the Police and the Ministry of Interior's Brigade de Mineurs during the year. The Ministry of Social Affairs referred 50 girls who had been exploited in domestic servitude to another NGO-run shelter. The government had no care facilities for foreign or domestic trafficking victims, and did not provide financial or material support to the NGOs it relied on to care for victims. Prior to the political crisis in October 2010, it had planned to build two shelters for trafficking victims, which were to be co-managed by the Ministries of Family and Labor. The Ministry of Family donated land to the project and the government allocated half of the approximately \$210,000 necessary to complete the project, but construction did not begin and was later postponed indefinitely as a result of the political crisis. It is not known whether trafficking victims were detained or prosecuted for acts committed as a result of their being trafficked, nor whether the government encouraged victims to assist in the investigation and prosecution of trafficking offenses.

The government demonstrated negligible efforts to prevent trafficking during the reporting period. It did not launch any campaigns to educate the public on the dangers of human trafficking. In the previous reporting period, a presidential decree established an independent coordinating body (service autonome) within the Ministry of Labor and Civil Service charged with addressing child labor. The office became operational in June 2010, but lacks a budget and does not appear to have taken any action since that time. While the service autonome was envisioned as the coordinating body for all government efforts against child trafficking, the National Committee for the Fight against Trafficking, chaired by a representative of the Ministry of Social Affairs, is currently responsible for issues of child trafficking. Discussions regarding coordinating the efforts of these two bodies were not completed. The government did not take any measures to reduce the demand for forced labor or commercial sex acts during the year. The government took steps to establish the identity of local populations by reinstating its issuance of identification cards to 5.7 million citizens over the age of 18. Cote d'Ivoire is not a party to the 2000 UN TIP Protocol.

HAITI (Special Case)

The massive physical destruction in the wake of the 2010 earthquake, including the destruction of governmental buildings, equipment, and loss of personnel, and the continued lack of fundamental infrastructure throughout the government, severely limited the government's ability to function in many areas, including in areas of law enforcement, social services and border control. This had a similarly limiting effect upon the government's ability to address trafficking in persons. For these reasons, Haiti remains a Special Case for the sixth consecutive year. The

extreme impact of the earthquake on the operational capacity of the Haitian government persisted throughout 2010 and into 2011. Twelve out of the 13 ministries collapsed in the earthquake, none of which have been rebuilt. Hundreds of civil servants and technocrats were killed, taking with them institutional knowledge and experience, and files were lost or destroyed. The Haitian government's ministries operated out of tents and in overcrowded makeshift buildings. Although Haiti has a significant child trafficking problem, the Haitian National Police Brigade for Protection of Minors (BPM), responsible for investigating crimes against children has a minimal staff of 35 for the entire country, and lacks vehicles or investigational materials to inspect childcare facilities around the country. Border patrol lacks capacity to monitor the four official border crossings effectively, let alone the entire territorial border. Finally, the justice system is largely non-functional, as detention backlogs go back years, and few cases advance without some form of bribes or political pressure. The slow pace of reconstruction after the earthquake and the lack of government infrastructure obstructed basic government efforts to address trafficking in the country.

The following background and recommendations are provided to guide government officials and organizations working on anti-trafficking initiatives in Haiti.

Scope and Magnitude: Haiti is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. The Haitian National Police and local NGOs reported an increase in alleged cases of forced labor and sex trafficking of children and adults since the earthquake. Young children without family support or secure housing appear to be increasingly at risk. The majority of trafficking cases are found among the estimated 173,000 to 225,000 *restaveks*—the term for the practice of child domestic servitude—in Haiti. The majority of children become *restaveks* when recruiters arrange for them to live with families in other cities and towns in the hope of going to school. *Restaveks* are treated differently from other non-biological children living in households; in addition to involuntary servitude, *restaveks* are particularly vulnerable to beatings, sexual assaults, and other abuses by family members in the homes in which they are residing. *Restaveks* are often dismissed when they become teenagers or difficult to control. Dismissed and runaway *restaveks* make up a significant proportion of the large population of street children, who frequently are subjected to sex trafficking or street crime by violent criminal gangs. Since the earthquake, local shelters have received a record number of *restaveks*. Many are also living in internally displaced persons camps.

