

which was available for both foreign and Czech victims and provided for both short-term and longer-term assistance. Government-funded NGOs provided shelter and care to 58 victims of trafficking in 2010, of whom at least 25 were new victims. The Czech government provided over \$397,000 to NGOs for the provision of care to trafficking victims. This was a significant increase from 2009, during which the government allocated \$213,000 to NGOs for victim care. The government has adopted formal victim identification procedures and a victim referral mechanism, though these do not seem to adequately include labor trafficking indicators. In 2010, the government identified and referred seven new trafficking victims for care in the program, including four victims of labor trafficking and three victims of sex trafficking. This was a decrease from 2009, during which authorities identified and referred 13 victims – eight victims of forced labor and five victims of forced prostitution. Police reported identifying an additional 76 victims of trafficking who were not referred to the program. NGOs reported that police referred fewer victims to their care than in previous years, attributing the decrease, in part, to an assessment that police did not always understand how to identify or question victims of trafficking in practice. There were reports that the police investigated cases involving hundreds of potential victims of labor trafficking, but referred only minimal numbers of victims for care in the program. In one high-profile case, authorities assisted the return of approximately 150 potential victims of labor trafficking to their home countries without adequate time or support to determine whether they were trafficking victims. The government did not penalize victims who entered the program for unlawful acts committed as a direct result of their being trafficked, though victims not admitted to the program were potentially vulnerable to such penalties. Foreign victims who cooperated with investigators after the initial 60-day reflection period were granted temporary residence and work visas for the duration of the relevant legal proceedings. Upon conclusion of the court proceedings, qualifying victims had the opportunity to apply for permanent residency, though no victims applied for this residency provision in 2010. The government reported that there was no residency permit otherwise available to victims of trafficking facing hardship or retribution in their home countries. The government encouraged victims of trafficking to participate in prosecutions, including by providing witness protection during trial; however, the witness safety provisions have been used only rarely in connection with trafficking cases.

Prevention

The government demonstrated weak prevention efforts against labor trafficking during the reporting period, though efforts to prevent sex trafficking were stronger. Critically, the government made insufficient efforts to prevent trafficking committed by labor agencies in the Czech Republic. It awarded contracts for labor on state land to labor agencies that confiscated workers' passports and threatened workers. It permitted the registration of labor agencies under minimal controls. Although the government collaborated with NGOs on outreach to schools and migrant centers, it did not provide specific funding for any outreach efforts this year. The government

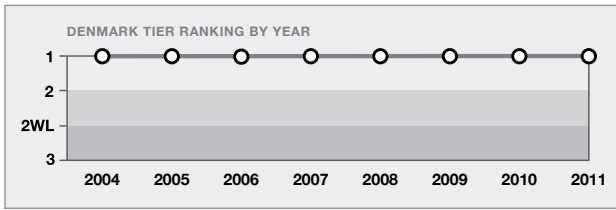
did produce a brochure explaining Czech labor law. NGO experts advocated for the government to conduct an awareness-raising campaign on trafficking in persons, particularly labor trafficking, because there was low public awareness of labor trafficking. The government organized its anti-trafficking efforts through the Ministry of Interior and through the Inter-ministerial Coordination Group for Combating Trafficking in Human Beings. The National Rapporteur's office at the Ministry of Interior prepared a comprehensive annual report on anti-trafficking patterns and programs, which it released publicly. The government funded a hotline to identify victims of trafficking. The government took no formal steps to reduce demand for commercial sex acts. The government delivered anti-trafficking training to Czech soldiers prior to their deployment abroad on international peacekeeping missions.

DENMARK (Tier 1)

Denmark is primarily a destination and transit country for women and children from Nigeria, Eastern and Central Europe, the Baltic countries, Thailand, Southeast Asia, and South America subjected to sex trafficking. The government did not report any cases of forced labor in 2010, though authorities reported that the agriculture sector in Denmark may include elements of forced labor and highlighted that workers in domestic service, restaurants, hotels, and factories may also be vulnerable to forced labor. There were unconfirmed reports of foreign children being forced to engage in organized street crime. As a result of a 2010 inquiry, the government concluded that *au pair* organizations in Denmark were not being used as front companies for human trafficking; however, the report also noted that *au pairs* in the region are vulnerable to trafficking or other forms of exploitation, and recommended the creation of a non-profit recruitment organization to safeguard their rights. According to NGO experts, the majority of *au pairs* in Denmark come from the Philippines. According to NGOs, there has been a significant increase in women from Africa engaged in prostitution in Denmark, most of whom are controlled by pimps. According to local observers, these women are highly vulnerable to trafficking. The hundreds of unaccompanied foreign children who arrive in Denmark every year are also vulnerable to human trafficking. According to a 2010 ECPAT report, NGOs and police believe there are trafficked children in Denmark who remain undetected, as their traffickers keep them under close watch and are less likely to exploit them in street prostitution.

The Government of Denmark fully complies with the minimum standards for the elimination of trafficking. During the reporting period, the government successfully prosecuted its largest sex trafficking case to date, and it strengthened the severity of some of the sentences imposed on traffickers in 2010. However, the government's emphasis on returning most foreign trafficking victims to their countries of origin may provide a disincentive for victims to cooperate with law enforcement and places victims at risk of retribution and hardship upon their return. While the government reported the possibility for trafficking victims to obtain long-term residency in Denmark via asylum, on

humanitarian grounds, or in cases of family reunification, few trafficking victims are actually provided with such alternatives prior to their removal from Denmark.



Recommendations for Denmark: Develop options to widen avenues of long-term legal residency for foreign victims, including children, in line with European standards and EU guidelines, and based on their status as officially certified victims of trafficking; ensure that victims have access to asylum and other long-term legal alternatives prior to their removal to countries where they face retribution or hardship and not conditioned on a victim's consent to repatriation or as a witness in a trafficking prosecution; ensure that effective systems are in place to avoid imprisonment of presumed trafficking victims and to refer them to a crisis center for identification interviews; explore ways to enhance the role of NGOs and other front-line responders in the victim certification process, including for foreign victims without legal status in Denmark; continue efforts to vigorously investigate and prosecute trafficking offenses and convict and sentence sex and labor trafficking offenders; continue to ensure traffickers receive sentences commensurate with the heinous nature of the offense; continue to expand the government's focus on forms of labor trafficking and ensure specialized protection and assistance services are available for male and child victims; fund a broad, nationwide public awareness campaign relevant to Danish society; and consider appointment of a national anti-trafficking rapporteur or create a *de facto* national rapporteur via the existing Anti-Trafficking Center to enhance monitoring of anti-trafficking efforts.

Prosecution

The Government of Denmark demonstrated progress in its anti-trafficking law enforcement efforts in 2010. The government improved sentences for some traffickers during the reporting period and prosecuted its largest-ever sex trafficking case, successfully convicting and imposing prison sentences on all nine members of a trafficking gang, including three years' imprisonment for the two ringleaders. Denmark prohibits both sex and labor trafficking through Section 262(a) of its criminal code. Punishments prescribed for trafficking under section 262(a), up to eight years' imprisonment, and are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Authorities reported investigating 38 human trafficking-related cases in 2010, compared with 44 trafficking investigations in 2009. The government reported it prosecuted 13 and convicted 11 sex trafficking offenders under Section 262(a) in 2010, compared with prosecuting 25 suspects and convicting 11 offenders for sex trafficking in 2009. The government reported that two convicted trafficking offenders were

former trafficking victims. Notably, the government significantly improved the minimum sentence handed down for trafficking in 2010; sentences ranged from 14 to 36 months' imprisonment, compared with 5 to 42 months' imprisonment in 2009. The average sentence for traffickers convicted under Section 262(a) in 2010 was 27 months' imprisonment. According to one NGO, courts regularly impose stiffer penalties for offenders convicted of robbery in Denmark, when compared with offenders convicted of sex trafficking. The government investigated one possible case of labor trafficking, though it did not identify or prosecute any labor trafficking offenders during the reporting period. The government did not report any investigations or prosecutions of trafficking-related complicity.

Protection

The Government of Denmark sustained its efforts to protect victims of trafficking in 2010. However, it continued to return foreign trafficking victims to their country of origin. While the government reported it offered asylum as a long-term legal alternative to the removal of foreign adult trafficking victims to countries where they face retribution or hardship, it granted asylum to only one trafficking victim in 2010. In the absence of either humanitarian concerns that merit an asylum application or eligibility for some other category of residence permit (such as family reunification), there were no specific legal provisions that entitled trafficking victims to apply for or receive a residence permit. The government granted two trafficking victims long-term residence permits on grounds of family reunification in 2010. According to some regional experts, Denmark's anti-trafficking framework addresses victims of trafficking as illegal migrants who are criminalized for their illegal status, and either expels or deports them. Further, trafficking victims, including children, can be subject to detention until their departure. While hailed as a prosecutorial victory by the government and NGOs, a large sex trafficking case in December 2010 was not accompanied by adequate support and protection for the eight Romanian victims in the case. The majority of the victims did not cooperate in the prosecution, out of fear of retribution from their traffickers or fear of deportation from Denmark; this was the likely outcome confirmed by the lead prosecutor in the case. The one victim who did testify was returned to Romania. The government continued to conduct proactive victim identification techniques to locate victims of trafficking; these guidelines are tailored specifically to victims of sexual exploitation. Country experts report that government-employed social workers, a key group of front-line responders, are not empowered to officially certify trafficking victims; however, the government reported a formal system is in place whereby government social services personnel can identify potential victims for certification by the appropriate government authority – the Danish Immigration Service for victims without legal residence status in Denmark and the Anti-Trafficking Center in other cases. Under this system, social workers helped to identify at least 35 out of a total 52 officially certified trafficking victims in 2010. The total figure is a slight decline from the total 54 victims certified by the government in 2009 and the 72 victims identified in 2008. Reportedly, NGOs are not permitted to formally certify

foreign trafficking victims without legal status in Denmark. The government interviewed 64 potential child victims in asylum centers and youth detention centers, but did not identify any child trafficking victims in 2010. According to country experts, the limiting standards for victim identification render identification difficult, potentially resulting in some trafficking victims not being identified.

The government returned most trafficking victims to their countries of origin under its “prepared return” program, under which two victims were repatriated in 2010. According to a 2010 NGO report, victims’ cooperation with law enforcement centers on their repatriation. If trafficking victims do not want to cooperate voluntarily toward their repatriation, their stay in Denmark cannot be extended beyond a 30-day reflection period, and they will be sent home by the police at the end of the 30 days. The reflection period can be extended to up to 100 days, and possibly longer, if the victim cooperates with authorities. However, the 2010 NGO report calls into question the “voluntariness” in victims accepting an assisted return from Denmark. The government offered medical, dental, psychological, and legal services, and in certain cases a stipend, to victims of trafficking during the 30- or 100-day reflection period. The government reported the 30- or 100-day services were not contingent on victims’ cooperation with authorities either in criminal investigations or in their removal proceedings. The government encouraged victims to assist in law enforcement investigations, including by offering support of trained counselors during police interviews; 27 victims cooperated during 2010, out of the 52 victims identified during the year. Danish police acknowledged factors preventing victims’ cooperation with police, including mistrust of authorities, often the result of interaction with corrupt police forces in their country of origin, as well as fear of reprisal from traffickers and the knowledge that they were going back to their home country. Some country and regional experts continued to express concern about the lack of stronger incentives for victims to cooperate with authorities. According to regional experts, Denmark’s rules for reflection and temporary residence permits largely focus on the return of victims. According to a 2010 report by UNODC, “In Denmark, the reflection period is technically a delay of the expulsion order.” The government reported that only two victims participated in its “prepared return” initiative in which, through a contract with IOM, trafficking-specific support is provided to foreign victims of trafficking after returning to their countries of origin. Domestically, the government continued to fund two crisis centers for female victims of violence, which accommodated 33 women trafficking victims and one male victim during the reporting period. There were no specialized services or facilities for male victims.

Prevention

Denmark sustained its efforts to prevent trafficking in 2010. The government continued a public awareness campaign begun in 2008 called “Who Pays the Price?” to reduce the demand for commercial sex acts. The government has not conducted a nationwide government-sponsored anti-trafficking awareness campaign focused on all forms of trafficking. During the reporting period, however, the government initiated intensive studies of other sectors, in

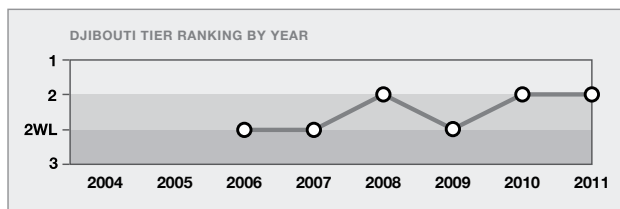
order to determine the prevalence of forced labor within various occupational fields, including agriculture, in Denmark. As part of this effort, the government held a parliamentary hearing on human trafficking in February 2011 which focused on trafficking for labor exploitation. The government continued its anti-trafficking partnerships through its funding of anti-trafficking programs in Ukraine, Belarus, and Moldova. Danish authorities sustained partnerships with Scandinavian Airlines, the Association of Danish Travel Agents, and Save the Children to disseminate public service announcements against child sex tourism. Denmark continued to fund a hotline for trafficking victims and another for information about suspected child sex tourism overseas. The government reported one case in 2010 of a Danish citizen being prosecuted in Denmark for child sex tourism overseas; the case was pending at year’s end. The Ministry of Defense provided human rights training to Danish soldiers prior to their deployment abroad on international peacekeeping missions, which included instruction on its zero-tolerance policy regarding human trafficking.

DJIBOUTI (Tier 2)

Djibouti is a transit, source, and destination country for men, women, and children subjected to forced labor and sex trafficking. There is little verifiable data on the human trafficking situation in Djibouti. Large numbers of voluntary economic migrants from Ethiopia and Somalia pass illegally through Djibouti *en route* to Yemen and other locations in the Middle East; among this group, a small number of women and girls may fall victim to domestic servitude or forced prostitution after reaching Djibouti City or the Ethiopia-Djibouti trucking corridor. An unknown number of migrants – men, women, and children – are subjected to conditions of forced labor and sex trafficking once they reach Yemen or other destinations in the Middle East. Djibouti’s large refugee population – comprised of Somalis, Ethiopians, and Eritreans – as well as foreign street children remain vulnerable to various forms of exploitation within the country, including human trafficking. Older street children reportedly act, at times, as pimps for younger children. Children are also vulnerable to forced labor as domestic servants and to forced crime, such as theft. A small number of girls from impoverished Djiboutian families may be coerced into prostitution by family members or others. Members of foreign militaries stationed in Djibouti contribute to the demand for women and girls in prostitution, including trafficking victims.

The Government of Djibouti does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government made efforts to arrest traffickers and sustained partnerships with international organizations and foreign governments to address the confluence of human trafficking with smuggling in Djibouti. However, it did not improve implementation of the protection or prevention components of its anti-trafficking law, even within the government’s limited capacity. Specifically, the government did not take steps to improve efforts to criminally prosecute traffickers or institute procedures for law enforcement or other government authorities to identify and refer

trafficking victims to available services. Addressing migrant smuggling and daunting refugee flows remained a main concern, diverting government attention and limited law enforcement resources that might otherwise have been devoted to detecting and responding to forms of trafficking occurring within the country's borders.



Recommendations for Djibouti: Continue and expand a nationwide campaign to educate government officials and the general public on human trafficking, particularly highlighting the appropriate treatment of domestic workers under Djiboutian law; continue to work with judges, prosecutors, and police to clarify and apply the difference between cases of human trafficking and alien smuggling, particularly regarding courts' application of Law 210 to cases of alien smuggling; form partnerships with local religious leaders, building their capacity and encouraging them to educate their congregations about trafficking; enforce the anti-trafficking statute through investigation and prosecution of trafficking offenders responsible for child prostitution, domestic servitude, or other forced labor offenses and provide data on convictions and sentences for trafficking offenders; institute a module on human trafficking as a standard part of the mandatory training program for new police and border guards; establish policies and procedures for government officials to proactively identify and interview potential trafficking victims and transfer them to the care, when appropriate, of local organizations; ensure police and relevant social welfare workers receive clear instructions regarding their specific roles and responsibilities in combating trafficking and protecting victims; and expand mechanisms for providing protective services to victims, possibly through the forging of partnerships with civil society or international organizations.

Prosecution

The government made modest efforts to enforce laws against human trafficking during the reporting period. Djibouti's Law 210, "Regarding the Fight Against Human Trafficking," enacted in December 2007, prohibits both forced labor and sex trafficking. The law also provides for the protection of victims regardless of ethnicity, gender, or nationality, and prescribes penalties of up to 30 years' imprisonment for convicted trafficking offenders. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Djiboutian law enforcement officers participated in human trafficking training programs sponsored by international organizations and foreign governments during the reporting period. During the reporting period, the government reported a total of 20 arrests related to trafficking under Law 210, down from 78 in 2009. The government did not, however, report any statistics

on prosecutions, convictions, or sentences for forced prostitution or forced labor. Djiboutian authorities did not demonstrate concerted efforts to investigate or punish child trafficking, domestic servitude, or other forced labor offenses, nor did the government report any efforts to investigate or punish government officials complicit in trafficking offenses during the reporting period.

Protection

The government's efforts to protect victims of trafficking increased slightly, but remained weak overall during the reporting period. With few resources itself and a small pool of underfunded NGO partners, the government had little means with which to address the needs of trafficking victims during the year. In December 2010, government officials received training from IOM and foreign governments on direct assistance to victims of trafficking. During 2010, IOM reported identifying 20 Ethiopian victims of trafficking, including 10 victims of forced labor, who were assisted through IOM in returning to their home communities. Djiboutian police reported rescuing 163 children from prostitution and providing them with basic medical services. It is unclear what protection services the government provided to these victims after their medical care. Djiboutian authorities did not have a formal, comprehensive system to proactively identify victims of trafficking among high-risk populations, such as illegal immigrants and those arrested for prostitution. The government regularly deported undocumented foreigners and there was no evidence that authorities screened them for indicators of human trafficking. Children found in prostitution may have been arrested, but reportedly were not charged with crimes. After detaining children on suspicion of engaging in prostitution, police indicated that they attempted to locate and meet their parents or other family members to discuss appropriate child protection; children were then released to the care of family members. When family members could not be found, foreign children may have been deported to their country of origin; the government did not report data on such deportations. Police worked with the Ministry of Health's clinic and hospitals, and with NGOs, to provide some medical care to victims of child prostitution. The Government of Djibouti did not provide shelter or services directly to victims of trafficking, but collaborated with international and non-governmental institutions who offer such help. Although victims of trafficking were permitted to file civil suits against their traffickers, there did not appear to be any concerted encouragement from the government for victims to assist in criminal investigations of their traffickers. Foreign victims of trafficking are not offered legal alternatives to removal to countries in which they may face hardship or retribution.

Prevention

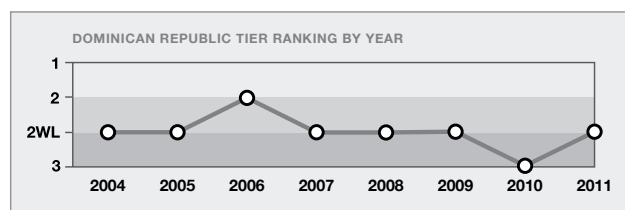
The government sustained partnerships with international organizations to prevent trafficking in persons. Addressing concerns for migrants who depart Djiboutian shores for intended illegal entry to Yemen, the government continued its partnership with IOM to inform immigrants of the potential dangers of irregular migration. The government worked to reduce the demand for commercial sex acts by

continuing to investigate some child prostitution cases and deploying a regular police vice squad. The government did not take any known measures to reduce the demand for forced labor.

DOMINICAN REPUBLIC (Tier 2 Watch List)

The Dominican Republic is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. In part due to significant, poverty-driven migration into and from the country, there is widespread confusion among the public, the media, government officials, and even some NGOs about the difference between human trafficking and human smuggling, complicating efforts to address human trafficking in the Dominican Republic. Nevertheless, reports from various sources in the Dominican Republic and Caribbean indicate that Dominican women and children are subjected to sex trafficking throughout the Dominican Republic, the Caribbean, Europe, South America, the Middle East, and the United States. Additionally, child sex tourism is a problem, particularly in coastal resort areas of the Dominican Republic, with child sex tourists arriving year-round from various developed countries. Officials and NGOs have documented many cases of children being forced into domestic service, street vending, begging, agricultural work, and construction. Reportedly, forced labor of adults exists in construction, some agricultural production, and the domestic service sectors. Street children and undocumented or stateless people of Haitian descent are groups particularly vulnerable to trafficking, though authorities identified Dominican victims in the Dominican Republic as well.

The Government of the Dominican Republic does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite some progress, most notably in the area of identifying and protecting a greater number of trafficking victims, the government did not demonstrate overall increasing efforts over the previous reporting period in prosecuting trafficking offenders, including officials complicit in forced prostitution and forced labor; therefore, the Dominican Republic is placed on Tier 2 Watch List.



Recommendations for the Dominican Republic:

Vigorously prosecute and punish trafficking offenders, including public officials complicit in forced prostitution or forced labor; encourage the identification of more victims by working with NGOs to establish formal procedures to guide police and other officials in identifying

trafficking victims, especially those in the legalized sex trade, and referring them to available services; institute formal, ongoing training for police, border officials, labor inspectors, and health officials on the difference between smuggling and trafficking, and in identifying, documenting, and assisting victims of forced prostitution and forced labor; ensure adequate shelter and services are available to adult and child victims; establish formal legal alternatives to removal for foreign victims to countries where they would face retribution or hardship; in coordination with the Government of Haiti, implement a forced labor and forced prostitution awareness campaign in Spanish and Creole connected to a hotline with operators trained to assist human trafficking victims; and consider ways to lessen the confusion between smuggling and trafficking, such as separating trafficking and smuggling into two different laws.

Prosecution

The government made limited progress in law enforcement efforts during the reporting period, though it failed to prosecute a single person for trafficking in persons under the Dominican law (Law 137-03) that prohibits all forms of human trafficking. This law prescribes penalties of up to 20 years' imprisonment. Such penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Law 137-03 covers both trafficking and smuggling, exacerbating the confusion that exists about the difference between the two terms. The government reported at least 35 investigations of either forced labor or forced prostitution, a substantial increase from only one reported investigation last year. The national police appointed a new director of the anti-trafficking police unit who, upon his arrival in January 2011, reviewed 17 pending case files for possible human trafficking, of which he forwarded nine to the prosecution service.