Representatives from NGOs monitoring the Haitian-Dominican border reported that children frequently cross the border illegally, often in the company of an adult who is not the child's parent or guardian. This adult is generally paid approximately three dollars to pretend to be the child's parent until they get to the other side of the border. Some of these children are taken to be reunited with parents working in the Dominican Republic, but others are believed to be going to work in organized begging rings or in domestic servitude. Haitian men, women, and children

also are subjected to forced labor and sex trafficking in the Dominican Republic, other Caribbean countries, the United States, and South America.

Government Efforts: In a positive step, Haitian officials recognized that human trafficking, including the exploitation of *restavek* children, is a serious problem in the country; however, the lack of legislation prohibiting all forms of trafficking was a major obstacle to progress. The absence of legislation also contributed to confusion among elements of the Haitian government and some of its international donors among the crimes of human smuggling, human trafficking, and illegal adoption. Legislation criminalizing all forms of human trafficking has been pending in Parliament for several years. A draft bill on trafficking has been presented to Parliament for consideration in the next session, which is expected to occur near the end of the reporting period. The Haitian justice system did not make advances in prosecuting traffickers during the reporting period. The government did not report any investigations, prosecutions or convictions of trafficking offenders in Haiti. The BPM was severely understaffed and lacking in resources such as vehicles and computers, like many Haitian National Police units. The BPM, however, did refer cases, including cases of child domestic servitude, to the prosecutor's office, where they often languished as part of Haiti's large case backlog. The Haitian National Police provided a handbook for police cadets, written in collaboration with Interpol, on sex trafficking.

The government lacked formal victim identification and assistance policies and resources. Shelter services for adult trafficking victims did not exist. The government's social welfare agency worked well with NGOs to identify and refer some child victims to donor-funded NGOs who provided shelter, food, medical, and psychosocial support. One NGO, with international donor support, screened approximately 14,000 children during the reporting period and registered 200 of them as potential victims of child trafficking. The children were transferred into the social welfare agency's custody, and over 100 of them were reunited with their families. Haiti's border with the Dominican Republic was not well-monitored, but at the four designated border crossings, Haitian officers worked with NGO child protection officers (who have been seconded to the police) to screen children passing through the border for possible trafficking. In December 2010, police stopped a truck with four men and seven children in a suspected trafficking situation and worked with the NGO to reunite the children with their families.

Prevention efforts have been largely NGO-driven. The government did not register all births immediately and did not keep statistics concerning the number of births unregistered each year, increasing children's vulnerability to human trafficking. Haiti is not a popular destination for international child sex tourism; however, there were many foreign nationals in the country for non-tourist purposes, and there were some incidents of foreigners procuring child commercial sex acts. The government of Haiti worked with the Canadian government to deport a child rapist to Canada for prosecution.

A divergent definition of trafficking in persons within the NGO community further hindered coordinated anti-trafficking strategies. There have been reports of duplication of anti-trafficking efforts by international organizations unaware of local mechanisms already in place.

Recommendations for Haiti: Enact legislation criminalizing sex trafficking and all forms of forced labor, including domestic servitude, with penalties that are proportionate to the seriousness of the crime committed; in partnership with NGOs, adopt and employ formal procedures to guide officials in proactive victim identification and referral of victims to available services; provide in-kind support for victim services; consider partnerships with NGOs to establish and support community based social workers as protection and prevention measures; and improve access to quality education for all children.

SOMALIA (Special Case)

Somalia remains a Special Case for a ninth consecutive year due to the lack of a viable central government since 1991. Control of its geographic area is divided among the self-declared independent Republic of Somaliland, the semi-autonomous region of Puntland, and the remainder of the country nominally under the control of the Transitional Federal Government (TFG). Somalia currently lacks a national governing structure that could assume responsibility for addressing the country's human trafficking problem. During the reporting period, fighting continued between TFG troops, allied militias, and African Union forces against anti-TFG forces, terrorist groups, and extremist elements. The TFG remained preoccupied with the task of securing government representatives and installations from attacks by such elements; in this perpetual state of insecurity the government was not able to address human trafficking. In addition, the TFG currently lacks the necessary means to identify, investigate, and address systemic issues in Somalia, including those related to forced labor and forced prostitution; its capacity to address human trafficking will not significantly increase without tangible progress in re-establishing governance and stability in Somalia.