The government did not report any prosecutions, convictions, or sentences of trafficking offenders or officials complicit in human trafficking during the reporting period. Reports continued that official complicity was a problem, and some alleged trafficking offenders made deals to compensate victims in lieu of criminal prosecution. There also were indications that the government handled some forced labor cases as non-criminal disputes instead of as a crime – possibly as the result of the intervention of corrupt officials. In an effort to enhance capacity, the Directorate of Migration trained 604 officials and the Ministry of Foreign Affairs trained 158 staff members in trafficking awareness during the reporting period.

Protection

The government made limited progress in the identification and protection of victims during the reporting period. In a positive development, the government greatly boosted victim protection efforts from the previous year (when very few victims were identified), identifying at least 88 likely victims over the past year. Some 56 cases involved forced labor, and at least 54 of those identified were children. The government did not have a formal mechanism to guide officials, such as police, labor inspectors, and health workers, in proactively identifying victims among

vulnerable groups, such as people in prostitution and migrant workers, and refer them to available services. In practice, however, possible victims were referred to assistance services and efforts to identify possible victims proactively stepped up during the reporting period. The government did not have any measures in place to protect people in the Dominican Republic’s legal sex trade from human trafficking systematically or to identify victims within this vulnerable population. In practice, during the reporting period, the Directorate of Migration, the police, the Ministry of Foreign Affairs – including Dominican diplomats overseas – and other government agencies referred identified adult victims to NGOs and child victims to NGOs and a government agency charged with assisting vulnerable minors. Many of the NGOs that assist trafficking victims rely on donor funding. One NGO that receives some government funding provided female trafficking victims with health services, psychological support, legal advice, and job skills training. The government did not provide formal long-term reintegration assistance programs for trafficking victims, and Dominican trafficking victims exploited overseas were offered limited assistance upon return to the Dominican Republic. The government did not offer foreign trafficking victims legal alternatives to their deportation to countries in which they would face retribution. In its anti-trafficking legislation, the government mandates that victims participating in prosecutions of trafficking offenders should not be punished for crimes committed as a direct result of being trafficked.

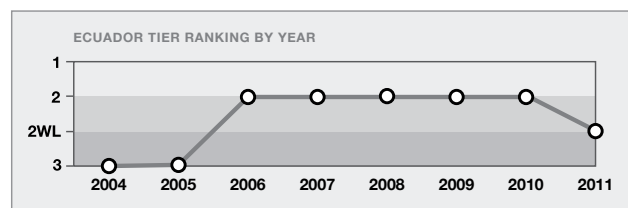
Prevention

The government made some progress in the prevention of trafficking during the reporting period. The government publicly unveiled its National Anti-Trafficking Action Plan at a June 2010 conference co-sponsored by the Ministry of Foreign Affairs. That same ministry worked with an international organization to raise awareness about human trafficking and the availability of hotlines for possible trafficking victims. Also, the Directorate of Migration prepared a brochure and produced some radio and television spots to sensitize the public to human trafficking. The Directorate of Migration held meetings during the reporting period with various NGOs to address the plight of street children. The government had a human trafficking inter-ministerial coordination group, but did not appear to have a mechanism in place to monitor systematically the government’s efforts. The government operated several hotlines that had operators trained to assist trafficking victims; the government reported helping over 30 victims of trafficking through the hotlines. The agency charged with assisting vulnerable children worked with the National Association of Hotels and Restaurants to raise awareness of the problem of child sex tourism and to prevent it, and the First Lady’s Office provided some funding to an organization that conducts trafficking prevention projects in a beach area during the reporting period. The government did not undertake efforts to reduce the demand for commercial sex acts during the reporting period.

ECUADOR (Tier 2 Watch List)

Ecuador is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. The majority of trafficking victims are believed to be women and children trafficked within the country from border and central highland areas to urban centers for nonconsensual commercial sexual exploitation, as well as for domestic servitude, forced begging, and forced labor in mines and other hazardous work. Some families reportedly allowed traffickers to temporarily take their children in order to earn money both within the country and in neighboring countries; these children are forced to work as domestic servants, street vendors, and beggars. There also have been reports of Ecuadorian children being forced to engage in criminal activity, such as drug trafficking and robbery, and Ecuadorian children have been recruited by a Colombian terrorist group along the northern border. Ecuadorian women are subjected to forced prostitution in Colombia, Peru, and Western Europe. Ecuador is a destination country for Colombian, Peruvian, and to a lesser extent, Chinese women and girls subjected to sex trafficking. Indigenous Ecuadorians are vulnerable to forced labor in domestic service. Colombian refugees and migrants are subjected to forced labor in palm oil plantations. A trafficking ring brought Peruvian children to Ecuador and forced them to work as street vendors, or in restaurants and nightclubs. Child sex tourism occurs mostly in urban areas and in tourist destinations, such as Tena and the Galapagos Islands. Ecuador is a transit country for Chinese nationals and other extra-continental migrants smuggled to destinations elsewhere in the Western Hemisphere, some of whom may be trafficked.

The Government of Ecuador does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these efforts, the government did not show evidence of increasing efforts to address forced labor and sex trafficking crimes involving adults, or trafficking-related complicity of local government officials, and government protections for adult victims remained inadequate; therefore, Ecuador is placed on Tier Two Watch List. The government did, however, sustain modest law enforcement measures against child sex trafficking offenders, and continued to work with civil society and the private sector to raise awareness on the forced labor and sex trafficking of children.



Recommendations for Ecuador: Vigorously investigate and prosecute trafficking offenses, and convict and punish trafficking offenders, including public officials complicit in trafficking crimes; develop and implement formal procedures for identifying trafficking victims among vulnerable populations, such as women in prostitution or migrant workers; invest in specialized care services for

trafficking victims; increase anti-trafficking training for local police officers, judges, labor inspectors, immigration officials, social service workers, and other government officials; provide foreign victims with formal legal alternatives to their removal to countries where they faced hardship or retribution; enhance data collection and coordination; and increase public awareness of all forms of human trafficking.

Prosecution

The government displayed weak overall law enforcement efforts against trafficking in persons crimes last year. Ecuador prohibits all forms of human trafficking in Article 190 of its penal code, amended in 2005. Labor trafficking carries a punishment of six to nine years' imprisonment, and sex trafficking carries a penalty of eight to 12 years' imprisonment. Penalties for human trafficking may be increased to a maximum of 35 years' imprisonment due to aggravating circumstances. Such penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Other statutes, such as Article 528.13, which prohibits the commercial sexual exploitation of children, also are used to prosecute human trafficking crimes. The specialized police unit for crimes against children (DINAPEN) was the principal law enforcement entity involved in investigating trafficking cases, and during the last year continued to suffer from inadequate funding and staffing.

As there was no dedicated anti-trafficking police unit and DINAPEN investigated a range of crimes, it is unclear how many cases of human trafficking were investigated by law enforcement officers during the reporting period, or if any of the cases investigated involved adult victims. Most cases of human trafficking investigated in Ecuador appear to involve the commercial sexual exploitation of children. The number of investigations and prosecutions of forced labor crimes appear inadequate in comparison to the large number of children exploited for forced begging and forced domestic work. Despite robust law enforcement efforts for cases involving child victims, conviction rates remain low. Prosecutors reported opening 75 trafficking cases, 43 of which were dropped by the judge or prosecutor. The government reported convicting three sex trafficking offenders, although it was unclear under what statutes, and there was no information available on sentences or whether the convicted trafficking offenders were serving time in jail. During the previous reporting period, Ecuadorian officials achieved one conviction under Article 190 and two other convictions for commercial sexual exploitation of children. Some judges reduced charges of trafficking to charges of pimping or disappearance, crimes that carry shorter sentences.

NGOs alleged that local police officers were partners in brothels that employed women and girls with false documentation, and that civil registry officials issued false identity documents to children. Victims testified that police informed brothel owners of impending raids, and in some cases, victims were forced to engage in sexual acts with police officers as remuneration for police protection of the brothel. Despite these continued reports of trafficking-related corruption, no investigations, prosecutions, or

convictions of complicit officials took place last year. The majority of training for government officials on victim identification, investigative techniques, and judicial procedures was provided by civil society organizations and foreign governments. Ecuadorian authorities partnered with government officials from Colombia, Peru, the Dominican Republic, and the United States to investigate several international trafficking cases.

Protection

The Ecuadorian government did not make appreciable progress in protecting victims of human trafficking during the reporting period. While Ecuadorian authorities conducted several raids on establishments to rescue children in prostitution, they did not demonstrate adequate efforts to identify adult trafficking victims among women exploited in brothels and other vulnerable populations. The government provided some funding to some NGOs that provided most of the legal, medical, psychological, and shelter services for trafficking victims, including two NGOs that maintain shelters with specialized services for girls. There were no specialized shelters for adult trafficking victims or for boys. Authorities reported that child victims could receive general care services through a network of 43 government-run protection centers, although there were no estimates of how many child trafficking victims accessed shelter or services at these centers. The government could not accommodate the demand for care services and shelters available to trafficking victims remained lacking in many parts of the country. In addition to these short-term services, the government provided victims with counseling, protection, job training, and educational training, and ensured the child victims received long-term care as needed. Through its Victim and Witness Protection Program, the Ecuadorian government operated specialized police units in the cities of Guayaquil, Machala, Portoviejo, Cuenca, and Quito. These units accompanied other police authorities on brothel raids to coordinate immediate protective services for identified trafficking victims, and assistance for victim witnesses during court proceedings. A government report released in 2010, however, noted that this program had insufficient resources for adult victims and that many victims chose not to participate in investigations due to inadequate protection. The government encouraged victims to assist with the investigation and prosecution of trafficking offenders. Authorities did not penalize identified trafficking victims for unlawful acts committed as a direct result of their being trafficked. The Ecuadorian government did not provide legal alternatives to the removal of foreign victims to countries where they faced hardship or retribution, but authorities reported that foreign victims were typically allowed to remain temporarily. There were reports, however, that some foreign victims were deported instead of receiving care services, and an NGO reported that the government refused to grant refugee status to a foreign victim who had been raped and forced to traffic drugs. There was no reliable estimate of the number of trafficking victims identified during the reporting period. The government reportedly provided victim services to repatriated Ecuadorian trafficking victims.

Prevention

The Government of Ecuador maintained trafficking prevention efforts last year. The interagency anti-trafficking committee drafted a new national plan to combat trafficking, which includes a budget and seeks to address challenges such as poor data collection mechanisms, limited funding, and interagency coordination. The government displayed some transparency in its anti-trafficking efforts as the Ecuadorian human rights ombudsman published a brief report on human trafficking and legal impunity in the country. In 2010, the Ministry of Tourism (MOT) launched an initiative to train 3,600 tourism enterprises to identify possible victims of sexual exploitation. The MOT continued a public awareness campaign about commercial sexual exploitation of children. During the holiday season, the government funded a campaign to prevent seasonal begging, a practice that sometimes involves forced child labor. The city of Cuenca launched a campaign against child labor and sexual exploitation. The government continued to partner with a private telecommunications company and a bank to combat child labor through a network of schools for former child laborers. The government did not report steps to reduce demand for commercial sex acts purchased from adults or forced labor during the reporting period.

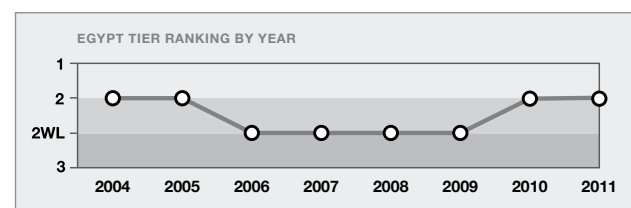
EGYPT (Tier 2)

Egypt is a source, transit, and destination country for women and children who are subjected to conditions of forced labor and sex trafficking. Some of Egypt's estimated 200,000 to one million street children – both boys and girls – are subjected to sex trafficking and forced begging. Local gangs are sometimes involved in this exploitation. Egyptian children are recruited for domestic service and agricultural labor; some of these children face conditions indicative of forced labor, such as restrictions on movement, nonpayment of wages, threats, and physical or sexual abuse. In addition, wealthy men from the Gulf reportedly travel to Egypt to purchase “temporary” or “summer marriages” with Egyptian females, including girls who are under the age of 18; these arrangements are often facilitated by the females’ parents and marriage brokers who profit from the transaction. According to a March 2010 government survey, the majority of the men contracting temporary marriages are from Saudi Arabia, the United Arab Emirates, and Kuwait. Children involved in these temporary marriages suffer both sexual servitude and forced labor as servants to their “husbands.” Child sex tourism occurs in Egypt, particularly in Cairo, Alexandria, and Luxor. Egypt is a destination country for women from Iraq forced into prostitution and a transit country for women trafficked from Uzbekistan, Moldova, Ukraine, Russia, and other Eastern European countries to Israel for commercial sexual exploitation.

Men and women from South and Southeast Asia and Africa may be subjected to forced labor in Egypt. UN sources report that Egypt may have a large number of foreign workers in domestic service who have been held in conditions of forced labor, particularly women from Ethiopia, Eritrea, Sudan, Indonesia, the Philippines, and

possibly Sri Lanka. Some conditions they face include no time off; sexual, physical, and emotional abuse; withholding of wages; and restrictions on movement. Employers may use the domestic workers’ illegal status and lack of employment contracts as coercive tools. Some of the migrants and refugees who engage in prostitution may have been coerced to do so. During the reporting period some migrants claimed that organized Bedouin groups in the Sinai held Eritrean and other migrants captive as they attempted to migrate into Israel; an unknown number of these migrants were reportedly forced into sexual servitude or labor. Young female Sudanese refugees, including those under 18, may be coerced into prostitution in Cairo’s nightclubs by family or Sudanese gang members. NGO and media reports indicate some Egyptians are forced to work in Jordan and experience the withholding of passports, forced overtime, nonpayment of wages, and restrictions on their movements.

The Government of Egypt does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Due to political unrest in early 2011, the Government of Egypt was unable to provide complete law enforcement and prosecution data on its efforts to combat trafficking during the reporting period. Nonetheless, the government took steps to prosecute and punish those who facilitated “temporary marriages” of young girls for profit. Egypt also worked with and provided in-kind assistance to IOM to open a shelter for victims of trafficking in Cairo during the reporting period, and developed and published a comprehensive action plan to address all aspects of trafficking. Egypt did not, however, institute a formal procedure to proactively identify victims of trafficking among vulnerable groups or complete a referral mechanism to facilitate treatment for victims. The government also did not report significant efforts to address forced labor of children in domestic servitude and other sectors, and similarly failed to report efforts to address the problem of domestic servitude and other forms of forced labor of migrant workers.



Recommendations for Egypt: Implement the 2008 child trafficking law and the 2010 anti-trafficking law to increase substantially law enforcement activity against all forms of trafficking, including against domestic servitude and other forms of forced labor, as well as forced prostitution; institute and apply formal procedures to identify victims of trafficking among vulnerable groups, including those arrested for prostitution, street children, and undocumented migrants; ensure identified trafficking victims are not penalized for unlawful acts committed as a direct result of being trafficked; expand the scope of protection services and make these services available to all victims of trafficking; encourage victims of trafficking

to assist in investigations against their traffickers; assess the potential for forced labor and related offenses among migrant workers as domestic servants or in Egyptian factories; improve legal protections for domestic workers; make greater efforts to investigate and punish government officials complicit in trafficking offenses; and continue to raise awareness on the definition and dangers of trafficking.

Prosecution

The Government of Egypt made modest progress in enforcing laws against trafficking in persons during the reporting period. Egypt prohibits all forms of human trafficking through its 2010 anti-trafficking law, which prescribes penalties from three to 15 years' imprisonment – and up to life imprisonment if aggravating circumstances are evident – along with fines ranging from \$9,000 to \$36,000. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. Amendments to the Child Law (No. 126 of 2008) include provisions prohibiting the sex trafficking of children and forced labor. These amendments prescribe sentences of at least five years' imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes. In 2010, the government established a documentation unit to compile these laws and law enforcement efforts by government bodies. Due to political unrest, however, the government did not report official data on its efforts to investigate, prosecute, or punish trafficking offenders using the 2010 law. Nonetheless, officials from the Ministry of Family and Population's (MOFP) National Council for Childhood and Motherhood (NCCM) reported efforts to crack down on temporary marriages of young girls by investigating 50 cases of temporary marriages and convicting 29 imams, marriage brokers, and parents who profited from facilitating these marriages, as well as the men who attempted to purchase the young girls in marriage. For example, in May 2010, a court convicted and sentenced a 76-year-old Saudi national to 10 years' imprisonment and a fine for sexually exploiting a 14-year old girl in a temporary marriage; the marriage broker, a lawyer, and both of the girl's parents were convicted and sentenced to 10, two, and one year's imprisonment, respectively, under the Child Law. The government, however, reported only limited law enforcement efforts to enforce its anti-trafficking law, or other laws prohibiting specific forms of trafficking, such as domestic servitude or the sex trafficking of adults or street children. During the reporting period, the NCCM and Ministry of Justice continued to train government officials and other partners on trafficking, including judges, psychosocial workers, hotline operators, lawyers, police officers, community leaders in rural areas, NGOs, and representatives from the Ministries of Tourism, Health, *Awqaf*, Manpower, Education, and Social Solidarity. Nonetheless, the government did not report any efforts to investigate or punish government officials for complicity in trafficking offenses during the reporting period.

Protection

Egypt made some progress in its efforts to protect victims of trafficking during the reporting period. In December 2010, the government provided two apartments to house victims

of trafficking. This shelter, managed by IOM, provided female victims of forced prostitution or forced labor with medical, psychological, legal, vocational, and repatriation assistance. IOM, with the assistance of NCCM, provided specialized training to shelter management and staff in November 2010. This shelter, however, can accommodate only 12 victims at a time and is accessible only to female victims of trafficking. In addition, the MOFP continued to operate a center where an NGO provides rehabilitation services to victims of child trafficking in Cairo's Dar El Salaam area. The government, however, assisted only a limited number of victims of trafficking in the new shelter during the reporting period; as of May 2010, the shelter assisted five victims of trafficking. In conjunction with IOM, the government in December 2010 developed a formal referral mechanism to transfer victims of trafficking to this trafficking shelter and other protection services; however, the mechanism was not finalized prior to the political unrest that began in January 2011. In addition, with international assistance, the Ministry of Health established a unit for victims of trafficking in a Cairo hospital. This medical unit, however, did not receive any victims of trafficking during the reporting period. In June 2010, the government began training diplomatic personnel stationed overseas on methods of identifying and assisting Egyptian victims of trafficking abroad.

Despite these positive efforts, the government continued to lack a formal victim identification and referral procedure to proactively identify and assist trafficking victims among vulnerable groups. As a result, trafficking victims, including many street children and women arrested for prostitution, were often treated as criminals rather than victims. In addition to failing to protect them, law enforcement officers may have further mistreated trafficking victims through verbal, physical, and sexual abuse. Some children may be sent to juvenile detention centers, which are in bad condition, while others may be subject to incarceration with adults despite the Child Law, which prohibits this practice. Border security personnel in the Sinai continued efforts to interdict undocumented migrants, occasionally killing some of them, while showing no evidence of efforts to identify possible trafficking victims among this vulnerable population.

The government, in partnership with an international NGO, continued to run a day center in Cairo to rehabilitate abused street boys involved in forced begging or petty crime. The government provided counseling, medical care, and literacy and computer classes, while the NGO operated the facility. Foreign trafficking victims were not offered legal alternatives to removal to countries in which they faced hardship or retribution. The government did not actively encourage victims to assist in investigations against their traffickers. Domestic workers were not covered by existing labor laws, making them vulnerable to abuse and forced labor.

Prevention

The government made significant efforts to prevent some forms of trafficking in persons during the reporting period. In December 2010, the government released a comprehensive national action plan to combat trafficking in

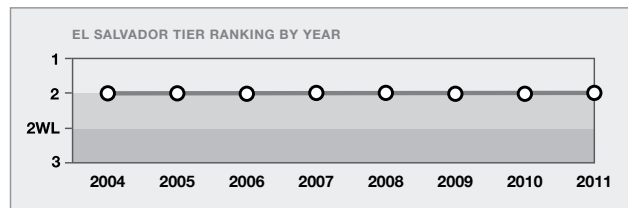
persons. This plan of action describes specific activities to be undertaken by various government agencies to improve prosecution and prevention of trafficking and protection of victims, including ongoing activities such as developing victim identification guidelines, training government officials, and expanding public awareness campaigns. In addition, the MOFP undertook a grassroots awareness campaign to educate local communities about the dangers of “temporary marriages” and child marriages. Officials from the NCCM conducted site visits to stop marriage ceremonies in process and to raise awareness among parents and community members.

The government also established a microcredit loan system to provide alternative income to parents who might otherwise sell their children into exploitative marriages. NCCM continued its extensive training for government officials to raise their awareness of the definition and types of trafficking in Egypt. In addition, the government reported undertaking a broad public awareness campaign through television, radio, and other media to sensitize the general public to child trafficking. Nonetheless, there was no evidence that the government took measures to prevent other forms of trafficking, such as domestic servitude and other forced labor. The government did not make efforts to reduce the demand for commercial sex acts or to raise awareness of sex tourism. There were no reports of Egyptian government efforts to provide anti-trafficking training for its troops before deploying them to international peacekeeping missions.

EL SALVADOR (Tier 2)

El Salvador is a source, transit, and destination country for women and children who are subjected to sex trafficking and forced labor. Women and girls from rural areas of El Salvador are subjected to sex trafficking in urban areas, sometimes by family members. Some Salvadoran adults and children are subjected to forced labor in the agriculture and domestic service sectors. The majority of foreign victims are women and children from neighboring countries, such as Honduras, Nicaragua, and Guatemala, who migrate to El Salvador in response to job offers, but are subsequently forced into prostitution or domestic service. Traffickers use fraudulent documentation to recruit and transport foreign victims. Salvadorans have been subjected to sex trafficking and forced labor in Guatemala, Mexico, Belize, Costa Rica, the United States, Spain, and Italy. Organized criminal groups are reportedly involved in some trafficking crimes in El Salvador.

The Government of El Salvador does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government sustained anti-trafficking law enforcement efforts against sex trafficking offenders and continued to provide comprehensive services to underage victims of sex trafficking. It did not vigorously investigate or prosecute incidents of forced labor or incidents of official complicity, however, nor did it take adequate measures to ensure that adult trafficking victims received access to necessary services.



Recommendations for El Salvador: Strengthen efforts to investigate and prosecute trafficking offenses, and to convict and sentence trafficking offenders, including government officials complicit in trafficking offenses; proactively investigate possible cases of forced labor, including domestic servitude; provide comprehensive victim services and assistance, particularly for adults; increase training on victim identification and assistance for local immigration, law enforcement, and judicial officials; enhance funding and capacity for specialized police and prosecutorial anti-trafficking units; establish formal mechanisms for identifying victims among vulnerable populations; provide foreign victims with legal alternatives to their deportation; and increase public awareness of all forms of human trafficking, possibly in partnership with civil society, the media, and the private sector.

Prosecution

The Government of El Salvador sustained its law enforcement efforts against human trafficking during the reporting period. Article 367B of the Salvadoran Penal Code prohibits all forms of human trafficking and prescribes penalties of four to eight years' imprisonment. Such penalties are sufficiently stringent, but are not commensurate with penalties prescribed for serious offenses such as rape, which carries a punishment of six to 20 years' imprisonment. Sentences may be increased by one-third when the offense is accompanied by aggravated circumstances, such as when the offense is committed against a child or the defendant is a public official. Since passage of El Salvador's anti-trafficking statute in 2004, some prosecutors prefer to charge sex trafficking crimes under the country's rape statute to secure heavier mandatory sentences against trafficking offenders. In 2010, the government's dedicated anti-trafficking police and prosecutorial units investigated 78 potential cases of human trafficking, all but five of which involved sex trafficking. Authorities prosecuted five sex trafficking cases, and obtained three convictions with imposed sentences ranging from four to eight years' imprisonment. These efforts represented a decrease from the seven trafficking offenders prosecuted and convicted in 2009. Some officials demonstrated a limited understanding of human trafficking. In partnership with NGOs and international organizations, the government conducted anti-trafficking training programs for police officers, immigration officials, diplomats, and prosecutors. Authorities continued to investigate the former head of the dedicated prosecutorial anti-trafficking unit for trafficking-related complicity. NGOs reported that corruption is a significant obstacle to obtaining trafficking convictions and that some officials fail to properly investigate cases involving possible complicity of government employees in trafficking. During the reporting period, the government sustained or forged partnerships with foreign governments through

cooperation on seven trafficking investigations with the United States, two with Mexico and Guatemala, and one each with Costa Rica, Nicaragua, and Honduras.

Protection

The Salvadoran government maintained victim assistance efforts last year, particularly through services for girl victims of sex trafficking. Immigration officials screened for possible trafficking victims in border regions, notifying the police and referring victims to care facilities; in general, however, the Salvadoran government did not proactively identify trafficking victims among other vulnerable populations, such as prostituted women or child laborers. The government spent approximately \$260,000 to maintain a shelter dedicated to underage girls who had been exploited in prostitution. This shelter accommodated up to 25 girls at a time and offered victims psychological and medical care as well as education and vocational training. During the reporting period, the shelter provided assistance to 40 victims. Most assistance and services were not readily accessible to adult or male child trafficking victims, and the government-administered shelter for victims of domestic violence did not shelter any adult female trafficking victims as a result of a policy change. Further services, including vocational training, were provided by NGOs and international organizations, and officials reported referring 16 child victims to an NGO for assistance. The government did not provide funding to NGOs for the care of trafficking victims. Authorities identified a total of 56 victims during the reporting period. Salvadoran consular officials abroad identified three victims during the same time frame. Domestically, authorities encouraged identified victims to assist with law enforcement efforts; 12 victims participated in investigations or prosecutions of their traffickers during the reporting period, though others chose not to assist law enforcement efforts due to social stigma or fear of reprisals from their traffickers. Identified trafficking victims generally were not charged, jailed, or penalized for unlawful acts committed as a direct result of being trafficked; however, not all government officials recognized cases of forced labor or forced prostitution as human trafficking. The government offered no legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution.

Prevention

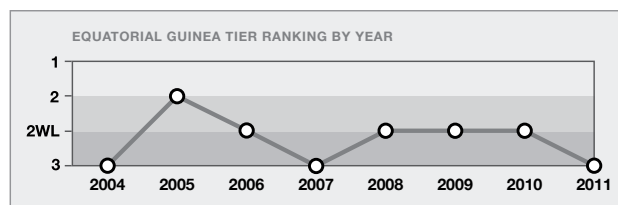
The Salvadoran government sustained modest anti-trafficking prevention efforts during the reporting period. Authorities reported training 15,000 students, 5,000 police officers, 400 teachers, 136 tour guides, and 17 prosecutors about all forms of human trafficking. While the government continued the efforts of its interagency anti-trafficking committee, the committee reportedly suffered from a lack of coordination. However, it presented an annual report in 2010 about government efforts to combat human trafficking to El Salvador's Congress. El Salvador has a national anti-trafficking plan, launched in 2008, but some members of the committee reported that the plan was inadequate. During the reporting period, authorities forged a partnership with an NGO to map trafficking patterns in the country. The government included anti-trafficking information in the training it gives to military forces prior

to their deployment abroad on international peacekeeping missions. The government reported launching a campaign about child sex tourism during the reporting period, but there were no details, and authorities did not investigate any cases of child sex tourism. No specific government efforts to reduce demand for commercial sex acts or forced labor were reported over the last year.

EQUATORIAL GUINEA (Tier 3)

Equatorial Guinea is principally a destination for children subjected to conditions of forced labor. Children are recruited and transported from nearby countries – primarily Nigeria, Benin, Cameroon, and Gabon – and forced to work as domestic servants, market laborers, ambulant vendors, and launderers. The majority of victims are believed to be exploited in Malabo and Bata where a burgeoning oil industry creates demand for cheap labor and commercial sexual exploitation. Women from Cameroon, Benin, other neighboring countries, and China may be recruited for work in Equatorial Guinea but subsequently subjected to forced labor or forced prostitution.

The Government of Equatorial Guinea 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 four consecutive years. Therefore, pursuant to Section 107 of the 2008 Trafficking Victims Protection Reauthorization Act, Equatorial Guinea is deemed not to be making significant efforts to comply with the minimum standards and is placed on Tier 3. Despite limited law enforcement action against suspected human smugglers and traffickers, including complicit public officials, the government has made no tangible efforts to provide victims of trafficking with the protective services mandated in its 2004 anti-trafficking law. Church-run orphanages continued to provide all services for victims of trafficking in the country without government support or funding. The government routinely deported illegal immigrants without attempting to determine whether they were victims of trafficking or referring them to assistance services. Prevention efforts have decreased, as the government did not hold any public awareness campaigns and its interagency commission on human trafficking took little, if any, action. The government's response to human trafficking has been inadequate, particularly given the government's substantial financial resources.



Recommendations for Equatorial Guinea: Increase the use of the country's 2004 anti-trafficking law to prosecute and convict trafficking offenders and complicit officials; develop formal procedures to identify trafficking victims among child laborers, illegal immigrants, and women and

girls in prostitution; dedicate funding for the sheltering and protection of trafficking victims and develop a formal system to refer victims to such care; train law enforcement officials, immigration officials, and social workers in the use of identification and referral procedures; cease summary deportation of foreign women and children from Equatoguinean territory without first screening for victimization and, if appropriate, providing them with care and safe, voluntary repatriation; research the extent and nature of the problem of human trafficking; and launch a nationwide anti-trafficking public awareness campaign.

Prosecution

The Government of Equatorial Guinea demonstrated modest anti-trafficking law enforcement efforts during the reporting period. Its 2004 “Law on the Smuggling of Migrants and Trafficking in Persons” prohibits all forms of trafficking and prescribes penalties of 10 to 15 years’ imprisonment, punishments which are sufficiently stringent. During the reporting period, the government used this law for the first time to prosecute and reach convictions in at least one case, though it did not appear to involve human trafficking. The case involved seven adults – some of whom had identification from Mali and Burkina Faso – found dead in Bata. In June 2010, the Superior Civil Court in Bata convicted an army officer, a Malian smuggler, and their driver of human trafficking, sentencing them to 15 years’ imprisonment and a fine of \$33,680. The army officer and one of the accomplices absconded and were tried in absentia as they remain fugitives; the third offender is serving his prison sentence.

In November, the government co-sponsored with IOM two one-week anti-trafficking training workshops, one in Malabo and one in Bata. Several ministers and vice ministers attended the opening sessions of the trainings, which covered procedural guidelines for victim identification, assistance, return, and reintegration. In total, 65 people received training; this included 15 law enforcement officers and officials from the Justice, Social Affairs, and Foreign Affairs ministries. The government also provided training for 28 officials on the identification and care of trafficking victims through a government-funded contract with a foreign security training company.

Protection

The Government of Equatorial Guinea failed to demonstrate effective measures to protect trafficking victims during the reporting period. Although the 2004 anti-trafficking law mandates the government’s provision of legal assistance, psychological and medical care, counseling, lodging, food, access to education, training, and employment opportunities to trafficking victims, the government failed to provide any of these protective services. The Ministry of Social Affairs’ 2009 proposal to the government’s Social Development Fund for the establishment of a network of shelters for women and children, including child trafficking victims has not yet been funded. The provision of care for Equatoguinean child trafficking victims continued to be provided entirely by church-run orphanages; foreign children were usually deported summarily. There were no shelters or other

types of protective services in Equatorial Guinea for adult trafficking victims. Law enforcement authorities did not employ procedures to proactively identify victims of trafficking and did not make efforts – in either a systematic or an *ad hoc* way – to refer victims to organizations that provide short- or long-term care. The absence of a proactive victim identification process, including procedures for screening deportees, impaired the government’s ability to provide care or assistance to foreign trafficking victims; the government detained foreign nationals, including potential trafficking victims, at police stations for periods of several days to several months, and seldom notified the victims’ embassies of their detention or deportation. The overwhelming majority of those detained were young men, though children and women were sometimes detained and deported. The government did not provide trafficking victims with temporary or permanent resident status, or any other relief from deportation. Officials did not appear to fine victims, but frequently confiscated their possessions and money.

Prevention

The Government of Equatorial Guinea decreased its efforts to prevent trafficking during the reporting period. It did not continue its prior funding for or launch new anti-trafficking informational or educational campaigns for the general public. The effectiveness of the Interagency Commission for Trafficking in Persons, directed by the Prime Minister’s Office and chaired by the Ministry of Justice, is limited by the lack of administrative infrastructure in the country, and did not meet during the year. The National Action Plan, produced following passage of the 2004 law, has not been implemented and is out of date. In February 2010, the government consulted with UNICEF and UNDP to revise this plan to include an initial study on the extent of child trafficking and begin work on a pilot shelter in Malabo, but did not finalize or implement the plan. In March 2010, the government created the National Center for Official Documents and, in October 2010, tasked this agency with updating all national identity and immigration documents as a part of the government’s ongoing effort to regulate immigration. In 2010, the Ministry of Labor conducted numerous workplace inspections to verify adherence to labor laws in regard to pay, benefits, and working conditions; when violations were found, the government required employers to correct the problem, pay fines, and pay reparations to the employees if appropriate. The government did not undertake any discernible measures to reduce the demand for commercial sex acts during the year.

ERITREA (Tier 3)

Eritrea is a source country for men, women, and children subjected to forced labor and, to a lesser extent, sex trafficking. During the reporting period, acts of forced labor occurred in Eritrea, particularly in connection with the implementation of the country’s national service program. Under the parameters set forth in the Proclamation of National Service (No. 82/1995), men aged 18 to 54 and women aged 18 to 47 are required to provide 18 months of military and non-military public works and services in any location or capacity chosen

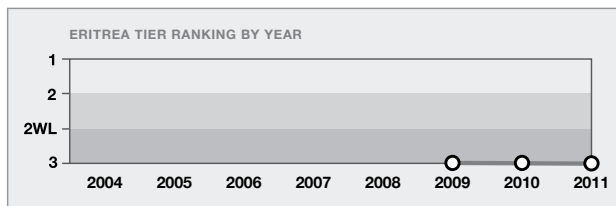
by the government. Some national service conscripts, however, are required to continue their service indefinitely, beyond the duration specified by law, with many required to serve in their positions for over 10 years under the threat of inhumane treatment, torture, or punishment of their families. There have been reports that some Eritrean conscripts are forced to build private homes for army officers, as well as to perform agricultural labor on farms and construction activities for firms owned by the state, the ruling party, senior army officers, and private investors, functions outside the scope of the proclamation. The military's four command zones reportedly undertake diversified economic activities, including trading, farming, property development, and infrastructure construction, for the enrichment of the government, the ruling party, and high-ranking army officers using conscripted labor. National service conscripts could not resign from their jobs or take new employment and could not leave the country, as those under national service were often denied passports or exit visas.

By government policy, children are required to attend mandatory military training for their senior year of high school under threat of failure to receive a diploma; some children with academic problems are conscripted directly into military service regardless of their age. Some sources report that military training is effectively military service in Eritrea since children are required to perform military exercises in lieu of education. The Eritrean government is reportedly targeting increasingly younger children for military conscription and training; in 2010, for example, a 9-year-old child escaped military service and fled to Ethiopia for assistance. Up to 80 percent of unaccompanied Eritrean minors fleeing into neighboring countries are children between 15 and 17 years old escaping military conscription and training.

Eritrean children also work in various economic sectors, including domestic service, street vending, small-scale factories, and agriculture; child laborers frequently suffer abuse from their employers and some may be subjected to conditions of forced labor. In addition, children may face commercial sexual exploitation in Eritrea. Each year, large numbers of Eritrean workers migrate in search of work, particularly to the Gulf States and Egypt, where some become victims of forced labor, primarily in domestic servitude. For example, in December 2010, smugglers reportedly held 250 Eritrean migrants hostage in the Sinai Desert and forced some to build homes and provide domestic labor. Smaller numbers of Eritrean women and girls are subjected to sex trafficking inside the country and potentially in Gulf countries. In addition, thousands of Eritreans flee the country illegally, mostly to Sudan, Ethiopia, and Kenya, where their illegal status makes them vulnerable to situations of human trafficking.

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

or punished any individual for trafficking offenses, provided protection to any victims of trafficking, or took any measures to prevent trafficking in persons during the reporting period.



Recommendations for Eritrea: Pass and enforce a comprehensive anti-trafficking statute that prohibits all forms of trafficking, including forced labor, and prescribes stringent criminal penalties; take measures to reform provisions of the national service requirement that lead to conditions of involuntary servitude, such as indefinite lengths of service and threats and use of physical punishment for non-compliance; launch a campaign to increase the general public's awareness of human trafficking at the local, regional, and national levels; institute trafficking awareness training for diplomats posted overseas; provide training to all levels of government, particularly law enforcement officials, on identifying and responding to trafficking crimes; and in partnership with NGOs or religious entities, ensure the provision of protection services to victims of trafficking.

Prosecution

The Government of the State of Eritrea made no known efforts to prosecute or punish trafficking offenses during the reporting period. Article 605 of the Eritrean Transitional Criminal Code prohibits trafficking in women and young persons for sexual exploitation, which is punishable by fines and up to five years' imprisonment, or from three to 10 years' imprisonment if aggravating circumstances are present; these penalties are not commensurate with punishments prescribed for other serious crimes, such as rape. Article 565 prohibits enslavement and prescribes punishment of five to 20 years' imprisonment, penalties which are sufficiently stringent. Forced labor is prohibited under Article 16 of the ratified, but suspended, Eritrean Constitution; this provision, however, does not prescribe any penalties. Proclamation 11/199 prohibits the recruitment of children under 18 years of age into the armed forces. Nevertheless, there are no documented penalties for such recruitment and the government has never used these statutes to prosecute cases of human trafficking. The government did not publish information on investigations or prosecutions, if any, of human trafficking offenses during the reporting period. Eritrea similarly failed to report any law enforcement efforts against official complicity in trafficking offenses, such as the use of forced labor to build personal homes or for other personal gain of military officers and government officials. Forced labor of conscripts within the national service continued without any government efforts to abate or eliminate this practice. The government provided no known training to its law enforcement on identifying and responding to trafficking crimes.

Protection

The government made no discernible efforts to protect victims of trafficking during the reporting period. The government continues to have no known facilities dedicated to trafficking victims and does not provide funding or other forms of support to NGOs for services to trafficking victims. The government continued to severely limit the number of foreign NGOs permitted to operate in the country; of the few remaining NGOs, none operated anti-trafficking programs. It is not known whether the government encouraged victims' assistance in the investigation and prosecution of trafficking crimes or whether it provided legal alternatives to the removal of foreign victims to countries where they would face hardship or retribution. The government did not ensure that identified victims were not inappropriately incarcerated, fined, or otherwise penalized solely for unlawful acts committed as a direct result of being trafficked. There is no evidence that the government proactively screens migrants for signs that they have been trafficked. The Ministry of Labor and Human Welfare oversees the government's trafficking portfolio, but individual cases of transnational human trafficking are reportedly handled by the Eritrean embassy in the country of destination; information regarding embassy efforts to assist trafficking victims was not provided. The government reported no efforts to train its diplomatic officials on identifying and responding to trafficking situations involving Eritreans overseas.

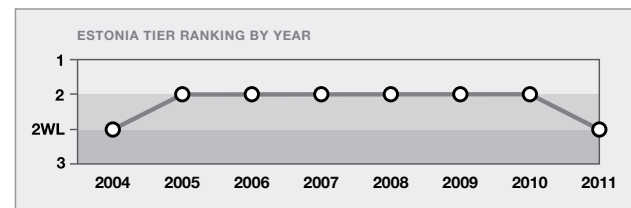
Prevention

The government made no known efforts to prevent trafficking in persons during the reporting period. The government did not report any anti-trafficking public awareness or other education campaigns. Although the government does not publicly acknowledge human trafficking as a problem, an office exists within the Ministry of Labor to handle labor cases, including those involving human trafficking; the accomplishments of this office during 2010 are unknown. Limited resources and a small number of inspectors reportedly impeded the ministry's ability to conduct investigations; the government provided no evidence that it conducted inspections for forced labor, including forced child labor, during the reporting period. The government made no known efforts to reduce the demand for commercial sex acts. Eritrea is not a party to the 2000 UN TIP Protocol.

ESTONIA (Tier 2 Watch List)

Estonia is a source, transit, and destination country for women subjected to forced prostitution, and for men and women subjected to conditions of forced labor. Estonian women from rural areas are forced into prostitution in Tallinn. Women from Estonia are found in sex trafficking situations in Finland, the Netherlands, the United Kingdom, Germany, and Italy. Young Estonian women forced into marriage abroad after promises of employment were also vulnerable to trafficking in persons. Men and women from Estonia are subjected to conditions of forced labor in Spain, Sweden, Norway, and Finland.

The Government of Estonia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these efforts, the government did not demonstrate evidence of increasing efforts over the previous reporting period; therefore, Estonia is placed on Tier 2 Watch List. No victims participated in prosecutions this year, and victims reported being frightened and traumatized during police interrogations. Although the government had committed to the enactment of a comprehensive anti-trafficking law in prior reporting periods, it did not pass a criminal anti-trafficking law during the reporting period. Estonia remains the only European Union country without a trafficking-specific law. Those trafficking offenders convicted under non-trafficking statutes avoided accountability; all trafficking offenders convicted under Article 133 received suspended sentences this year. The Estonian government, however, gave some financial support to NGOs who care for trafficking victims, and it developed a national action plan with elements addressing trafficking in persons.



Recommendations for Estonia: Draft a trafficking-specific criminal statute that incorporates a comprehensive definition of trafficking in persons, including the transportation, harboring, obtaining, or recruitment of a trafficking victim and the use of coercion as a prohibited means; increase efforts to investigate, prosecute, convict, and punish trafficking offenders; increase the number of trafficking victims identified by government officials; strengthen anti-trafficking training, and encourage government officials to engage in the trafficking victim identification process; ensure that potential trafficking victims are fully informed of their rights upon identification, including the right to a residency permit; encourage more victims to assist in the prosecution of trafficking offenders; consider incorporating NGOs into law enforcement interviews; increase victim protections during trial; increase the number of repatriated Estonian trafficking victims assisted; consider coordinating trafficking victim services with the Ministry of Foreign Affairs to ensure that repatriated victims are fully aware of available victim services; fully implement the trafficking-specific policy objectives in the Development Plan for Reducing Violence for Years 2010-2014; collect law enforcement data and victim protection data on trafficking; and publish an annual report on trafficking.

Prosecution

The Government of Estonia demonstrated mixed law enforcement efforts during the reporting period. The government still does not have a trafficking law and prosecutions remained low. Estonian law does not prohibit all forms of trafficking, though its criminal code prohibits

some elements of human trafficking under Articles 133, 175, and 176 of the criminal code. The penalties prescribed for such acts range up to 12 years' imprisonment in aggravated cases, a penalty that is sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as forcible sexual assault. Despite these prescribed penalties, all trafficking offenders received suspended sentences this year, unlike in previous years. During the reporting period, Estonian authorities conducted three investigations and prosecuted three sex trafficking offenders under Article 133, compared with approximately five investigations under this statute in 2009, and two investigations under the same statute in 2008. Estonian authorities convicted three trafficking offenders under Article 133, compared with three convictions in 2009, and two convictions under Article 133 in 2008. All three trafficking offenders received suspended sentences. In 2009, one trafficking offender received 53 months in prison, while two trafficking offenders received suspended sentences. This year, no victims assisted in the investigation and prosecution of trafficking offenders. In September, October, and November 2010, the Estonian government funded eight anti-trafficking trainings for police officers, border guards, migration officers, and youth workers. These trainings were conducted in both Estonian and Russian in order to reach all vulnerable populations. The government provided no specialized law enforcement unit for trafficking. The Estonian law enforcement authorities collaborated with Sweden on a trafficking case. One Estonian trafficking offender was extradited from Ukraine during the reporting period. The Estonian government did not report the investigation, prosecution, or conviction of any officials complicit in trafficking during the reporting period.