Information regarding trafficking in Somalia remains extremely difficult to obtain or verify; however, the Somali territory is believed to be a source and transit country for men, women, and children who are subjected to conditions of forced labor and sex trafficking. As in previous years, trafficking victims were primarily trafficked within the country, from Somalia's south and central regions to the Puntland and Somaliland regions. Sources note a rise in reported trafficking cases during the reporting period. Somali women and girls may have been subject to sex trafficking in Garowe, the Puntland-administered part of Las Anod (Sool region), and pirate towns such as Eyl and Harardheere. Sources report a clearer link between piracy and human trafficking during the reporting period; girls are reportedly taken from coastal regions, particularly Bossaso, and placed in pirates' homes to be exploited in domestic and sexual servitude. Some female brothel owners, who can profit as much as \$50 per client,

kept victims in harsh conditions and meted out physical abuse as a means of compelling victims to work. There was reportedly an increase in the use of drugs to render victims unconscious during transport. In Somali society, certain groups are traditionally viewed as inferior and are marginalized; Somali Bantus and Midgaan are sometimes kept in servitude by more powerful Somali clan members as domestic workers, farm laborers, and herders.

Due to an inability to provide care for all family members, some desperate Somalis willingly surrender custody of their children to people with whom they share family relations and clan linkages; some of these children may become victims of forced labor or sex trafficking. While most child laborers work within their households or family business, some children may be forced into labor in agriculture, herding livestock, or in the construction industry.

Human smuggling is widespread in Somalia and evidence suggests that traffickers utilize the same networks and methods as those used by smugglers. Men, women, and children in internally displaced persons (IDP) camps or congregated along coastal areas hoping to be smuggled to Europe or the Middle East remained particularly vulnerable to trafficking. There were reports of trafficking offenders preying on young women and children, mostly IDPs from South and Central Somalia, at marketplaces and in the streets, falsely promising them lucrative jobs outside Somalia. Dubious employment agencies facilitate human trafficking, targeting individuals desiring to migrate to the Gulf states for employment. Somali women are smuggled, sometimes via Djibouti, to destinations in the Middle East, including Yemen and Syria, as well as to Sudan and South Africa, where they are subjected to conditions of domestic servitude and forced prostitution. Somali men are subjected to conditions of forced labor as herdsmen and menial workers in the Gulf states. Somali children are reportedly smuggled to Saudi Arabia through Yemen for forced begging. Members of the Somali diaspora use fake offers of marriage to lure unsuspecting victims, many of whom are relatives, to Europe or the United States, where they are forced into commercial sexual exploitation. For example, in November 2010, U.S. authorities indicted 29 Somali gang members for prostituting four girls – including one 12-year-old – in several U.S. states. Ethiopian women are smuggled through Somalia to Yemen and onward to other destinations in the Middle East where they are forced into domestic servitude and prostitution.

According to the UN, the recruitment and use of children in armed conflict has been increasing over the past two years; although the exact figure is unknown, UN sources estimate that there are several hundred children in the forces of the TFG or its associated militias, and several thousand among the insurgent groups. Youth under the age of 18 continued to be recruited, including by force and deception, for direct participation in hostilities in central and southern Somalia. During the reporting period, extremist groups al-Shabaab and Hisbul Islam merged and jointly used systematic force and deception to target vulnerable children, sometimes as young as eight years old, for membership in their militias. These forces reportedly increased recruitment at schools and other educational facilities during the reporting period; al-Shabaab threatened to punish teachers and parents who