Protection

The Government of Estonia demonstrated decreased victim protection efforts during the reporting period. Despite distributing trafficking victim identification guidelines to relevant organizations and ministries, the government only identified 10 trafficking victims during the reporting period. NGOs, however, identified 47 and cared for 57 victims, in part by using the trafficking identification model. Last year, the government cared for 78 victims. Intergovernmental organizations and NGOs reported that the focus of victim identification was limited to sex trafficking rather than labor trafficking. According to experts, the labor inspectorates and other labor actors were not fully integrated into the victim identification process. The government continued to fund anti-trafficking training, including a one-day training on assisting trafficking victims and a training of consular officers; the government conducted a total of 11 anti-trafficking trainings this year, down from 40 sessions in 2009, when it conducted a broad-based effort to train key officials on its victim identification model. In total, the government allocated approximately \$142,630 for victim assistance during the reporting period, down from \$181,500 in 2009. The government encouraged victims to participate in prosecutions by providing restitution to victims through the criminal process and by advising victims about the legal process.

Intergovernmental associations and NGOs reported that a high number of victims disappeared after pretrial investigations, and that victims of trafficking were afraid to cooperate with the police or testify in court. Experts reported that victim/witness protection was rarely applied in human trafficking cases, and that criminal justice actors did not protect victims of trafficking from threats or intimidation during trial. The government assisted two trafficking victims repatriated to Estonia by providing counseling sessions and shelter. The government claimed that no identified trafficking victims were penalized for unlawful acts committed while being trafficked. Although foreign victims are eligible to apply for temporary residency for the duration of criminal investigations and legal proceedings in which they participate, no victims applied for residency in 2010; one NGO reported that no trafficking victim has ever applied for a trafficking temporary residence permit since its introduction in 2007.

Prevention

The government demonstrated modest prevention activities during the reporting period. The government disseminated materials on trafficking at the Ministry of Foreign Affairs, at the airport, and at harbors. The government also distributed trafficking related materials at an annual tourism fair. The government drafted a Development Plan for Reducing Violence for Years 2010-2014, which contained, as one of several subparts, a sophisticated analysis of Estonia's human trafficking challenges, including indicators for evaluating the success of its anti-trafficking program. Under the auspices of the Development Plan, the government conducted research during the reporting period on forced labor in Estonia to understand the scope of the problem. The government also funded an NGO to operate an anti-trafficking hotline. Nevertheless, there was no nationwide awareness raising campaign on trafficking. There were no special campaigns to reduce the demand for commercial sex, although the topic was covered at seminars on trafficking.

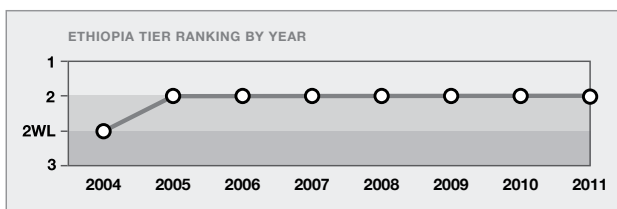
ETHIOPIA (Tier 2)

Ethiopia is a source country for men, women, and children who are subjected to conditions of forced labor and sex trafficking. Girls from Ethiopia's rural areas are forced into domestic servitude and, less frequently, commercial sexual exploitation within the country, while boys are subjected to forced labor in traditional weaving, herding, guarding, and street vending. In 2010, the Southern Nations/Nationalities Peoples Region (SNNPR) Tourism and Culture Bureau reported that brokers, tour operators, and hotel owners are increasingly facilitating child prostitution as tourism expands in the region. Small numbers of Ethiopian girls are forced into domestic servitude, agricultural labor, and prostitution outside of Ethiopia, primarily in Djibouti and Sudan, while Ethiopian boys are subjected to forced labor in Djibouti as shop assistants, errand boys, domestic workers, thieves, and street beggars. Six Ethiopian women were trafficked to China in 2010 for forced prostitution. During the year, local militias – some of whom maintain alliances with the Somali Region Special Police against insurgents – and insurgent groups in Degeharbur

and Fik zones of Ethiopia's Somali Region reportedly conscripted children, though these allegations could not be conclusively verified due to restrictions on access to the region's conflict zones.

Young women, most with only three to four years of primary education, from various parts of Ethiopia are subjected to domestic servitude throughout the Middle East, as well as in Sudan, and many transit through Djibouti, Egypt, Libya, Somalia, Sudan, or Yemen as they emigrate seeking work. Some women become stranded and exploited in these transit countries, unable to reach their intended destinations. Many Ethiopian women working in domestic service in the Middle East face severe abuses indicative of forced labor, including physical and sexual assault, denial of salary, sleep deprivation, and confinement. Many are driven to despair and mental illness, with some committing suicide. Ethiopian women are also exploited in the sex trade after migrating for labor purposes – particularly in brothels, mining camps, and near oil fields in Sudan – or after escaping abusive employers in the Middle East. Low-skilled Ethiopian men migrate to Saudi Arabia, other Gulf States, and other African nations, where some are subjected to forced labor.

The Government of Ethiopia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government made substantial progress over the past year in addressing human trafficking crimes through law enforcement efforts, which included the country's first convictions for both transnational sex trafficking and internal labor trafficking. In the capital region, Federal Police investigated and the Federal Court prosecuted an increased number of trafficking crimes, though the low number of investigations and prosecutions of internal trafficking remained a concern. Local jurisdictions in some parts of the country, however, became increasingly active in the fight against internal trafficking. The national government's efforts to provide assistance to child trafficking victims identified in the capital decreased significantly during the year.



Recommendations for Ethiopia: Continue to improve the investigative capacity of police and enhance judicial understanding of trafficking throughout the country to allow for more prosecutions of internal child trafficking offenses; increase the use of Articles 596, 597, and 635 of Ethiopia's Penal Code to prosecute cases of labor and sex trafficking; strengthen criminal code penalties for sex trafficking, and amend Articles 597 and 635 to include a clear definition of human trafficking that explicitly covers men; appropriate funding for the deployment of labor attachés to overseas diplomatic missions in order to assist Ethiopian trafficking victims abroad; institute

regular trafficking awareness training for diplomats posted overseas, as well as labor officials who validate employment contracts, regulate employment agencies, or provide pre-departure training to migrant workers; engage Middle Eastern governments on improving legal protections for Ethiopian workers abroad to render them less vulnerable to trafficking; forge partnerships with local NGOs to increase the level of services available to trafficking victims returning from overseas, such as through the funding of either a government or NGO-run shelter; improve the productivity of the National Anti-Trafficking Task Force; launch a campaign to increase awareness of internal trafficking at the local and regional levels; and take steps to increase the availability of information on the recruitment and use of children by armed groups in the Somali Region.

Prosecution

The Ethiopian government increased its efforts to investigate and prosecute internal and sex trafficking cases during the reporting period, while continuing to punish transnational trafficking offenders. Many law enforcement entities continued to exhibit an inability to properly distinguish human trafficking from other types of crimes and lacked capacity to collect and organize relevant data. Article 635 of Ethiopia's Criminal Code (Trafficking in Women and Minors) criminalizes sex trafficking and prescribes punishments not exceeding five years' imprisonment, penalties which are sufficiently stringent, though not commensurate with penalties prescribed for other serious crimes, such as rape. Article 636, which outlines aggravating factors, prescribes penalties of three to 10 years' imprisonment if the victim is a minor or if the offender uses force, fraud, or coercion. Articles 596 (Enslavement) and 597 (Trafficking in Women and Children) outlaw slavery and labor trafficking and prescribe punishments of five to 20 years' rigorous imprisonment, penalties which are sufficiently stringent. Articles 597 and 635, however, lack a clear definition of human trafficking and have rarely been used to prosecute trafficking offenses; instead, Articles 598 (Unlawful Sending of Ethiopians to Work Abroad) and 571 (Endangering the Life of Another) are regularly used to prosecute cases of transnational labor trafficking. These statutes prescribe penalties of five to 20 years' and three months' to three years' imprisonment, respectively.

The Federal Police's Human Trafficking and Narcotics Section (within the Organized Crime Investigation Unit) augmented its staffing levels to 31 investigators and three supervisors during the year, resulting in increased investigations and prosecutions of transnational trafficking offenses, as well as continued improvements in data collection, statistical reporting, and cooperation with the Federal Prosecutor's office to move cases through the judicial system. This unit investigated 151 suspected cases of transnational trafficking during the reporting period; at year's end, 40 cases remained under investigation, 33 had been initiated as prosecutions in the court, and 22 were dropped due to lack of evidence. The court successfully concluded the remaining cases, securing 71 convictions primarily under Articles 598 and 571 and ordering punishments ranging from 20 months' to 12 years' imprisonment with no suspended sentences. One

case was specified as involving sex trafficking, constituting Ethiopia's first conviction for this crime. In August 2010, the Federal High Court's 11th Criminal Bench convicted an Ethiopian man under Articles 597 and 636 of trafficking three Ethiopian women to China where they were forced into prostitution, imposing a sentence of 10 years' imprisonment, a fine of \$2,400, and restitution of \$3,300 to each victim. Under Article 598(1), the court in August 2010 also convicted a woman of trafficking 13 Tigrayan girls to Addis Ababa for domestic servitude, sentencing her to six years' imprisonment for internal trafficking. At the local level, police in SNNPR arrested 12 suspected trafficking offenders and local judicial officials prosecuted and convicted all 12 under the criminal law, imposing sentences of one to three years' imprisonment. Other suspected traffickers received penalties at the local level for violating *kebele* (local administration) by-laws. During the year, the Supreme Court's Justice Professional Training Center, in partnership with an international NGO, provided 11 trainings to 593 judicial officials.

Protection

Assistance available to child trafficking victims significantly decreased in the capital during the reporting period. The January 2009 Charities and Societies Proclamation prohibits, among other things, foreign-funded NGOs from informing victims of their rights under Ethiopian law or advocating on their behalf; these restrictions had a negative impact on the ability of some NGOs to adequately provide protective services during the reporting period. As a result of the Proclamation, the joint police-NGO identification and referral units, known as Child Protection Units (CPUs), ceased formal operation in all Addis Ababa police stations in 2010. This includes the CPU at the central bus terminal that identified and obtained care for 1,134 trafficked children in 2009. In contrast with this previously systematic identification and referral process, police and district officials in the capital region referred an unknown number of child trafficking victims to NGO shelters and government orphanages in an *ad hoc* fashion during 2010. Local police and officials in the regional administrations, however, continued to identify and assist in the return of the trafficked children to their home areas. For example, police and civil society organizations in the towns of Chencha and Hawassa jointly rescued 135 trafficked children, and the Addis Ababa Department of Women, Children, and Youth Affairs reunited 71 trafficked children with their parents and placed 37 children in temporary foster care. The government's over-reliance on donor-funded NGOs to provide direct assistance to most trafficking victims resulted in unpredictability in the availability of adequate care in the country. Many of these facilities lack sustainability as they depend on project-based funding for continued operation. While police strongly encouraged victims' participation in investigations and prosecutions and victims testified during some court proceedings, resource constraints prevented law enforcement authorities from covering travel costs or providing other material resources to enable such testimony in the majority of cases. There were no reports of trafficking victims being detained, jailed, or prosecuted in 2010.

Limited consular services provided to Ethiopian workers abroad continued to be a weakness in the government's

efforts. The Ethiopian consulate in Beirut reportedly provided limited victim services, including the operation of a small safe house, mediation with domestic workers' employers, and visitation of workers held in a Lebanese detention center; the shelter run by the consulate provided services to 300 women in 2010. Ethiopian embassies in Kuwait and Yemen also reportedly provide limited services, but specific information regarding these efforts was not made available. Although Ethiopian law mandates the establishment of labor attaché positions in diplomatic missions abroad, Ethiopia's parliament has not appropriated funds for the Ministry of Labor and Social Affairs (MOLSA) to establish these positions. During 2010, airport authorities and immigration officials at Bole International Airport referred 40 female victims returning from the Middle East to an NGO consortium providing shelter and services for trafficking victims; however, this shelter has been operating without funds since April 2011.

The government showed only nascent signs of engaging destination country governments in an effort to improve protections for Ethiopian workers and obtain protective services for victims. In June 2010, the government ratified a bilateral labor agreement with the Government of Kuwait that reportedly includes provisions for increased anti-trafficking law enforcement cooperation; at present, Kuwait, the United Arab Emirates, and Saudi Arabia are the only Middle Eastern countries to which the government allows the official sending of Ethiopian domestic workers. Although licensed employment agencies must place funds in escrow in the event a worker's contract is broken, the Ministry of Foreign Affairs has never used these deposits to pay for victims' transportation back to Ethiopia. In 2010, Ethiopia granted asylum to 1,383 Eritrean refugees deported from Egypt, many of whom claim to have been brutalized by Rashaida smugglers operating in the Sinai – including conditions of forced construction labor – or have fled Eritrea to escape situations of forced labor associated with the implementation of the country's national service program.

Prevention

The government sustained its efforts to prevent international trafficking during the reporting period, while regional initiatives to prevent internal child trafficking significantly increased. The Inter-Ministerial Task Force on Trafficking did not formally meet during the reporting period and approval of its national anti-trafficking action plan remains pending with the Council of Ministers. During the year, six *woredas* (districts) in SNNPR banded together to create a steering committee on human trafficking to share information and raise awareness in their respective localities. Every *kebele* in these *woredas*, as well as the *woredas* themselves, then drafted local anti-trafficking bylaws that were approved by the respective *Woreda* Council. *Woredas* reported stringent enforcement of these bylaws, with fines collected from parents caught trafficking their children and the funds collected through these fines used to support social services for children in the *kebeles*. During the year, the SNNPR government provided free radio time to a local NGO to air anti-trafficking outreach programming. To reduce the demand for commercial sex acts, the SNNPR Tourism and Culture

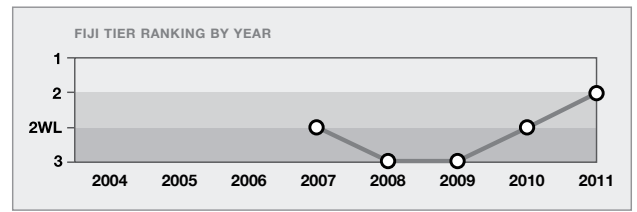
Bureau issued a tourism code of conduct in 2009 that bans facilitating or participating in sex tourism by tour operators or tourists; this code does not appear to have been implemented or enforced. The country's primary school textbooks include instruction on prevention of child labor and trafficking. In December 2010, MOLSA conducted an anti-trafficking workshop in Dessie to educate potential trafficking victims on the risks of labor migration. A second regional workshop – organized by the government and IOM – on irregular migration and human trafficking held in March 2011 targeted Oromia government officials representing seven zones and three town administrations with high prevalence of irregular migration. Both regional meetings marked follow-up initiatives from the March 2010 national anti-trafficking conference. In contrast to previous years, the ministry did not provide data regarding its provision of pre-departure orientation sessions to migrating workers on the risks of labor migration and the conditions in receiving countries, or its review and approval of contracts for overseas employment of domestic workers. The government's salutary enactment and subsequent enforcement of Employment Exchange Services Proclamation No. 632/2009, which governs the work of labor recruitment agencies, resulted in both judicially-mandated and voluntary closures of additional private employment agencies during the reporting period. This led to a significant increase in illegal, unregulated brokers to meet the demand for overseas employment. Before deploying soldiers on international peacekeeping missions, the government provided training on human rights issues, including human trafficking. Ethiopia is not a party to the 2000 UN TIP Protocol.

FIJI (Tier 2)

Fiji is a source country for children subjected to sex trafficking within the country, and a destination country for foreign men and women subjected to forced labor and forced prostitution. Family members, other Fijian citizens, foreign tourists, and sailors on foreign fishing vessels participate in the prostitution of Fijian children. Staff at small local hotels procure underage girls and boys for commercial sexual exploitation by foreign guests, while taxi drivers, nightclub employees, and relatives frequently act as prostitution facilitators. NGOs report caring for child victims of prostitution who claim facilitators took them to private boats anchored offshore near Fiji where they were sexually abused or raped by foreign adult men. Reports indicate that some transnational traffickers are members of Chinese organized crime groups that recruit women from China and arrange for them to enter Fiji on tourist or student visas. After their arrival, brothel owners confiscate their passports and force the women to engage in prostitution. Some Fijian children, whose families follow a traditional practice of sending children to live with and do light work for relatives or families living in cities or near schools, become trafficking victims. These children are subjected to domestic servitude or are coerced to engage in sexual activity in exchange for food, clothing, shelter, or school fees.

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

however, it is making significant efforts to do so. Over the past year, the Fijian government demonstrated increased efforts to address human trafficking, particularly through law enforcement and victim protection means. In July 2010, the Fiji Police established a dedicated anti-trafficking police unit. Authorities drafted and approved a government-wide National Action Plan to combat trafficking. In November 2010, the Fijian government convicted one individual and sentenced him to six years' imprisonment for fraudulently recruiting seven Indian nationals for agricultural jobs in New Zealand, but instead taking them to Fiji, where they were identified by immigration officials as potential trafficking victims. Authorities provided shelter for the seven Indian men while they assisted in the investigation and prosecution, and also provided them transportation home. Nevertheless, the government has never prosecuted a case involving the internal sex trafficking of women or children in Fiji, which remains a serious problem. Authorities did not make efforts to develop formal procedures to proactively identify victims of trafficking during the year.



Recommendations for Fiji: Increase efforts to prosecute, convict, and sentence trafficking offenders under the provisions of the new Crimes Decree, in particular for internal trafficking, sex trafficking, and child trafficking, which continue to be pervasive in Fiji; increase training for law enforcement officers on victim identification and protection; make greater efforts to combat the sex trafficking of children, including through the identification of and assistance to child trafficking victims and the prosecution of their traffickers; develop and institute a formal procedure to proactively identify victims of trafficking, especially among vulnerable groups, such as prostituted or homeless children and women; make efforts to provide access to legal, medical, and psychological assistance to victims of trafficking; make efforts to allow identified trafficking victims to work and earn income while assisting in investigations; implement a visible anti-trafficking awareness campaign directed at clients of child prostitution; and make robust efforts to identify and prosecute Fijian residents, foreign visitors, and travel industry personnel involved in child sex trafficking and child sex tourism.

Prosecution

The Government of Fiji increased its anti-trafficking law enforcement efforts during the year. The government's 2010 Crimes Decree includes comprehensive anti-trafficking provisions that filled anti-trafficking gaps in the Immigration Act of 2003, which prohibited transnational human trafficking. The prescribed penalties of up to 25 years' imprisonment and in some cases fines of over \$400,000 under the new Crimes Decree are sufficiently

stringent and commensurate with penalties prescribed for other serious crimes, such as rape. In November 2010, the government convicted one Indian national for fraudulently recruiting and taking fees from seven Indian nationals for agricultural jobs in New Zealand, but instead took the men to Fiji. Upon their arrival in Fiji, they were identified by immigration officials as potential trafficking victims. The offender was sentenced to six years' imprisonment. In July 2010, the government established a dedicated anti-trafficking police unit. Nevertheless, the government did not report investigating or prosecuting any other trafficking cases during the year. The government has never prosecuted or convicted perpetrators of internal trafficking, sex trafficking, or child trafficking – forms of trafficking that are pervasive in Fiji. Many government agencies and offices that should be addressing trafficking issues lack awareness about trafficking. During the year, the government partnered with an NGO and a foreign donor to train officials on human trafficking. The Fijian government did not report any investigations, prosecutions, convictions, or sentences of public officials complicit in human trafficking.

Protection

The Government of Fiji made some efforts to identify and protect trafficking victims during the reporting period. The government did not provide, directly or indirectly, any victim care facilities specifically for trafficking victims, and continued to rely on NGOs and international organizations to provide most protective services to victims. Authorities operated a safe house for victims of crime, which was used during the year to assist the seven Indian nationals involved in the government's one trafficking prosecution. The seven individuals were provided temporary visas to remain in Fiji while they assisted the government in a criminal investigation and prosecution, but were not offered work visas. Authorities assisted with transportation to their home country after the conclusion of the trial. The government did not offer any trafficking victim long-term shelter, extended stay or permanent residency status, any other long-term rehabilitation or assistance, or assistance in obtaining any form of financial restitution. Additionally, the government did not provide trafficking victims with access to legal, medical, or psychological services. Although the Department of Public Prosecution has a policy that all trafficking victims arrested by police should be transferred to the anti-trafficking unit to receive assistance and all charges directly related to their trafficking should be dropped, this policy was not consistently implemented, and there has been at least one instance where trafficking victims were temporarily detained in prison by authorities. While authorities increased efforts to identify trafficking cases, victim screening and identification remained inadequate. In February 2010, the government arrested and deported seven Chinese women for prostitution offenses without investigating whether they may have been victims of trafficking. NGOs report identifying and assisting 16 Fijian female trafficking victims during the year, none of whom were identified or assisted by authorities. There is currently no systematic approach to victim identification. The government did not develop or utilize formal procedures to proactively identify victims of trafficking among vulnerable populations with which they come in contact, such as women and girls in prostitution.

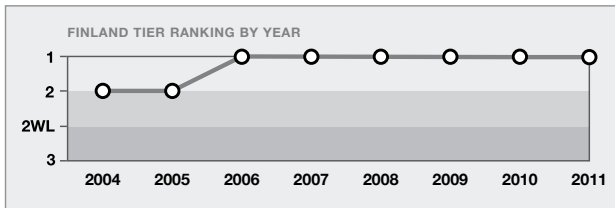
Prevention

The Government of Fiji made limited trafficking prevention efforts during the year, including efforts to raise public awareness about human trafficking. The government drafted and released a national action plan to eradicate trafficking in persons in February 2011. Authorities did not conduct any anti-trafficking information or education campaigns during the reporting period, but worked with the media to raise awareness of trafficking. The government sustained a partnership with an NGO to raise awareness of trafficking through a poster campaign at police stations, airports, and other locations. The government did not make efforts to address the demand for commercial sex acts, such as a visible anti-trafficking awareness campaign directed at clients of children in commercial sexual exploitation. The Fijian government provides anti-trafficking training to its military forces prior to their deployment abroad on international peacekeeping missions. Fiji is not a party to the 2000 UN TIP Protocol.