refused to send their children to the training camps. The groups used children to plant roadside bombs and other explosive devices in addition to carrying out assassinations, portering, and domestic servitude. In Kismayo, Baidoa, and Merka, al-Shabaab obligated all boys 15 years of age and older to fight or face death; in November, al-Shabaab executed two children in Hurwaa District of Banadir region. Al-Shabaab also continued to forcibly recruit young girls who were then “married” to its militia leaders and used for sexual servitude, logistical support, and intelligence gathering. While the TFG’s military reportedly improved its recruitment practices to prevent conscription of child soldiers into government ranks, UN sources reported that the TFG and its allied militias continued to unlawfully use children throughout the reporting period in their fighting forces. Without established birth registration systems, it remained difficult to determine the exact age of persons conscripted into armed groups.

The respective authorities operating in Somalia’s three regions made few concrete efforts to address human trafficking during the reporting period; there was generally a lack of anti-trafficking efforts on all fronts – prosecution, protection, and prevention – in all regions of Somalia. There is a severe lack of capacity in every part of the country to adequately address the problem. Understanding of human trafficking and how to identify and address it remained low among government officials and the general population. TFG officials recognized trafficking as a problem, but acknowledged that it is not a priority.

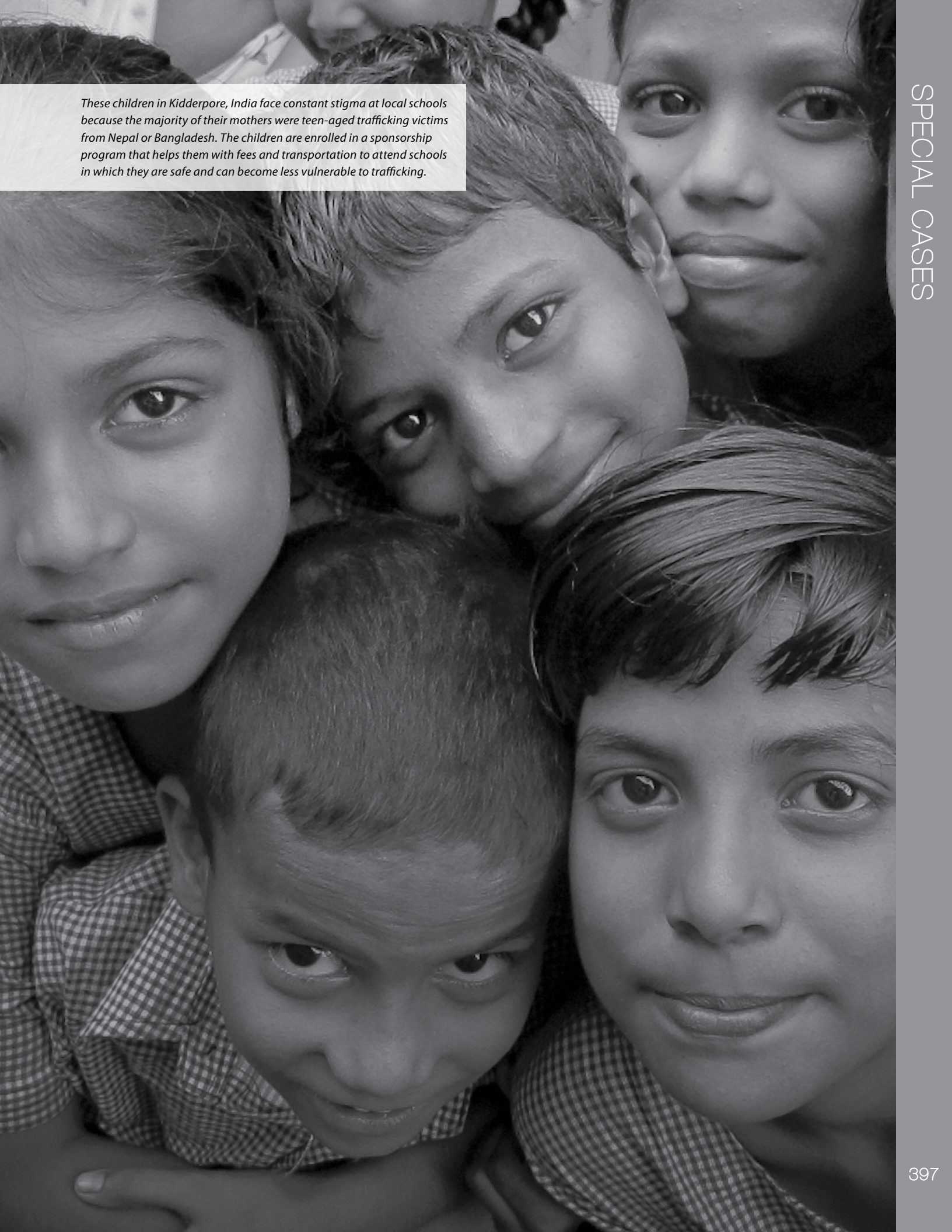
None of the three regions have laws that specifically prohibit human trafficking, though the pre-1991 penal code outlaws forced and compulsory labor and local laws prohibit forced labor, involuntary servitude, and slavery in Somaliland. In December 2010, the Puntland Parliament enacted provisions prohibiting and punishing offenses under Islamic law when smugglers cause the death of smuggled or trafficked persons, prescribing punishments of between one and five years’ imprisonment. However, there is neither a unified police force in the territory to enforce these laws, nor any authoritative legal system through which trafficking offenders could be prosecuted. There were no known prosecutions or convictions of human trafficking offenses, including by traditional or Shari’a courts, during the reporting period. Despite the existence of laws protecting children from conditions of forced labor, authorities did not enforce these against child traffickers. The government did not provide anti-trafficking training for government officials and made no known efforts to investigate, prosecute, or punish government officials involved in trafficking offenses.

The government did not provide any protection services to victims of trafficking. The International Organization for Migration (IOM) and local organizations began providing rented houses and reintegration services to rescued trafficking victims in Bossaso, Puntland. These facilities were dedicated to trafficking victims and accessible to male and female Somali and foreign victims. These organizations also placed child victims with families for care. During the reporting period, IOM and its local partners provided medical and psychological assistance, food, clothes, vocational training, and seed money for

establishing small businesses to 10 victims of trafficking – eight in Puntland and two in Somaliland. IOM reported that clan elders brought a total of 50 suspected trafficking victims in Somaliland and Puntland to its attention. The government did not provide financial or in-kind assistance to these organizations. Government authorities did not utilize formal procedures to identify and protect victims of trafficking or refer them to available protection services. The government also did not provide assistance to any Somali nationals who were repatriated as victims of trafficking.

During the reporting period, there were no reports of formal conscription or forced recruitment of persons under the age of 18 into the TFG, Somaliland, or Puntland armed forces. During a November 2010 visit by the UN Special Representative of the Secretary General on Children and Armed Conflict, the TFG prime minister promised to investigate all reports of child soldiers, some of who may be trafficking victims, in the TFG army and, if found, to demobilize them. Also in December, the TFG named a Focal Point for Human Rights and Children with responsibility for addressing child soldier issues. Throughout the reporting period, the TFG also continued to improve its recruitment practices and participate in formal troop training to stop child soldier recruitment, including conscription. New recruits, trained in Uganda and Djibouti, were thoroughly vetted, and child soldiers were removed from the new units upon return to the country. However, there are reports that the TFG and allied forces continued to use a small number of children in armed service, some of whom may have been involuntary conscripts.

The government made no known efforts to prevent trafficking in persons. During the reporting period, the government did not conduct anti-trafficking information or education campaigns or make any discernible efforts to reduce the demand for commercial sex acts. Neither Somali national nor regional authorities implemented any programs to address forced child labor or provided assistance to non-governmental organizations to do so. Somalia is not a party to the 2000 UN TIP Protocol.



These children in Kidderpore, India face constant stigma at local schools because the majority of their mothers were teen-aged trafficking victims from Nepal or Bangladesh. The children are enrolled in a sponsorship program that helps them with fees and transportation to attend schools in which they are safe and can become less vulnerable to trafficking.