FINLAND (Tier 1)

Finland is a transit and destination country for women and girls subjected to sex trafficking, and for men and women subjected to conditions of forced labor. Female sex trafficking victims originate in Russia, the Baltic countries, the Caucasus, Asia, Africa, Central Eastern Europe, and the Caribbean; forced labor victims come primarily from India, China, Thailand, Pakistan, and Bangladesh. Forced labor victims are exploited in the construction industry, restaurants, agriculture, in berry picking fields, and as cleaners and domestic servants. There were indications that forced begging was also a problem during the reporting period. There were reports that migrants who had voluntarily traveled to Finland were coerced to work long hours for minimal wages through threats of violence and other means of control; Finnish authorities believed there were likely small numbers of trafficked workers in most major Finnish cities. The Finnish National Rapporteur on Trafficking in Human Beings and NGOs suspected *au pairs*, foreign students, and asylum seekers were vulnerable to trafficking. Some Finnish teenagers reportedly are exploited in prostitution.

The Government of Finland fully complies with the minimum standards for the elimination of trafficking. The government increased the number of trafficking cases investigated under Finland's trafficking statute. The Finnish national rapporteur published her first report, an exemplary and comprehensive critical assessment that offered the government concrete guidance on improving its counter-trafficking policies. Although some continued to report that the government required excessive evidence for victim certification, thereby obstructing victim care and prosecutions, the government increased the number of trafficking victims identified during the year. It also cared for trafficking victims in mixed-use shelters, which put trafficking victims at risk of being re-victimized. In the coming year, the government should continue to dedicate efforts to identify more victims of trafficking, and investigate and prosecute more cases under the trafficking statute.



Recommendations for Finland: Encourage prosecutors to make greater use of the trafficking statute to investigate and prosecute cases; continue training for investigators, prosecutors, and judges on human trafficking and the rights of trafficking victims; ensure traffickers receive sentences commensurate with the gravity of the crime committed; encourage victims to participate in the criminal process by consistently offering victims the benefits of the reflection period and employing victim-witness safety procedures in all trafficking prosecutions; ensure that all actors in the criminal justice system and first-responders understand the system of victim protection; ensure that victims of trafficking are offered appropriate housing and specialized care, taking into consideration the risks of secondary trauma inherent in mixed-use shelter; consider developing a unified set of trafficking indicators to encourage consistency and coherence in trafficking identification; consider establishment of a specialized anti-trafficking police or prosecutorial unit; encourage officials to proactively identify potential sex and labor trafficking victims and refer them to services to which they are entitled under Finnish law; ensure that male victims of trafficking, particularly victims of labor trafficking, are offered equivalent services as female victims of trafficking; continue to offer victim identification and referral training to judges, labor inspectors, and other officials with investigative authority; and explore increased cooperation between different labor entities, including labor inspectors, the police, the tax authorities, and the safety and health administrations, to prevent and identify labor trafficking.

Prosecution

The government modestly improved its law enforcement efforts during the reporting period, investigating more cases using Finland's trafficking statute, although the majority of trafficking cases were still prosecuted under other laws and conviction rates remained low. Law 1889-39 of the Finnish penal code prohibits all forms of trafficking and prescribes up to 10 years' imprisonment for convicted offenders, penalties sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Other criminal statutes which prescribe lower penalties, such as pandering, continued to be used frequently to prosecute sex trafficking offenders. In 2010, the Government of Finland reported initiating 11 trafficking investigations under the trafficking statute, including four sex trafficking investigations and seven labor trafficking investigations. The government investigated 60 alleged trafficking offenses using other statutes, including the statutes for usury and aggravated pandering. In 2009, the government reported investigating 59 cases of human trafficking. The government prosecuted at least seven trafficking offenders for trafficking in persons during the reporting period, including two offenders under the trafficking statute. This represented a modest increase from

2009, in which authorities prosecuted at least five people for sex trafficking offenses and two for labor trafficking. In 2010, the government convicted at least seven trafficking offenders, though none of the convictions relied on the trafficking statute. In 2009, two people were convicted for trafficking offenses. This year, each offender was sentenced to approximately three years in prison; there were no reports of suspended sentences. In 2009, sentences ranged from 1.5 to 5.5 years in prison. The Finnish national rapporteur reported that the failure to investigate certain cases as trafficking cases rendered problems for victim care and victim rights in the trial process; in cases not investigated and prosecuted as trafficking cases, victims did not have the same rights and benefits during investigations. The rapporteur also concluded that investigators and prosecutors sought excessive evidence for initiating trafficking prosecutions, in part by placing heavy emphasis on the lack of victim consent during the initial recruitment stage; there was evidence of coercion in several pandering cases not classified as trafficking cases. The Finnish government provided several anti-trafficking trainings for its officials to enhance victim identification and prosecutions. The National Bureau of Investigation and the Ministry of Justice conducted five training sessions over the course of 2010 and early 2011 that educated 200-300 reporters, law enforcement personnel, government officials, and NGO staff on trafficking in persons. This program has been formalized in advanced training that is now offered at the Police College of Finland, in addition to anti-trafficking training offered during basic police training.

Protection

The government's victim protection efforts improved in 2010, as the government identified and assisted more victims than in prior years. The government fully funded victim protection efforts for trafficking victims, whether foreign or domestic. The government provided both direct care and funding for appropriate third-party care for trafficking victims through two asylum reception centers that offer shelter, psychological assistance, medical care, and other services to identified victims of trafficking. The staff of these reception centers were also empowered to unilaterally authorize care for trafficking victims, even when law enforcement authorities did not identify a person as a trafficking victim. However, both international organizations and the national rapporteur claimed that the mixed population and lack of specialized care in reception centers posed risks for the re-victimization of trafficking victims, particularly victims of sex trafficking. In 2010, the government asylum reception centers reported that they spent \$769,835 on the care of trafficking victims. During the reporting period, the Government of Finland approved permanent annual anti-trafficking funding to one Finnish NGO that functions as an umbrella organization for ethnic minority women. Officials identified 52 victims during the reporting period, an increase from 13 victims identified in 2009. Nevertheless, both NGOs and the National Rapporteur reported that the system of victim protection was not clear to all actors in the system, impeding effective victim protection. Although police and border guard officials used a series of written guidelines on victim referral and treatment developed by the Finnish Immigration Service to proactively identify

victims of trafficking, other stakeholders used different trafficking indicators, leading to confusion in victim identification. The government encouraged victims to assist in the investigation and prosecution of trafficking offenders. Under the Act on Compensation for Crime Damage, victims of crime were entitled to receive government compensation for personal injury, damage to property, or other financial loss caused by a crime. However, an international organization concluded that safety procedures for victims of trafficking were unevenly employed during trial. Finnish law allowed identified trafficking victims a six-month reflection period, during which they could receive immediate care and assistance while considering whether to assist law enforcement. The rapporteur indicated, however, that the reflection period was not provided consistently; this year no victims received it. Victims of trafficking wishing to stay longer than six months were eligible to apply for an extended residence permit or asylum as an alternative to deportation, including a permit on compassionate grounds if they feared threats in their home country. The government granted a residence permit to one trafficking victim during the reporting period. Although the government made some effort to ensure identified victims were not penalized for unlawful acts committed as a direct result of being trafficked, the National Rapporteur documented cases in which potential victims of trafficking apprehended at the border had been sentenced to conditional imprisonment for immigration offenses or forgery at the border.

Prevention

The government continued increasing its efforts to prevent human trafficking, particularly by establishing and empowering its national rapporteur. The Finnish government produced and distributed pamphlets about human trafficking and victims' rights to vulnerable groups, such as persons in prostitution. Nevertheless, there were no reports that the government engaged in robust prevention or awareness-raising activities on labor trafficking. The government organized its anti-trafficking activities through its interagency National Steering Group. The national anti-trafficking rapporteur, an independent entity within the government, continued its extensive analysis of the government's anti-trafficking efforts and advocated for specific changes through its public report; this office encouraged self-critical policy examination and positive momentum in the government's anti-trafficking policy. To prevent child sex tourism, the government also distributed brochures at a travel show to thousands of Finnish citizens, highlighting the damage child sex tourism causes to children. The government continued to provide assistance to other governments for counter-trafficking programs. For example, the government provided approximately \$200,000 to combat human trafficking in Southern Africa. The Finnish government provided anti-trafficking training to all forces prior to their deployment abroad on international peacekeeping missions.

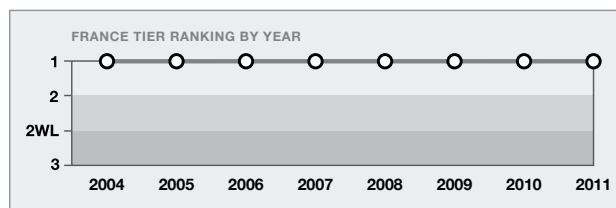
FRANCE (Tier 1)

France is a destination and transit country for men, women, and children from Eastern Europe, West Africa, and Asia,

as well as the Caribbean and Brazil, subjected to sex trafficking and forced labor. France is also a limited source country for French citizens subjected to forced labor and forced prostitution. Sex trafficking networks controlled by Bulgarians, Romanians, Nigerians, and French citizens force women into prostitution through debt bondage, physical force, and psychological coercion, including the invocation of voodoo. Women and children, many from Africa, continued to be subjected to forced domestic service. Many of these cases were reportedly inter-familial, in which families exploited family members brought from Africa to work in their households in France. Other cases involve a limited number of diplomats or members of Middle Eastern royal families. The Government of France estimates that the majority of the 20,000 people in France's commercial sex trade, about 80 percent of whom are foreigners, are likely forced into prostitution. There are also reports that a significant number of children, primarily from Romania, West Africa, and North Africa, are victims of sex trafficking in France. Romani and other unaccompanied minors in France continued to be vulnerable to forced begging and forced theft.

Women and children from Brazil were subjected to forced labor and sex trafficking in the French overseas territory of French Guiana. There were also reports that Chinese laborers may have been forced to work in French Guiana.

The Government of France fully complies with the minimum standards for the elimination of trafficking. The government published the first study on its own anti-trafficking policies and put structures in place for more robust national coordination. The government offered victim assistance to trafficking victims throughout the country, though almost always with conditions of the victims' participation in law enforcement investigations and sometimes at the victims' financial expense. The government did not officially collect victim referral data. The government increased the number of cases investigated and prosecuted under the trafficking statute, although the numbers still remained low. NGOs and government officials reported that first responders needed to strengthen their proactive victim identification.



Recommendations for France: Increase implementation of France's anti-trafficking statute; increase anti-trafficking training for prosecutors and judges; ensure the safety and confidentiality of trafficking victims during the course of investigations and trials; improve protections for all unaccompanied minors in France who are potentially victims of trafficking; improve implementation of proactive identification procedures and referral for potential trafficking victims; offer residency permits to all identified victims; consider eliminating, reducing, or allowing waivers for victims' residency permit fees to encourage more victims

to apply; soften the requirement that victims of trafficking participate in the prosecution of trafficking offenders in order to receive long-term benefits; enhance collection and compilation of law enforcement and victim assistance data, including a breakdown of types of involuntary servitude and prosecutions for forced labor; ensure that actions taken in the name of trafficking prevention do not serve to stigmatize an entire group; continue to establish a more victim-centered approach to trafficking in France, including measures to ensure victims who denounce their traffickers are provided with adequate safety and support; and report on assistance provided to identified victims of trafficking in mainland France and in French Guiana.

Prosecution

The Government of France continued to improve its anti-trafficking law enforcement efforts during the reporting period, although the majority of trafficking offenses were still charged under non-trafficking statutes. The government began the first stages of implementing the policy specified in a Ministry of Justice circular, urging prosecutors to use the trafficking statute more frequently, even when those cases otherwise could be charged as pimping, exploitation of begging, or under labor statutes. France prohibits all forms of trafficking in persons through Article 225-4 of its penal code, which prescribes statutory maximum penalties of between seven years' and life imprisonment for aggravated trafficking offenses. These prescribed penalties are sufficiently stringent and commensurate with those prescribed for other serious offenses, such as rape. Data challenges continued; a government report recommended an annual inventory of trafficking cases investigated and prosecuted. Currently available data reflect the investigation and prosecution of at least 45 suspected trafficking offenders under Article 225-4 in 2009, compared with 16 suspected offenders prosecuted in 2008. In 2009, the most recent year for which comprehensive data was available, French authorities convicted at least three trafficking offenders charged under Article 225-4-2, an aggravated trafficking section, compared with convictions in three cases in 2008. The government also convicted 17 offenders for the prostitution of children in 2009, down from 19 convictions for the prostitution of children in 2008. French officials continued to rely largely on anti-pimping provisions of the country's penal code to prosecute suspected sex trafficking offenses. The government reported 498 convictions under its anti-pimping statute in 2009; approximately 16 percent of the original arrests were for trafficking-specific offenses. In 2008, the government convicted approximately 500 offenders under the anti-pimping statute, although it is unclear how many of these convictions were for underlying trafficking offenses. In 2009, the majority of trafficking offenders were sentenced to between two and 10 years in prison. Initial reports of 2010 data show longer prison terms for trafficking offenders in aggravated cases. In 2010, in a case involving the trafficking of a French victim, French authorities sentenced two trafficking offenders to terms of 30 years' imprisonment, and 10 other trafficking offenders to terms between two and 25 years' imprisonment. Prosecutions were still predicated on a victim's formal complaint; a government report recommended dropping that requirement. Although the government reported that

it provided some training to judges and prosecutors, NGO representatives reported that French magistrates had a low understanding of human trafficking offenses. NGOs also reported that the police and the judiciary did not always respect the confidentiality of trafficked persons. At times, the police held interviews of trafficking victims in open places and the judiciary rarely used available safety procedures, such as video testimony, when victims participated in trial. French law enforcement authorities collaborated with several governments to investigate human trafficking cases, including the Governments of Spain, Italy, and Belgium. During 2010, the Government of Suriname sent a letter to the French Embassy in Suriname, to inform them of an indictment in a trafficking case in which a French consular officer was allegedly complicit. The French government referred the case for internal investigation.

Protection

The government sustained its victim protection efforts during the reporting period. The national government and City of Paris sustained partnerships with NGOs in order to provide trafficking victims with a network of services, including protection in 49 shelters, during the reporting period. The shelter system was open to adult victims facing immediate danger or highly vulnerable circumstances. The network of shelters received 64 requests for victim assistance and assisted 50 female victims of trafficking, most of whom were Nigerian. French authorities did not report overall funding allocations to NGOs for victims of trafficking. However, the government provided at least \$254,000 to the network of shelters for victim assistance in 2010 as well as additional, separate grants to individual shelters in the network; the City of Paris contributed a further \$28,000 for the shelters. Although there were no facilities specifically dedicated to the care of child victims of trafficking, child protective services identified 20 child victims of trafficking and referred them to multi-purpose children's shelters. The government reported that police identified 688 trafficking victims in 2010; this was a decrease from 2009, during which it identified 799 trafficking victims. The government did not report the number of victims it referred to care. One NGO that worked primarily with victims of domestic servitude reported caring for 126 such victims this reporting period. Nevertheless, a government report on trafficking concluded that first-responders, including those in embassies, state agencies, and hospitals, needed to adopt a more proactive approach to identifying victims of trafficking. The Government of France had no formal referral mechanism for victims of trafficking, though provisions for such victim referral exist in the trafficking statute. Although the government has directed the police to inform all identified trafficking victims of their rights, NGOs observed that this was rarely done in practice. Victims of trafficking were required to pay approximately \$400 for permits for six months' or one year's temporary residency, conditioned on their filing a formal complaint against their exploiters. These permits were available during the duration of the criminal process and automatically become permanent upon an offender's conviction. French authorities reported that at least 83 temporary residence permits were granted during 2010. The government issued a circular granting local prefects the discretion to grant permanent residency

in cases in which the defendant was not convicted, the victim speaks French, and the victim has found employment; no such permanent residency was granted during the reporting period. With the exception of a 30-day reflection period for identified victims, the granting of all residency permits was conditional on victims' cooperation with the police. Moreover, NGOs reported that government authorities offered the 30-day reflection period inconsistently. There were no reports that identified trafficking victims were penalized for crimes committed as a direct result of their being trafficked.

Prevention

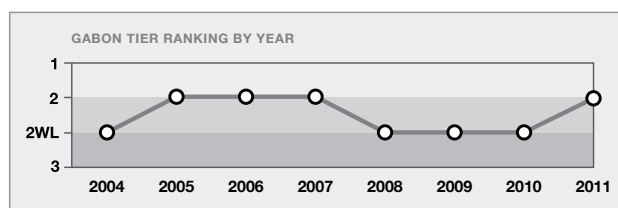
The government improved its prevention efforts during the reporting period. In 2010, the government established an inter-ministerial anti-trafficking working group with the participation of government officials and NGOs. The group drafted the country's first National Action Plan for 2011-2013, though the plan was not approved during the reporting period. A government agency published a study on trafficking in France, including a critical assessment of the prosecution system. During the reporting period, the government took steps toward establishing unprecedented central coordination by designating the Ministry of Justice to collect and compile anti-trafficking data. The government funded the publication of a pamphlet to inform the public about human trafficking and to explain how to assist a trafficking victim. The government produced a DVD in multiple languages to help victims of trafficking self-identify. The French Ministry of Foreign Affairs had a mechanism to detect domestic servitude and to protect domestic servants of diplomatic officials stationed in France. Among other measures, the government requires the diplomatic officials to conform domestic work contracts to French labor law, to disclose the terms of the contracts, and to allow the domestic servant to come regularly to the Ministry of Foreign Affairs for interviews outside of the presence of the employer. The government continued its strong prevention and prosecution efforts to combat child sex tourism. In September and November, French authorities sentenced two French citizens for child sex tourism crimes in Nepal and Thailand, sentencing them to 10 and 15 years in prison. The government funded NGOs to produce posters and pamphlets to reduce the demand for child prostitution and child sex tourism. The government dissolved Romani camps in France, justifying the action, in part, on preventing trafficking in persons, but it was unclear that the action had any tangible connection to or impact on trafficking in persons. The French government provided anti-trafficking training to all peacekeeping troops prior to their deployment abroad on international peacekeeping missions.

GABON (Tier 2)

Gabon is primarily a destination and transit country for children and women from Benin, Nigeria, Togo, Mali, Guinea, and other West African countries who are subjected to forced labor and sex trafficking. Some victims transit Gabon *en route* to Equatorial Guinea. The majority of victims are boys forced to work as street hawkers or mechanics. Girls are subjected to conditions of

domestic servitude and forced labor in markets or roadside restaurants. Increased coastal surveillance, especially following the October 2009 arrival of the M/S Sharon carrying 34 child trafficking victims, reportedly caused traffickers to change their routes to estuaries and rivers when transporting children. The majority of victims aboard the M/S Sharon were young girls, a departure from previous patterns of trafficking in the region. Traffickers appear to operate in loose ethnic-based crime networks. Most child traffickers are women, who serve as intermediaries in their countries of origin. In some cases, child victims report that their families had turned them over to intermediaries promising employment opportunities in Gabon. There is also evidence that some traffickers have moved their operations to Lambarene to avoid detection in Libreville, as well as of the involvement of Nigerian syndicates in bringing trafficking victims into Gabon. West Africans between the ages of 18 and 25 are forced into domestic servitude or prostitution in Gabon.

The Government of Gabon does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government showed a marked improvement in its anti-trafficking performance, particularly by investigating trafficking in Libreville and Port Gentil, rescuing and protecting an unprecedented number of victims during the reporting period, and initiating the prosecutions of several cases. Nonetheless, it produced no convictions during in 2010. The government continued to provide care to child trafficking victims through government-funded and government-run shelters. The Ministry of Foreign Affairs and the Inter-Ministerial Committee also sent delegations to source countries and worked with foreign embassies in Libreville to address victims' needs and raise awareness.



Recommendations for Gabon: Increase efforts to prosecute trafficking offenses and convict and punish trafficking offenders by allocating resources to convene the High Court; enact provisions prohibiting the trafficking of adults; continue to strengthen cooperation between law enforcement, immigration, and gendarmerie to jointly address trafficking cases; and develop a system to track trafficking cases and provide relevant law enforcement and victim protection statistics.

Prosecution

The Government of Gabon demonstrated clear improvement in its anti-trafficking law enforcement efforts during the reporting period. Existing laws do not prohibit all forms of human trafficking. Law 09/04, "Concerning the Prevention and the Fight Against the Trafficking of Children in the Gabonese Republic," enacted in September 2004, prohibits child trafficking for both labor and sexual

exploitation and prescribes penalties of five to 15 years' imprisonment, along with fines of \$20,000 to \$40,000; these penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Penal Code Article 261 prohibits procuring of a child for the purpose of prostitution and prescribes two to five years' imprisonment and a fine, a penalty that is sufficiently stringent. Law 21/63-94 prohibits forced prostitution of adults and prescribes sufficiently stringent penalties of two to 10 years' imprisonment, which are commensurate with those prescribed for other serious crimes, such as rape. Title 1, Article 4 of the Gabonese labor code (Law Number 3/94) criminalizes all forms of forced labor, prescribing penalties of one to six months' imprisonment, with possible fines of \$700 to \$1400, which are not sufficiently stringent. The High Court is required to hear trafficking cases since they are a crime equivalent to murder; however, the High Court is backlogged with cases filed from as early as 2001 and has not met in three years, presenting a significant obstacle to prosecutions of trafficking crimes. During the reporting period, several ministries put forth a proposal to the Council of Ministers to change the court venue for the hearing of trafficking cases to a lower court; internal discussion continues on this and other approaches to address this obstacle.

Despite the arrest of over 68 suspected trafficking offenders between 2003 and 2010, there have been no convictions under the 2004 child trafficking act, though the government investigated trafficking offenders for potential prosecution under this law in December 2010. The government requested INTERPOL assistance in a joint operation, dubbed "Operation Bana," that resulted in the identification and rescue of 20 child labor trafficking victims from markets and the arrest of 38 alleged trafficking offenders. The three magistrates and three investigative prosecutors overseeing the operation began preparing 17 cases, involving 20 victims, for trial under Laws 09/04, while the suspected trafficking offenders remain in jail. Families of victims who were found not to be sending their children to school are facing fines. During Operation Bana, the Gabonese government worked with UNICEF, as well as government ministries and security services in the countries of origin, to verify documents and the identities of trafficking victims and suspected offenders. In advance of the operation, Gabon's police chief, in cooperation with INTERPOL, led three days of training for 133 law enforcement, social service and judicial officials, magistrates, and NGOs. The government co-hosted with a foreign government, as well as provided the venue and food, for a training on trafficking victim identification and care for 160 police, gendarmerie, immigration, and other government officials in March 2010.

Protection

The Government of Gabon improved on past efforts to ensure that victims of trafficking received access to necessary protective services during the reporting period. It provided approximately \$270,000 to support four centers offering shelter, medical care, education, and psychosocial services to orphans and vulnerable children, including child trafficking victims, in Libreville and Port Gentil. One center is completely government-

funded, while the other three are financed partly by the government through in-kind donations and financial and service support, including social workers. Following Operation Bana, the government specifically assigned social workers to the two Libreville-based NGO shelters to care for the rescued children; the government shelter had a social worker on staff. During the operation, authorities recovered 142 children; 24 were released to their families and the remaining 118 were placed in the three shelters in Libreville. Authorities identified 20 of these children as trafficking victims and continued to provide them with assistance. Following the operation, however, government social workers expressed concern that some of the children released to parents appeared back in the markets. An NGO in Port Gentil provided assistance to 12 victims with the support of government social services personnel; thus, during the reporting period, a total of 130 suspected child trafficking victims were accommodated in the government- and NGO-run shelters. Working with officials in the countries of origin, the government coordinated the repatriation of 16 victims. During the reporting period, the Inter-Ministerial Committee (IMC) distributed the government's National Procedural Manual for Assisting Trafficking Victims to all relevant ministries, vigilance committees, NGOs, and foreign embassies. The IMC provided specialized training on the manual for social workers. The government could shelter adult victims in transit centers, though none were identified during the reporting period.

Government personnel employed procedures to identify victims of trafficking among vulnerable groups, such as migrant children, and referred them systematically to government or NGO shelters. Security forces routinely took testimony at the time of arrest of the trafficker or recovery of the victim and prosecutors, with social workers present, had access to the children at shelters for follow up questions. The government reported it could provide temporary residency for trafficking victims; if repatriation or resettlement is not an option, the Ministry of Social Affairs could normalize victims' immigration status and places them in a community in Gabon; such provisions were not provided during the reporting period, as victims were repatriated or remained in shelters as their cases were under investigation.

Following Operation Bana, the Ministry of Foreign Affairs called together the ambassadors of the source countries of the suspected victims to share information, invite them to visit the children, and play a role in their repatriation. In December 2010, six members of Gabon's Inter-Ministerial Committee traveled to Mali, Benin, and Togo to meet with the foreign and social affairs ministries, as well as judicial officials, to share information on anti-trafficking efforts and begin finalizing formal bilateral partnerships on victim repatriation. Benin and Gabon already have in place bilateral procedures to facilitate the repatriation of victims.

Prevention

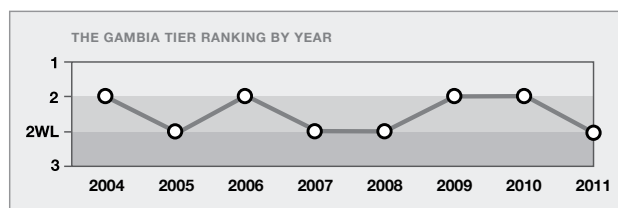
The Gabonese government made strong efforts to prevent human trafficking over the last year. The IMC, created by Law 09/04 and under the direction of the Ministry of Labor, conducted a "door-to-door" public awareness campaign

in Libreville, in cooperation with UNICEF. In Lambarene, the committee coordinated an awareness campaign that targeted market women and ordinary citizens who might employ child domestics, and in November 2010, stood up a local vigilance committee. Vigilance committees in five regional capitals, four of which were launched during the reporting period in an effort to implement the National Action Plan, focused on combating trafficking in persons and child labor. In December, the government launched a billboard campaign “Be Vigilant” to target those who might exploit trafficking victims. During Operation Bana, magistrates manned telephone lines to guide in the rescue. The Ministry of Labor trained 72 labor inspectors on monitoring informal sector labor, including in markets, car repair shops, workshops, and homes, to look for evidence of child labor and trafficking. The government formed an anti-sex trafficking task force to prepare for the 2012 Africa Cup of Nations Soccer Tournament, which will be co-hosted by Gabon and Equatorial Guinea. In September 2010, Gabon ratified the 2000 UN TIP Protocol.

THE GAMBIA (Tier 2 Watch List)

The Gambia is a source, transit, and destination country for children and women subjected forced labor and sex trafficking. Within The Gambia, women and girls and, to a lesser extent, boys are subjected to sex trafficking and domestic servitude. In the past, boys attending Koranic schools run by teachers known as *marabouts* were often forced to beg in the streets, but the Government of The Gambia reports that an increasing number of *marabouts* now force children into street vending, where they are more difficult to identify. Women, girls, and boys from West African countries – mainly Senegal, Sierra Leone, Liberia, Ghana, Nigeria, Guinea, Guinea Bissau, and Benin – are recruited for exploitation in the sex trade in The Gambia, in particular to meet the demands of European tourists seeking sex with children. Observers believe organized networks use travel agencies to promote child sex tourism, though none have been uncovered. There are reports that Europe-bound smuggling operations transiting Cape Verde and the Canary Islands using fishing boat include trafficking victims, but these reports may be based on a failure to distinguish human trafficking from the separate crime of migrant smuggling.

The Government of The Gambia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these efforts, the government did not demonstrate increasing efforts to address human trafficking over the previous year; therefore, The Gambia is placed on Tier 2 Watch List. The Gambian government failed to use its adequate anti-trafficking legal framework to investigate or prosecute any suspected trafficking cases during the reporting period. While it began to designate staff to serve on the National Agency Against Trafficking in Persons, it did not complete efforts to bring this agency into formal existence, as mandated by a 2007 law. The government claimed to monitor boys in street vending and unaccompanied girls in resorts known to be destinations of sex tourists, though it did not identify or provide protective services to any victims among these populations.



Recommendations for The Gambia: Distinguishing between human trafficking and migrant smuggling, increase efforts to investigate and prosecute trafficking offenses; train law enforcement personnel to distinguish trafficking from smuggling and to identify trafficking victims among vulnerable populations, such as boys in street vending, unattended children in tourist resorts known to be sex tourism destinations, and women in prostitution, and refer them to protective services; institute trafficking awareness trainings for diplomats posted abroad; complete the formal establishment of the National Agency Against Trafficking in Persons and continue to allocate sufficient resources to operate it; begin to take measures to decrease the demand for commercial sex acts, specifically those committed by sex tourists; and increase efforts to raise public awareness about the dangers of trafficking.

Prosecution

The Government of The Gambia’s anti-trafficking law enforcement efforts decreased during the reporting period. The Gambia prohibits all forms of trafficking through its October 2007 Trafficking in Persons Act, and in October 2010, The Gambian National Assembly approved an amendment to increase prescribed penalties to 50 years’ to life imprisonment for all forms of trafficking. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The Gambia’s 2005 Children’s Act also prohibits child trafficking, though it does not include forced labor in its definition of trafficking, prescribing a penalty of life imprisonment, and the 2003 Tourism Offenses Act explicitly prohibits child sex trafficking, prescribing a penalty of 10 years’ imprisonment. The government failed to convict any trafficking offenders during the year, though it reported initiating a prosecution of a *marabout* arrested in March 2011 for transporting boys to Senegal for forced begging. Authorities often conflated trafficking with migrant smuggling. No law enforcement officials were investigated, prosecuted, or convicted for involvement in human trafficking, although an international organization reported suspicions that an official of The Gambian Embassy in Mauritania was complicit in a case of cross-border child trafficking between Mauritania and Sierra Leone.

Protection

The Gambian government undertook inadequate efforts to protect trafficking victims during the year. Although it claimed to monitor the activities of children in Koranic schools who were forced into street vending, it did not rescue or provide services to any victims of forced street vending. The government repatriated seven Gambian children who had been found on the streets in Senegal, but made no efforts to determine whether they were victims

of trafficking. In March 2011, the Department of Social Welfare repatriated 20 children who had been forced to beg in Senegal and provided them with protective services. The government operated a 24-hour hotline and allocated approximately \$11,500 toward running a shelter and drop-in center that were available to trafficking victims; six boys who were victims of child sex tourism and 20 children repatriated from Senegal received medical screening and counseling at the shelter before being returned to their families. The Department of Social Welfare continued to maintain an electronic child protection database, which includes information on trafficking cases. No victims assisted in the investigation of trafficking offenses, but six boys served as witnesses in the trial of a suspected child sex tourist. The Trafficking in Persons Act allowed foreign victims to obtain temporary residence visas for the duration of legal proceedings, though the government did not offer long-term legal alternatives to the removal of foreign victims to countries where they face hardship or retribution. It is not known whether any victims were detained, fined, or jailed for unlawful acts committed as a result of being trafficked. Police conducted raids of brothels and detained or deported individuals in prostitution without employing efforts to identify trafficking victims among the population. The government provided staff to assist an NGO in conducting two three-day anti-trafficking training seminars for law enforcement officers and stakeholders in the tourism industry.

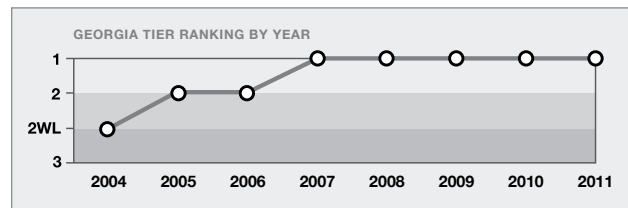
Prevention

The government made limited efforts to prevent trafficking during the year. The Department of Social Welfare reports rescuing 19 street children who were at risk of being trafficked, and with assistance from an international NGO, repatriating 14 of these children to Mali, Guinea, Senegal, and Mauritania. Child sex tourism was a problem in The Gambia. The Tourism Security Unit (TSU) and The Gambia Tourism Authority claimed it compiled a list of suspected pedophiles and traffickers, though only one was identified during the year, a child sex tourist from Norway arrested in December 2010 for sexually exploiting six boys. Authorities report removing unattended children from resort areas, in accordance with a policy to combat child sex tourism, but this effort did not lead to the referral of any child trafficking victims to protective services or the apprehension of any traffickers. Members of the National Task Force for Combating Trafficking in Persons, which the government disbanded during the previous reporting year, continued to informally share information among themselves, but did not report taking any additional action. The Ministry of Justice began to recruit staff for the newly forming National Agency Against Trafficking in Persons, mandated by the 2007 Trafficking in Persons Act; a new Board of Directors was appointed in January 2011 and met twice since that time. The Agency has not yet entered into formal existence, and the government did not release the approximately \$36,000 it budgeted for it during the previous year; this amount has been re-allocated for 2011. The government provided anti-trafficking training to Gambian troops before their deployment abroad on international peacekeeping missions.

GEORGIA (Tier 1)

Georgia is primarily a source country and, to a lesser extent, a transit and destination country for women and girls subjected to sex trafficking, and for men and women subjected to conditions of forced labor. In 2010, women and girls from Georgia were subjected to sex trafficking within the country and also in Turkey and Egypt. In recent years, cases of forced prostitution of Georgian victims were also documented in the United Arab Emirates, Greece, Russia, Germany, and Austria. Men and women are subjected to conditions of forced labor within Georgia and also in Libya, Egypt, and Turkey. In recent years there were reports of Turkish men forced to labor in the separatist region of Abkhazia, which was outside of the central government’s control.

The Government of Georgia fully complies with the minimum standards for the elimination of trafficking. The government continued its training and awareness programs, ensuring that all police officers and border guards receive specialized anti-trafficking training. The government continued to fully fund two government shelters and conduct numerous prevention campaigns. However, the total number of prosecutions and convictions decreased significantly in 2010 and fewer victims were identified than in 2009.



Recommendation for Georgia: Increase efforts to investigate, prosecute, and convict both labor and sex trafficking offenders; increase efforts to identify and refer victims for assistance; continue strong funding for victim assistance programs; continue to ensure that victims are not fined or otherwise penalized for unlawful acts committed as a direct result of being trafficked; maintain and strengthen cross-border cooperation between law enforcement bodies; improve training of consular officers in trafficking destination countries in victims’ assistance; continue to proactively screen for victims at border points and increase efforts to identify victims at the border; and focus training efforts on making these officers a more active part of the referral process.

Prosecution

The Government of Georgia continued law enforcement efforts to combat human trafficking during the reporting period. Georgia prohibits all forms of trafficking in persons through Article 143 of its criminal code, which prescribes penalties ranging from seven to 20 years’ imprisonment. These penalties are sufficiently stringent and are commensurate with those for other serious crimes, such as rape. In 2010, the government initiated 11 trafficking investigations of 18 individuals, compared with 12 investigations of 33 individuals initiated in 2009;

10 of those investigations initiated in 2010 were still in progress at the end of the reporting period. Authorities prosecuted five individuals for trafficking – including one individual for forced labor – compared with 40 individuals prosecuted for trafficking in 2009. One trafficking offender was convicted in 2010, a significant decrease from the conviction of 37 offenders in 2009. The trafficking conviction resulted in a sentence of 16 years' imprisonment. The government did not report any investigations, prosecutions, convictions, or sentences of public officials for trafficking complicity; NGOs and the government did not report any allegations of such complicity during the year. The government provided training to all Georgian police and immigration officials through its police academy curriculum on identifying and assisting victims of trafficking. The Prosecution Service conducted four training sessions on investigative techniques, identification of victims, and cooperation with the victim service providers for 163 prosecutors. In cooperation with NGOs and international organizations, the government organized or facilitated anti-trafficking training for 503 consular officers, police, judges, and lawyers. Georgian officials participated in dialogues and trainings with international counterparts through programs funded by international sources.

Protection

The Government of Georgia demonstrated sustained efforts to identify and protect victims of trafficking during the year. The government continued to implement a formal mechanism for its officials to identify victims and refer them to organizations providing assistance. Through this mechanism, government officials and NGOs identified and assisted 19 victims in 2010, a decrease from 48 trafficking victims identified in 2009. The government provided two victims with one-time payments of \$650 in 2010; the government received no applications for payments in 2009. The government allocated \$127,000 for two fully-funded government-run shelters for trafficking victims. These shelters provided medical aid, psychological counseling, and legal assistance to nine victims of trafficking in 2010, compared with 15 victims sheltered and assisted in 2009. Victim assistance was not contingent upon cooperation with law enforcement. The Government of Georgia provided foreign victims with legal alternatives to their removal to countries where they would face hardship or retribution; foreign victims were eligible for temporary residence permits, though no foreign victims received a residence permit in 2010. The government fully funded the repatriation of two foreign victims during the reporting period and cooperated with IOM in the repatriation from Egypt of six Georgian victims of trafficking. Victims were encouraged to assist law enforcement with trafficking investigations and prosecutions; all 19 victims identified by the government assisted law enforcement during the reporting period. There were no reports that victims were penalized for unlawful acts committed as a direct result of being trafficked. Although the Government of Georgia cooperated closely with NGOs, it did not provide any funding or in-kind assistance to anti-trafficking NGOs for victim identification or protection services during the reporting period.

Prevention

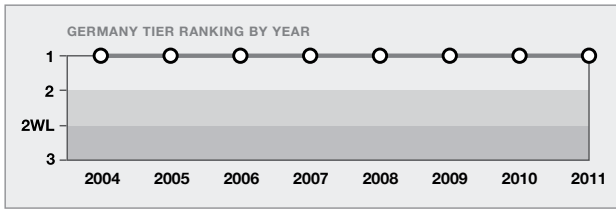
Georgia increased its trafficking prevention efforts during the reporting period. The government conducted several trafficking prevention campaigns, including distributing 29,000 informational pamphlets in all 11 regions of the country. The government also introduced a mandatory trafficking course for law students, produced and aired a trafficking awareness public service announcement, and organized a televised conference on trafficking for university students throughout Georgia. With assistance from international donors, the government provided 612 high school teachers with trafficking prevention training. During the reporting period, the government conducted two-day training sessions for 102 journalists on anti-trafficking issues. Billboards, produced in partnership with an NGO, advertised a government-operated hotline for victims of trafficking in persons. The government-funded hotline received 69 calls in 2010. The government partnered with NGOs to produce seven anti-trafficking radio programs, educate over 320 children in care of the state on human trafficking prevention, and develop and pilot a trafficking education program for Georgian secondary school children. The government demonstrated efforts to reduce the demand for both commercial sex acts and forced labor by informing the public of Georgia's law that punishes "clients" who exploit trafficking victims through television ads and media interviews given by government officials.

GERMANY (Tier 1)

Germany is a source, transit, and destination country for women, children, and men subjected to sex trafficking and forced labor. Approximately 85 percent of identified victims of sex trafficking originated in Europe, including 25 percent from within Germany, 20 percent from Romania, and 19 percent from Bulgaria. Non-European victims originated in Nigeria, other parts of Africa, Asia, and the Western Hemisphere. The majority of identified sex trafficking victims have been exploited in bars, brothels, and apartments – approximately 45 percent of identified sex trafficking victims reported that they had agreed initially to engage in prostitution. Victims of forced labor have been identified in hotels, domestic service, construction sites, meat processing plants, and restaurants. Members of ethnic minorities, such as Roma, as well as foreign unaccompanied minors who arrived in Germany, were particularly vulnerable to human trafficking.

The Government of Germany fully complies with the minimum standards for the elimination of trafficking. The government sustained strong efforts in investigating and prosecuting trafficking offenders. The government continued to fund NGOs that provided a full range of services to trafficking victims. The government also reported an increase in the number of trafficking victims proactively identified by authorities. During the year, it also commissioned several studies on human trafficking to examine and improve its response to the problem. Available statistics, however, indicate the majority of convicted labor and sex trafficking offenders were not required to serve time in prison, raising concerns that punishments were

inadequate to deter traffickers or did not reflect the heinous nature of the offense.



Recommendations for Germany: Explore ways to increase the number of convicted traffickers who receive sentences commensurate with the gravity of the crime committed; vigorously investigate, prosecute, and convict labor trafficking offenders; consider granting residence permits for trafficking victims that are not reliant on the victim's willingness to testify at trial; establish an independent national anti-trafficking rapporteur to produce critical assessments on Germany's efforts to punish traffickers, protect victims, prevent trafficking, and to ensure full reporting of statistics of trafficking prosecutions; ensure forced labor and child victims' access to appropriate assistance and protection; ensure that labor trafficking victims are fully informed of their rights; standardize victim assistance measures and government-civil society cooperation across the 16 federal states; encourage victims to take advantage of financial restitution procedures available to them in court; ensure that labor trafficking is fully integrated into Cooperation Agreements at the state level; strengthen awareness campaigns targeting beneficiaries of forced labor and clients of the sex trade, particularly in the most frequented red light districts; consider creating a mechanism to coordinate German efforts to address forced labor; and ensure that conviction data reported includes all convictions for trafficking in persons.

Prosecution

The Government of Germany sustained progress in investigating and prosecuting trafficking offenses, despite a continuing problem with courts assigning suspended sentences to convicted offenders. In 2009, according to the statistics reported by German authorities, the overwhelming majority of convicted labor and sex trafficking offenders again avoided sentences to non-suspended prison terms. This practice emerged, however, from a general rule allowing assigned prison terms lower than two years to be suspended, in particular for first time offenders. According to the statistics provided, the sentencing practice resulted in functional impunity for the majority of trafficking offenders. Germany prohibits all forms of trafficking; sex trafficking is criminalized under Section 232 of its penal code, and forced labor is criminalized under Section 233. Prescribed punishments in these statutes range from six months' to 10 years' imprisonment and are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as forcible sexual assault. In 2009, the last year for which statistics were available, the German state and federal authorities completed 534 investigations, an 11 percent increase from 482 investigations in 2008. The

German authorities prosecuted 189 alleged offenders for sex trafficking offenses. This was a slight increase from 2008, in which the government prosecuted 173 alleged offenders. Of those alleged offenders, 135 were convicted, approximately the same as 2008, in which 138 offenders were convicted, but only 33 — 24.4 percent — received any real jail time. In 2008, 28.9 percent of convicted sex trafficking offenders received non-suspended jail terms. Prison sentences for the remaining 33 offenders reached a maximum of five years. German authorities prosecuted 15 alleged labor trafficking offenders in 2009, a 40 percent decrease from 25 labor trafficking offenders prosecuted in 2008. Of the 15 labor trafficking offenders prosecuted, 10 were convicted, but none were given sentences of imposed imprisonment. Studies of labor trafficking concluded that labor trafficking cases were under-identified and rarely prosecuted, despite increasing attention and awareness about labor trafficking. German officials reported that securing victim testimony remained a challenge for prosecutions. Poor or withdrawn victim testimony impaired trials and may have contributed to the high rate of suspended sentences by resulting in lower initial sentences. Outreach to victims of certain minority groups remained a challenge for authorities.

The German federal and state police used sophisticated methods to investigate trafficking, including coordinated raids by more than 100 police stations in 13 German states over a two-day period in February. The federal criminal police also had a counter-trafficking office that coordinated international trafficking investigations; the government cooperated closely with several governments, including Romania, Bulgaria, and Poland, to investigate trafficking cases. The government, in partnership with NGOs, continued to provide a range of specialized anti-trafficking trainings to judges, prosecutors, and police, both on basic anti-trafficking topics and emerging challenges. For example, the German federal criminal police provided a series of seminars on labor trafficking, Nigerian voodoo rituals, and NGO cooperation. In 2010, the German federal criminal police also commissioned a significant study on victim identification and victim testimony in trafficking cases, in part to enhance the success of the prosecutions. The German government did not prosecute, convict, or sentence any officials complicit in trafficking in persons this year.

Protection

The German government sustained its victim protection efforts during the reporting period, although it continues to face challenges in identifying and providing adequate services to victims of labor trafficking. The federal family ministry funded an umbrella organization representing 39 NGOs and counseling centers that provided or facilitated shelter, medical and psychological care, legal assistance, vocational support, and other services for victims. These NGOs provided services in all German states. The majority of these NGOs focused on adult female victims; however, a number of NGOs, in cooperation with local governmental youth welfare services, also attended to child victims. Some of these NGOs also made their services available to male victims. There remained no standardized procedure throughout Germany for financial support

for victim witnesses; procedures vary by state and by the victim's residency status. Cooperation Agreements on human trafficking at the state level regulate cooperation between counseling centers and police. Although several of these Cooperation Agreements address services for labor trafficking victims, others were limited to victims of sex trafficking. German government efforts to identify and care for victims of labor trafficking did not progress this year; the government has been slow to develop structures for identifying victims of labor trafficking. The federal criminal police reported proactively identifying 57 percent of victims in trafficking cases in 2009, an increase from 38 percent in 2008. Authorities registered 710 victims of sex trafficking in 2009, an increase from 676 sex trafficking victims in 2008. Of these 710 victims, 25 percent were cared for by counseling centers. The German government granted a minimum one-month reflection period to trafficking victims, though victims who agreed to testify against defendants at trial were entitled to remain in Germany for the duration of the trial. Some victims of trafficking who faced personal injury or threats to life or freedom at home were granted long-term residence permits. German law permits prosecutors to decline to prosecute victims of trafficking who have committed minor crimes. NGOs report that, although prosecutors routinely exercise this discretion to exempt victims from punishment, in cases in which trafficking was not immediately suspected, victims may have been penalized or deported on occasion before their legal status as victims of trafficking had been clarified. The government encouraged trafficking victims to participate in criminal prosecutions, including by providing victims who participated as joint plaintiffs with options for free legal representation during trial and by integrating restitution procedures into the criminal process. Experts reported, however, that few trafficking victims had made claims for compensation or restitution, attributing the reluctance to the lack of full information provided to trafficking victims about their rights.

Prevention

The German government continued to make progress in its trafficking prevention efforts during the reporting period, particularly through its research and awareness-raising activities on forced labor. The government commissioned several studies and convened conferences on labor trafficking to study the issue in depth, elicit best practices, and formulate policy to combat this challenging form of human trafficking. An alliance of NGOs and government agencies produced a flyer addressed to potential victims of labor trafficking, explaining employee rights and giving guidance to victims in seeking assistance. A government-funded NGO also established a help desk for victims of labor exploitation. The government sustained funding for NGOs that produced public awareness campaigns in Germany and abroad through websites, postcards, telephone hotlines, pamphlets, and speaking engagements. The German government also consulted and trained several government officials in Nigeria and Bangladesh on combating trafficking in persons.

The German government continued to monitor its anti-trafficking activities through the Federal-State Interagency Working Group on Trafficking in Women, which reviewed

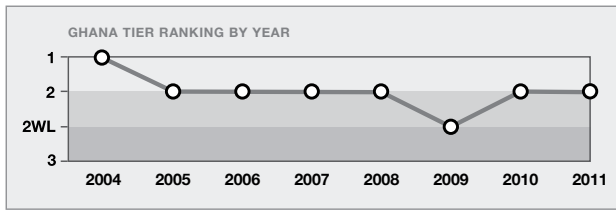
counter-trafficking issues, disseminated best practices, and provided input to new laws and directives. However, the Government of Germany does not have a centralized national coordinator with the power to direct trafficking policy or to collect statistics on a systematic basis. German laws on the sexual abuse of minors apply extraterritorially. This year, the government cooperated with law enforcement officials in Southeast Asia to investigate German sex tourists and bring them to trial either in Germany or destination countries. In December, German authorities prosecuted a 65-year-old citizen accused of sexual abuse of children in Thailand. The government did not take specific measures to reduce the demand for commercial sex acts or focus public awareness on potential clients in some of Germany's best known red light districts. Nevertheless, government-funded NGOs did provide support to individuals in leaving prostitution. The government trained military personnel on trafficking in persons prior to their deployment abroad on international peacekeeping missions.

GHANA (Tier 2)

Ghana is a country of origin, transit, and destination for women and children subjected to forced labor and sex trafficking. The trafficking of Ghanaian citizens, particularly children, within the country is more common than the transnational trafficking of foreign migrants. This internal trafficking is characterized largely by the movement of children from rural to urban areas or from one rural area to another, such as from farming to fishing communities. Ghanaian boys and girls are subjected to conditions of forced labor within the country in fishing, domestic service, street hawking, begging, portering, and agriculture. Ghanaian girls, and to a lesser extent boys, are subjected to prostitution within Ghana. There were reports that Labadi Beach in Accra, as well as Cape Coast and Elmina, may be destinations for international child sex tourists. Ghanaian women and children are recruited and transported to Nigeria, Cote d'Ivoire, Burkina Faso, The Gambia, Russia, Syria, Lebanon, South Africa, the United States, and countries in Western Europe for forced labor and sex trafficking. Women and girls, voluntarily migrating from China, Nigeria, Cote d'Ivoire, Burkina Faso, Benin, and possibly Romania are subjected to commercial sexual exploitation after arriving in Ghana. Citizens from other West African countries and from Bangladesh are subjected to forced labor in Ghana in agriculture or domestic service.

The Government of Ghana does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated an increased ability to collect data on trafficking victims identified and reported knowledge of 482 such victims in 2010. However, despite this substantial figure, it initiated only six prosecutions and obtained four convictions of trafficking offenders during the year – a decline in prosecution efforts from the previous year – and it failed to provide information on the number of trafficking victims that it referred to protective services. Despite the government's recognition that the majority of trafficking occurred within the country, authorities only

prosecuted two such cases of internal trafficking during the reporting period.



Recommendations for Ghana: Increase efforts to investigate and prosecute trafficking cases, including cases of internal trafficking, and impose adequate sentences of imprisonment on convicted offenders; train law enforcement personnel to proactively identify trafficking victims among vulnerable populations, such as females in prostitution and children working in agriculture, or from emergency calls made to the Ghana Police Service, and refer them to protective services; increase government funding for protective services to victims and make information about funding allocations available to the public; improve data collection and reporting on victims identified and assisted, and harmonize law enforcement data across the three entities—the Economic and Organized Crime Office (EOCO), the Anti-Human Trafficking Units (AHTU) of the Ghana Police Service (GPS), and the Ghana Immigration Service (GIS)—responsible for investigating trafficking cases; update and implement the National Plan of Action against Trafficking, including a clear division of responsibilities and allocation of resources between the EOCO and the AHTU; and sign and ratify the 2000 UN TIP Protocol.

Prosecution

The Government of Ghana demonstrated some progress in its anti-trafficking law enforcement efforts by increasing its structural capacity to combat trafficking, though it demonstrated decreased efforts to prosecute and convict trafficking offenders during the reporting period. Its six prosecutions and four convictions marked a significant decrease from the 15 prosecutions and six convictions reported during the previous year. The government prosecuted only two cases of trafficking that occurred within the country and one of the four convicted traffickers received only a \$350 fine. Ghana's 2005 Human Trafficking Act (HTA) – amended in 2009 to align the definition of trafficking with the 2000 UN TIP Protocol – prohibits all forms of trafficking and prescribes penalties of five to 20 years' imprisonment for all trafficking crimes. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. In 2010, with the support of an international organization, the GPS added four new regional AHTUs in its Criminal Investigation Division and the GIS opened two new anti-trafficking desks on the borders with Togo and Cote d'Ivoire. In September 2010, the parliament passed an act renaming the Serious Fraud Office the Economic and Organized Crime Office (EOCO), and expanding its mandate to include the investigation and prosecution of human trafficking cases; it did not clearly define a division of responsibilities, however, between this body and the

AHTU. The AHTU reported insufficient funding and a lack of transportation or fuel constrained its ability to conduct investigations during the year. The government prosecuted six cases and obtained convictions of four trafficking offenders in 2010. Three different agencies identified cases during the year. The GIS identified two cases during the year; one of these, in which five Chinese women are suspected to be victims of sex trafficking, is currently being prosecuted, and the other did not lead to an arrest. The AHTU reported knowledge of 46 suspected trafficking cases between January 2010 and March 2011, but did not specify how many occurred during the reporting year; it completed 23 investigations, conducted six prosecutions, and obtained four convictions, with sentences ranging from a \$350 fine to 10 years' imprisonment. Prosecutors chose not to pursue two cases, and 17 others were dismissed due to lack of evidence or lack of victim assistance. One case resulting in a conviction involved a Nigerian woman forced into prostitution in Ghana, and one involved Ghanaian boys transported to Nigeria for forced labor. In January, a Nigerian man was convicted for transporting a 15-year-old girl from the Volta Region to the Central Region for the purpose of prostitution. He was sentenced to 10 years' imprisonment and an approximately \$330 fine. In March 2011, a court in the Brong Ahafo Region convicted a woman and sentenced her to seven years' imprisonment for transporting a 14-year old girl to Accra, the capital, and subjecting her to prostitution. The prosecution of one case, involving three suspects in the alleged transportation of 10 Ghanaian girls to Nigeria for forced labor and commercial sexual exploitation, remained pending at the close of the reporting period. The EOCO reported it was conducting investigations of two trafficking cases involving 40 victims; 17 additional cases remain under investigation with the AHTU. The government reported it provided anti-trafficking training to 40 new GIS officers as part of their compulsory curriculum during the year, and that it provided anti-trafficking sensitization training to 60 officers in November 2010. There were no reports of government officials investigated, prosecuted, or convicted for trafficking or trafficking-related criminal activities during the reporting period.

Protection

The government sustained modest victim protection efforts during the year. Government funding to protect trafficking victims was inadequate; law enforcement officials reported using their personal funds to assist victims, as no funds for victim protection were included in their agencies' budgets. The government failed to provide information on the amount of funding it allocated to other agencies to protect victims, but an international organization reported that the Ministries of Women and Children's Affairs (MOWAC) and Employment and Social Welfare were among the ministries that received decreased budget allocations in 2010 compared with 2009 and in practice received less funding than the allocation specified. The government did not employ formal procedures to identify victims among vulnerable groups, such as women in prostitution or children at work sites; border officials questioned large groups suspected to include trafficking victims, and reportedly identified five victims during the year. The AHTU, the EOCO, and the GIS identified 482

victims, and referred an unknown number of these victims on an *ad hoc* basis to government and NGO-run facilities to receive protective care. The government did not operate specialized care facilities for trafficking victims; it provided shelter and basic medical services to an unknown number of victims in orphanages and centers for abused children operated by the Department of Social Welfare, and NGOs operated shelters that could provide victims with long-term care and psychological services. The government paid the salaries of approximately 13 employees in two shelters run by international organizations in the Greater Accra Region, one of which opened during the reporting year. Although adult victims could theoretically be admitted to these facilities, none were admitted during the year, though the government reportedly placed some adult victims in hotels and hostels for an unknown length of time. MOWAC, with funding from an international organization, is reportedly working on the development of a formal system for referring trafficking victims to protective facilities to receive care, but did not appear to make significant progress on this initiative during the year. The government did not allocate funding to the Human Trafficking Fund, which was established to provide economic resources to assist victims in their rehabilitation. The government encouraged victims to assist in the investigation and prosecution of traffickers, and provided them with protective escorts and legal counsel, but cases were often dismissed when victims did not participate in prosecutions. According to the AHTU, victims' and witnesses' statements were taken behind closed doors and trafficking cases were held in closed court to ensure victims' safety and conceal their identities. Foreign victims were able to remain in the country legally during the investigation and prosecution of their cases and, with the interior minister's approval, a trafficking victim may remain permanently in Ghana if it is deemed to be in the victim's best interest; no victims were granted such residency during the year. The government may have treated trafficking victims as criminals when, in February 2011, police conducted a raid on a brothel and arrested 14 women suspected to be in prostitution, without taking efforts to identify trafficking victims among them.

Prevention

During the year, the government sustained its efforts to prevent trafficking. With support from an international organization, it conducted awareness campaigns – for example, a radio program warning of the dangers of child trafficking – in six regions throughout the country, including the Upper East, Eastern, and Greater Accra regions, which are source communities for children forced to work in the fishing industry surrounding Lake Volta. The inter-agency Human Trafficking Management Board met quarterly, and in August 2010, MOWAC, with support from an international organization, held a two-day information-sharing forum for NGO and government representatives in an effort to improve coordination among anti-trafficking stakeholders. In October 2010, the cabinet endorsed and adopted a National Plan of Action to Eliminate the Worst Forms of Child Labor, which provides the framework for the Ghana Child Labor Monitoring System, a tool launched by the Ministry of Employment and Social Work during the year, to identify and monitor children in the worst forms of child labor, including trafficked children.

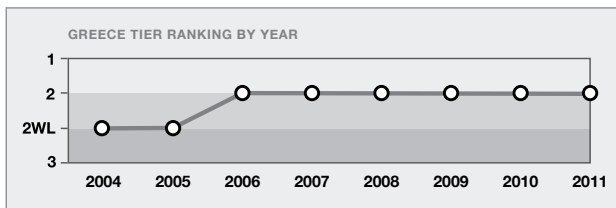
The National Plan of Action against Trafficking, drafted in 2006, remained unimplemented. The government raided a brothel in February 2011 and made 77 arrests of suspected clients, including the owner and individuals soliciting prostitution. It is unknown whether the brothel remained closed or if the proprietor was prosecuted for any criminal acts during the year. The Government took no discernible measures to decrease the demand for forced labor. In addition, officials have not investigated reports of child sex tourism. The government took steps to establish the identity of local populations through completion of a 2010 population census. The government did not provide anti-trafficking training to Ghanaian troops prior to their deployment abroad on peacekeeping missions, though such training was provided by foreign donors. Ghana is not a party to the 2000 UN TIP Protocol.

GREECE (Tier 2)

Greece is a transit and destination country for women and children subjected to sex trafficking and for men, women, and children who are in conditions of forced labor. The Greek government and NGOs report female sex trafficking victims originate primarily in Eastern Europe, the Balkans, Nigeria, and Central Asia. One NGO reported teenage males, typically unaccompanied children from Afghanistan, Pakistan, Somalia, and other countries in sub-Saharan Africa, are subjected to prostitution in Greece. Ninety percent of all illegal migrants entering the EU currently enter through Greece, a trend that poses additional challenges to Greek authorities in monitoring severe forms of trafficking. Greek police report a trend in which traffickers used psychological abuse and threats of financial harm instead of physical force as tools of coercion in attempts to evade legal prosecution. Forced labor victims found in Greece originated primarily in Albania, Romania, Bulgaria, Moldova, Afghanistan, Pakistan, India, and Bangladesh, and reportedly were forced to work primarily in the agriculture or construction sectors in debt bondage. Greek police estimated there likely are hundreds of forced labor victims in Greece. NGOs reported children, mainly Roma from Albania, Bulgaria, and Romania, were forced to sell small items, beg, or steal. Unaccompanied minors, many of whom paid large smuggling fees, remained highly vulnerable to human trafficking.

The Government of Greece does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Following its ratification of the 2000 UN TIP Protocol, the Greek government enacted comprehensive victim-centered legislation that includes stronger tools such as: a lengthened reflection period; increased flexibility in victim certification; and improved temporary and long-term residency options for trafficking victims. During the year, the government sustained its progress in prosecuting labor and sex trafficking offenses and disrupting major trafficking networks by using advanced investigative techniques in collaboration with international partners and local entities. Law enforcement agencies responded to trafficking cases in a manner consistent with the vigorous investigation and prosecution of these crimes. The Ministry of Justice did not report any suspended sentences

given to convicted trafficking offenders. Nevertheless, the government's *de facto* provision of victim protection remained weak. Greek police arrested 246 trafficking offenders in the last year, but officially certified only 30 victims for victim care during the same time period. In the face of financial restrictions, government funding of victim protection efforts and shelters remained limited. The judiciary continued to suffer from structural and legal inefficiencies that resulted in low conviction rates for most prosecuted offenders. NGOs alleged instances of unethical behavior by defense lawyers, which reportedly further slowed the judicial process and subjected affected victims of trafficking to threats. One high-profile police complicity case has remained unresolved since 2006.



Recommendations for Greece: Take appropriate measures to improve success rates and more expedient resolution of trafficking prosecutions, such as increased specialization; vigorously prosecute trafficking offenders with a view to increasing convictions, including against officials complicit in trafficking; encourage victims to participate in criminal trials by incorporating incentives such as restitution or other benefits into trials and providing enhanced protections for victims who testify; collect and provide data on length of sentences for trafficking convictions; encourage sustainable funding for anti-trafficking NGOs; ensure victims of trafficking are certified under the government program and offered assistance and deportation relief available under Greek law; ensure access to specialized assistance for child victims and adequate protection for male victims; strengthen the central authority to coordinate and monitor anti-trafficking efforts, giving it a mandate of accountability within the inter-ministerial process; and renew public awareness campaigns targeted toward a Greek audience, including potential clients of the sex trade and consumers of the products made and services provided as a result of forced labor.

Prosecution

The government sustained its progress on trafficking prosecutions this year, although structural delays in Greece's judicial system continued to impair its effectiveness and accountability in trafficking cases. Greek Law 3064/2002 and Presidential Decree 233/2003 prohibit trafficking for both sexual and labor exploitation and prescribe punishments of up to 10 years' imprisonment, fines of \$14,000 to \$70,000, and imprisonment up to life in aggravated cases. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape.

The police conducted 62 human trafficking investigations in 2010, compared with 66 investigations in 2009. Fifteen

of these investigations concerned forced labor, similar in number to the 14 cases of forced labor investigated by authorities in 2009. The police reported that labor trafficking cases remained difficult to investigate because evidence of force or coercion was difficult to uncover and because labor trafficking victims were reluctant to self-identify. In 2010, authorities arrested and charged 246 suspected trafficking offenders.

Greek authorities reported 28 new convictions of trafficking offenders this year, 14 acquittals, and 46 ongoing prosecutions in 2010, compared to 32 convictions, 12 acquittals, and 42 ongoing prosecutions in 2009. Courts affirmed 27 convictions and reversed two convictions on appeal during the reporting period. The Ministry of Justice did not report any suspended sentences in 2010. Sentences for convicted trafficking offenders ranged from one to 15 years' imprisonment. There were reports that some judges did not understand trafficking offenses, which contributed to the slow resolution of trafficking cases and convictions on lesser charges.

According to NGOs, Greek authorities allegedly failed to address instances of unethical behavior by traffickers' lawyers, which in turn reportedly impaired successful resolution of some trafficking cases. NGOs reported that in some instances traffickers' lawyers attempted to buy the testimony of trafficking victims and that victims refused to testify out of fear of retribution. The government reported it discharged, investigated, and prosecuted all law enforcement officers alleged to be complicit in trafficking; these complicity prosecutions and the majority of judicial proceedings were slow to be resolved due to structural delays in the judicial system. For example, the government reported discharging from duty, investigating, and charging two officers allegedly involved in a high-profile case in December and that several trafficking prosecutions of allegedly complicit officers continued in court. However, in one case cited in the 2008 TIP Report in which a trafficking victim was allegedly raped while in police custody in 2006, the three police officers suspected of the crime remained free on bail as their court case remained indefinitely postponed this year.

The police anti-trafficking unit achieved significant successes this year in dismantling complex international trafficking rings involving large numbers of defendants. In 2010, the Greek Anti-Trafficking Police reported cooperating with Italy, Romania, Russia, Albania, and Bulgaria on trafficking cases. The government continued to train front-line law enforcement officers on identifying trafficking victims and investigating trafficking cases.

Protection

The government made significant improvements protecting victims of trafficking this year, particularly through its legislative structure, though it certified few victims of trafficking relative to the number of victims identified. In September 2010, following the Greek government's ratification of the 2000 UN TIP Protocol, the government passed comprehensive victim-centered legislation. Among other provisions, the new law increased the reflection period for trafficking victims from 30 days to three months

for adults and five months for children, clarified that victims of trafficking were ineligible for deportation, and made victims eligible for translation services and free legal aid. In January 2011, new asylum legislation stipulated that even if victims of trafficking do not cooperate with police, they are entitled to receive residency permits subject to the prosecutor's victim certification. The Ministry of Interior reported that it granted legal residency permits to 87 trafficking victims – 21 were new permits and 66 were renewals. The National Center for Social Solidarity in the Ministry of Health (EKKA) operated a hotline for victims of abuse, including trafficking victims. In March 2011, the Interior Ministry General Secretariat for Gender Equality launched a multilingual hotline to assist female victims of violence, including trafficking victims.

In part due to austerity measures, government funding to NGOs providing support to trafficking victims decreased by approximately 75 percent during the reporting period. As a result, NGOs reported unstable provision of victim support services, including shelter, legal aid, and hotline operation. In some areas of the country, NGOs operating without financial support from the government provided trafficking victims with shelter services. Nevertheless, the Government of Greece operated a mixed-use shelter to accommodate trafficking victims and victims of domestic abuse in Athens, and helped victims of trafficking find safe shelter in all areas of the country. The government did not detain involuntarily victims of trafficking in these shelters; they could leave unchaperoned and at will. NGOs reported anecdotally, however, that the government unevenly applied existing protection mechanisms, including the reflection period. In 2010, the Greek government officially identified 92 victims of sex and labor trafficking, in contrast to 125 victims of trafficking identified in 2009. Out of the 92 victims identified, only 30 received official certification as victims of trafficking. NGOs reported providing support or shelter to more than 800 victims or potential victims. The Ministry of Health continued to train doctors and nurses in identifying victims of trafficking in persons.

Prevention

The Government of Greece improved its prevention activities during the reporting period. While the government did not initiate new media public awareness campaigns, it continued to distribute informational material on trafficking, including an informational card in multiple languages at border checkpoints. In October, the government hosted an event to raise awareness against human trafficking in commemoration of EU Anti-trafficking Day, at which senior government officials spoke. In March 2011, senior government representatives hosted an awareness raising event featuring a film on trafficking in persons. The Greek government hosted training courses on combating trafficking for law enforcement officers from Balkan countries. The government operated a mixed-use social services hotline that could receive trafficking calls. It also funded NGO efforts to exchange best practices on combating trafficking in Southeast Europe. The government made progress in national coordination this year; in October 2010, it announced a national action plan to improve the central monitoring

and coordination of its anti-trafficking activities. The EKKA and General Secretariat for Gender Equality hotlines provided information on trafficking prevention. During the reporting period, however, the National Coordination Mechanism headed by the Ministry of Foreign Affairs had the authority only to coordinate activities, but did not have a mandate of accountability. The government did not undertake projects to reduce the demand for commercial sex acts during the reporting period. In June 2010, Greece ratified the 2000 UN TIP Protocol.

GUATEMALA (Tier 2)

Guatemala is a source, transit, and destination country for men, women and children subjected to sex trafficking and forced labor. Guatemalan women and children are found in forced and child prostitution within the country, as well as in Mexico and the United States. Boys from Guatemala and other Central American countries are found in commercial sexual exploitation, particularly in Guatemala City and on Guatemala's borders with Honduras and Mexico. Guatemalan men, women, and children are subjected to forced labor within the country, often in agriculture or domestic service, and particularly near the Mexican border and in the highland region. Guatemalan men, women, and children also are found in conditions of forced labor in Mexico and the United States in agriculture and the garment industry. Indigenous Guatemalans are particularly vulnerable to labor exploitation. In the border area with Mexico, Guatemalan children are exploited for forced begging on streets and forced labor in municipal dumps. Guatemala is a destination country for women and girls from El Salvador, Honduras, Colombia, and Nicaragua, in forced and child prostitution. Migrants from Central American countries transit through Guatemala *en route* to Mexico and the United States; some may become human trafficking victims. Child sex tourism is prevalent in certain tourist areas such as Antigua, Puerto Barrios, and around Lake Atitlan, and child sex tourists predominately come from Canada, Germany, Spain, and the United States. According to NGOs and government officials, organized crime networks continue to be involved in some cases of human trafficking.

The Government of Guatemala does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, Guatemalan officials maintained anti-trafficking law enforcement efforts and inaugurated a specialized shelter for adult trafficking victims. Guatemalan authorities continued to partner with civil society to develop and implement protocols on victim protections, and increased funding for the secretariat responsible for coordinating government anti-trafficking efforts. Investigative units, however, remained under-funded, many judges and law enforcement officials were poorly informed about human trafficking, and official complicity continued to impede anti-trafficking efforts.



Recommendations for Guatemala: Vigorously implement the anti-trafficking law and statutes prohibiting child sex tourism; continue efforts to investigate and prosecute trafficking offenses, especially suspected cases of forced labor and domestic servitude, and convict and punish trafficking offenders, including public officials complicit in trafficking; enhance the availability of specialized victims services throughout the country, including through partnerships with civil society; conduct anti-trafficking training for local judges, police, immigration officers, and other government officials; and increase funding for anti-trafficking efforts, particularly for the country's dedicated prosecutorial and police units.

Prosecution

The government increased anti-trafficking law enforcement efforts during the year. Article 202 of the Guatemalan penal code, which came into force in early 2009, prohibits the transport, transfer, retention, harboring, or reception of persons for the purposes of exploitation, including forced prostitution, sexual exploitation, forced labor or services, begging, slavery, illegal adoptions, or forced marriage, in addition to other prohibited purposes. Penalties prescribed under Article 202 are from eight to 18 years' imprisonment; under aggravated circumstances, such as when the crime involves kidnapping, threats, violence, weapons, or a public official, penalties increase by one-third. Such penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Some trafficking cases, however, continued to be prosecuted under other statutes, such as "corruption of minors," which carry lesser sentences. The government maintained a small prosecutorial unit to investigate and prosecute human trafficking cases; however, over half of this unit's investigations focused on illegal adoptions, which do not fall within the international definition of human trafficking. This unit had only three prosecutors and lacked sufficient funding and staff. During the reporting period, authorities achieved 10 convictions for human trafficking offenses, two of which were charged under the anti-trafficking law; the other convictions were achieved under statutes relating to pimping of children and employing children in jobs that risk their integrity and health. Sentences ranged from three to five years' imprisonment; all convicted trafficking offenders appealed, and some were out on bail. In comparison, during the previous year, the Guatemalan government reported seven convictions for human trafficking offenses, one of which related to forced labor.

Anti-trafficking police and prosecutors suffered from a lack of funding, human resources, and training. Some judges reportedly dismissed trafficking cases or acquitted trafficking offenders due to a lack of understanding of the crime. Credible reports from international

organizations, NGOs, and several government officials continued to indicate that corrupt public officials impeded anti-trafficking law enforcement efforts and facilitated trafficking activity by accepting or extorting bribes, falsifying identity documents, leaking information about impending police raids to suspected traffickers, and ignoring trafficking activity in commercial sex sites. The government did not report prosecuting or convicting any officials complicit in human trafficking. In partnership with civil society and foreign governments, Guatemalan authorities held numerous anti-trafficking workshops and conferences aimed at educating and building capacity among judges, police, public prosecutors, immigration officers, and other government officials, as well as educating foreign diplomats accredited in Guatemala about the government's new repatriation protocol for trafficking victims. Guatemalan authorities collaborated with Nicaraguan, Honduran, and Salvadoran officials on several trafficking investigations.

Protection

While the government relied largely on NGOs and international organizations to provide the bulk of victim services during the reporting period, in March 2011 Guatemalan authorities inaugurated a shelter for adult victims and dedicated an area and specialized services for child trafficking victims at an existing residential facility for children. While the government reported employing a standard operating procedure on how to assist sex trafficking victims, it does not employ procedures for identifying forced labor victims among vulnerable populations, and most NGOs remain critical of the government's ability to identify trafficking victims effectively. According to NGOs, the government's referral mechanism for trafficking victims was streamlined in late 2010. Child victims were referred to two NGO-operated shelters dedicated for girl trafficking victims, or could be placed in state-run group homes designed for orphans or homeless children. NGOs did not receive government funding to provide services to trafficking victims. Prior to the inauguration of the government shelter, most foreign adult victims were placed in the migration detention center before being voluntarily repatriated. Adult foreign victims previously were held in the migration detention center in inadequate conditions for months before deportation. During the reporting period, however, the Government of Guatemala improved the living quarters dedicated to trafficking victims in the center, as well as the quality and speed of counseling and legal services, and most cases were processed within a week. During the reporting period, the government identified 373 possible trafficking victims, 180 of which were housed at the migrant detention center, and determined that 54 were trafficking victims. Although Guatemalan authorities encouraged victims to assist with the investigation and prosecution of their traffickers, most victims did not file complaints due to fear of violence or reprisals and the inadequacy of the government's limited program to protect witnesses from potential retaliation. Guatemalan law allows for victim testimony via video, and some victims did so. The government did not detain, fine, or otherwise penalize identified victims for unlawful acts committed as a direct result of being trafficked. Some foreign trafficking victims, however, may not have had

their victim status recognized by Guatemalan authorities before being deported as undocumented migrants. Guatemalan law establishes legal alternatives to removal of foreign victims who may face hardship or retribution upon repatriation. The authorities offered these alternatives to foreign trafficking victims, but reported that no victims had accepted. In March 2011, government officials signed a protocol for the repatriation of trafficking victims, formalizing repatriation mechanisms followed during the reporting period. The Ministry of Foreign Affairs facilitated the repatriation of 57 trafficking victims returning to Guatemala from abroad, 44 of whom were identified in Mexico, and seven foreign victims wishing to return to their countries of origin.

Prevention

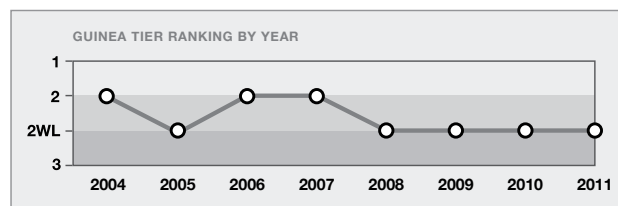
Members of civil society noted enhanced coordination among government and NGO anti-trafficking actors. The Ministry of Education conducted training sessions and seminars on human trafficking for teachers, students and parents, and reported reaching over 20,000 Guatemalan citizens. The government displayed significant transparency in its anti-trafficking measures; its human rights ombudsman published a report on the trafficking situation in Guatemala that included data on government efforts, as well as recommendations. Funding for the Secretariat Against Sexual Violence, Exploitation and Trafficking in Persons increased substantially during the year, though it still fell short of the \$610,000 designated as start-up funding in 2009. The legislature, however, approved \$500,000 for the secretariat for 2011. Despite increasing reports of child sex tourism, which is prohibited by Article 195 of the penal code, there were no reported prosecutions or convictions of child sex tourists. In addition to efforts to educate the public, especially school children, about trafficking through awareness campaigns, authorities reported educating some Guatemalan workers living in the northern border region and working in Mexico about the dangers of forced labor. Authorities provided training on human trafficking to Guatemalan troops prior to their deployment abroad on international peacekeeping missions.

GUINEA (Tier 2 Watch List)

Guinea is a source, transit, and to a lesser extent, a destination country for men, women, and children subjected to forced labor and sex trafficking. The majority of Guinea's trafficking victims are children, and incidents of trafficking are more prevalent among Guinean citizens than foreign migrants residing in Guinea. Girls are often subjected to domestic servitude and commercial sexual exploitation, while boys are forced to beg on the streets or to work as street vendors, shoe shiners, and laborers in gold and diamond mines. Some Guinean men are subjected to forced agricultural labor. Smaller numbers of girls from Mali, Sierra Leone, Nigeria, Ghana, Liberia, Senegal, Burkina Faso, and Guinea-Bissau migrate to Guinea, where they are subjected to domestic servitude and likely also commercial sexual exploitation. Some Guinean boys and girls are subjected to forced labor in gold mining in Senegal, Mali, and possibly other African

countries. Guinean women and girls are subjected to domestic servitude and forced and child prostitution in Nigeria, Cote d'Ivoire, Benin, Senegal, Greece, and Spain. Chinese women are brought to Guinea for commercial sexual exploitation by Chinese traffickers, and women from Vietnam are reportedly forced into prostitution in hotels and restaurants in Guinea. Networks also traffic women from Nigeria, India, and Greece through Guinea to the Maghreb and onward to Europe – notably Italy, Ukraine, Switzerland, and France – for forced prostitution and domestic servitude.

The Government of Guinea does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting year, virtually all of Guinea's transition government's attention and funding were devoted to the first democratic election in the country's 52-year post-colonial history. Although the government acknowledges that trafficking in persons is a problem in Guinea, it is unclear if the new government, which took power in December 2010, will demonstrate an increase over the previous regime's minimal efforts to combat trafficking. The government failed to investigate and prosecute trafficking offenses; no new prosecutions or convictions were reported, 12 cases from the previous reporting period remain pending in the courts, and 18 additional cases have disappeared from the court system. The government created a specialized police unit responsible for child labor and child trafficking investigations; however, a failure to clearly define the relationship of this unit to the National Committee to Fight Against Trafficking in Persons has led to internal conflict over the government's limited anti-trafficking funds. The government failed to provide protection to trafficking victims, and although the government conducted an anti-trafficking awareness campaign on radio and television, overall prevention efforts remained weak. Therefore, Guinea is placed on Tier 2 Watch List for a fourth consecutive year. Guinea 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.



Recommendations for Guinea: Increase efforts to investigate and prosecute trafficking offenses, and convict and punish trafficking offenders; finalize and adopt the implementing text for the new Child Code; train law enforcement officials and magistrates on anti-trafficking statutes in the new Child Code and the existing penal code; increase prescribed penalties for the sex trafficking of adults; provide specialized training to border officials to

recognize trafficking victims and to refer them to protective services; investigate allegations of corruption among border officials; implement the National Action Plan to fight trafficking for the years 2009 – 2013, and establish a clear division of responsibilities and allocation of resources between the National Committee to Fight Against Trafficking in Persons and the Office for the Protection of Gender, Childhood, and Morals; develop stronger partnerships with NGOs and international organizations, where possible, to care for victims; and increase efforts to raise public awareness about trafficking.

Prosecution

The Government of Guinea did not demonstrate significant anti-trafficking law enforcement efforts during the reporting period. Although Guinea prohibits all forms of trafficking in persons through separate legal statutes, some types of forced labor, such as debt bondage, may be difficult to prosecute under these statutes. Article 337 of the 1998 Penal Code prohibits individuals from entering into agreements that deprive third parties of their liberty, prescribing penalties of five to 10 years' imprisonment and confiscation of any resulting profits. There is no evidence that a conviction for forced labor has ever been obtained using this article. Pimping is outlawed by Articles 329-330 of Guinea's Penal Code, which prescribes penalties of two to five years' imprisonment when the victim is a minor, or if the offender employs the use of coercion or fraud. These penalties are sufficiently stringent, but not commensurate with penalties prescribed for other serious crimes, such as rape. Articles 385-396 of the Child Code, signed into law in December 2009, prohibit all forms of child trafficking and prescribe penalties of three to 10 years' imprisonment and the confiscation of any resulting profits. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. However, ambiguity over the authority of the Child Code continues to impede its effective implementation. NGO observers believe that an implementing text by presidential decree is required for the law to be enforced, though the Ministry of Justice released an oral opinion stating that the Child Code does not require an implementing text in order to be enacted. Nevertheless, the Legal Advisor for the Ministry of Social Affairs, who serves as the head of the National Committee to Fight Against Trafficking in Persons, said in February 2011 that passing the implementing text is a priority. The government initiated no new trafficking investigations or prosecutions during the reporting period; 12 cases remain pending from the previous reporting period, and another 18 cases from previous years appear to have been closed, as they are no longer on the courts' calendar. The Government of Guinea did not provide any specialized training to its officials on the recognition, investigation, and prosecution of human trafficking, and border guards were often accused of trafficking-related corruption. Though the Ministry of Security created a new unit in the civilian police force in June 2010 – the Office for the Protection of Gender, Childhood, and Morals – to conduct child labor and child trafficking investigations, it did not provide statistics to indicate the unit undertook such investigations.

Protection

The government demonstrated negligible efforts to protect trafficking victims during the reporting period. During 2010, the transition government had no formal operating budget, and funding for social programming was virtually nonexistent. The government reportedly referred an unknown number of potential victims to NGOs and international organizations for assistance, though government officials did not demonstrate use of systematic referral procedures or proactive measures to identify trafficking victims among vulnerable groups, such as foreign children at worksites. The Ministry of Social Affairs reported that it continued to provide assistance to a few hundred children, a small number of whom may be trafficking victims, though it did not provide information about the type of assistance that it provided. The government reported its knowledge of 12 child trafficking victims during 2010, but did not provide information about whether these children received assistance from the government or were referred to NGO facilities for care. The government did not provide trafficking victims with access to legal, medical, or psychological services, and did not provide direct or in-kind support to foreign or domestic NGOs that assisted victims. Foreign trafficking victims were not given permanent residency status or relief from removal to countries where they would face retribution or hardship. The Ministry of Social Affairs reportedly coordinated with local and international NGOs during the reporting period to repatriate an unknown number of child victims to Mali and Sierra Leone, and to return Guinean children to their home villages. The government reported that it places repatriated child trafficking victims in protection cells on military bases, though it is not known if this practice occurred during the year. The Child Code contains provisions allowing NGOs to bring cases to court on behalf of victims, and the government reports that a victim could file a civil suit against a trafficking offender, but this did not happen during the year. The government reports that a victim could file a civil suit against a trafficking offender, as long as the victim is at least 12 years of age, or NGOs could file such a suit on behalf of a victim, but in practice this did not occur. There was no evidence that the government encouraged trafficking victims to assist in the investigation and prosecution of their traffickers during the year. It is not known whether any trafficking victims were prosecuted for violations of other laws.

Prevention

The Government of Guinea demonstrated some efforts to prevent trafficking during the reporting period. The government conducted an awareness campaign against child sex trafficking via radio and national television to coincide with the launch of the Office for the Protection of Gender, Childhood, and Morals within the Ministry of Security. The Ministry of Social Affairs adopted an updated National Action Plan to Combat Trafficking in Persons for the years 2009-2013. However, the National Committee to Fight Against Trafficking in Persons, charged with meeting every three months, met only twice during the last year. The government did not take steps to reduce the demand for commercial sex acts.

GUINEA-BISSAU (Tier 3)

Guinea-Bissau is a country of origin for children subjected to forced labor and sex trafficking. The focus of research on and remedies to human trafficking in the country has been confined largely to child trafficking; therefore, the scope of the problem of trafficking women or men for forced labor or forced prostitution is unknown. Unscrupulous *marabouts* (religious teachers), or their intermediaries, recruit boys under the pretense of offering them a Koranic education, but subsequently transport them to Senegal or, to a lesser extent, Mali or Guinea, where they are forced to beg for money. Young boys are increasingly sent to cities within Guinea-Bissau for the same purpose. The most recent estimates available suggest that 200 children are taken as *talibes* (students attending Koranic schools) from Guinea-Bissau and forced into begging each month, and that nearly one-third of the 8,000 *talibes* begging on the streets of Dakar are from Guinea-Bissau. Men, often former *talibes* from the regions of Bafata and Gabu, and generally well-known within the communities in which they operate, are the principal trafficking offenders. NGOs observed an increase in overall trafficking during the past year, as well as incidences of previously unobserved types of trafficking. Boys reportedly were transported to southern Senegal for forced manual and agricultural labor, girls were forced into domestic service in Bissau, the capital, and both boys and girls were forced to work as street vendors in Bissau-Guinean and Senegalese cities. Girls may be subjected to forced domestic service and child prostitution in Senegal, including for exploitation by international sex tourists, or lured to The Gambia and Lebanon with promises of employment and subsequently placed in the sex trade.

The Government of Guinea-Bissau 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 four consecutive years. Therefore, pursuant to Section 107 of the 2008 Trafficking Victims Protection Reauthorization Act, Guinea-Bissau is deemed not to be making significant efforts to comply with the minimum standards and is placed on Tier 3. The government acknowledged that human trafficking is a problem in the country and took steps to enact legislation outlawing all forms of trafficking. It lacked a properly functioning judicial system and did not pursue criminal action against trafficking offenders during the year. Anti-trafficking awareness efforts apply the misleading phrase “children in movement” in place of “trafficking”, in an attempt to avoid backlash from religious communities. Police claimed to monitor the activities of known trafficking perpetrators, but failed to initiate law enforcement actions against them.



Recommendations for Guinea-Bissau: Enact legislation prohibiting all forms of trafficking in persons; focusing

first on Pirada and Sao Domingos, transit towns on the border with Senegal, train law enforcement officials and magistrates to use existing legislation to investigate and prosecute trafficking offenses; ensure that efforts to hold parents criminally liable for sending their children away with abusive *marabouts* are accompanied by efforts to prosecute and convict the *marabouts* who use *talibes* for forced begging; ensure that budget allocations are designated to make two prisons fully operational with furnishings and security staff to ensure that traffickers serve prison sentences; implement the draft anti-trafficking national action plan; undertake increased efforts to coordinate with NGOs to provide services to trafficking victims; and, in partnership with NGOs, implement a public awareness campaign warning families of prospective *talibes* about the dangers of trafficking.

Prosecution

The Government of Guinea-Bissau did not increase efforts to prosecute and punish trafficking offenders during the reporting period. Bissau-Guinean law does not prohibit all forms of human trafficking, and existing laws were not used to prosecute trafficking cases. Forced labor is prohibited under Article 37 of the country's penal code, which prescribes a sufficiently stringent penalty of life imprisonment. Pimping is outlawed, but no law specifically prohibits forced prostitution. In January 2011, the National Inter-ministerial Steering Committee on Trafficking promulgated a draft National Law and Implementation Plan to prohibit all forms of trafficking in persons; the bill and action plan were submitted to the Council of Ministers in February 2011, but were not introduced to the parliament during the reporting period. Guinea-Bissau's judicial system lacks sufficient human and physical capital to function properly; during the year, there were no operational prisons and authorities relied on the use of *ad hoc* detention facilities for holding convicted criminals. The government, with the support of international partners, took steps to improve this situation by constructing two prisons during the year. The government did not provide any specialized training to law enforcement officials on investigating or prosecuting trafficking crimes, and it did not pursue legal action against unscrupulous religious teachers, who are often regarded highly in their communities. An unknown number of suspected traffickers were arrested and possibly detained, but no investigations or prosecutions of trafficking offenses occurred. There were no investigations into official government complicity, but observers believe police and border guards accepted bribes to release traffickers from detention centers, and politicians intervened to facilitate the release of influential religious leaders accused of trafficking to garner political support.

Protection

The Government of Guinea-Bissau demonstrated inadequate efforts to identify and protect victims, and NGOs report that government efforts to coordinate services with NGOs and international organizations were weak. The government did not take steps to proactively identify victims; although the National Institute for Women and Children routinely called NGOs to alert them to the arrival of a repatriated victim, the government took no additional

steps to coordinate care for victims returned to Guinea-Bissau. The government lacked resources to provide victim services directly, but provided some resources to NGOs that care for victims. The central government contributed approximately \$12,000 to an NGO that runs two shelters for victims, and two governors of regions with a high prevalence of trafficking paid the salaries of security guards for two care facilities for *talibes* in their jurisdictions. The Bissau-Guinean Embassy in Dakar assisted in the repatriation of 20 victims identified in Senegal, but this represents only a small portion of the total victims identified; UNICEF reports 140 *talibes* were identified and repatriated from Dakar alone, and NGOs estimate that 320 total victims were repatriated to Guinea-Bissau during the year. There are reports that some children who were able to escape their traffickers, as many as 30 to 40 each month, walked back to Guinea-Bissau from Senegal on their own; the government did not provide these children with services upon their return, and there were reports that many of them ended up living on the streets. The government did not provide legal alternatives to the removal of foreign victims to countries where they face hardship or retribution. Child victims were not encouraged to assist in the investigation and prosecution of trafficking offenses; the government reports encouraging family members and neighbors to participate in legal proceedings against traffickers, although none occurred. There is no evidence that the government detained, fined, or jailed trafficking victims for unlawful acts committed as a result of being trafficked.

Prevention

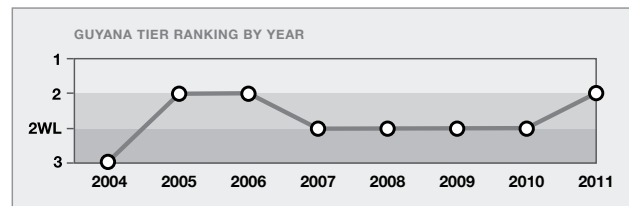
The government undertook few anti-trafficking prevention efforts during the reporting period. An Inter-Ministerial Steering Committee, chaired by National Institute for Women and Children, which met twice during the reporting period, drafted new anti-trafficking legislation and an accompanying action plan, and submitted them to the Council of Ministers for review. The government reports the existence of an informal process requiring the parents of returned *talibes* to sign a court contract holding them criminally liable if they send their children away again for this purpose, though this practice was not codified into law; this policy should not be viewed as a substitute for prosecuting and convicting those who use *talibes* for forced begging. In August and September 2010, the government held two training sessions — one for 35 judicial officials and one for 35 community members — on trafficking prevention and victim protection for *talibes*. It reported conducting anti-trafficking awareness campaigns on national radio and television with assistance from international donors but did not play a financial role in this effort. The government took no discernible measures to reduce the demand for commercial sex acts or forced labor during the year.

GUYANA (Tier 2)

Guyana is a source and destination country for men, women, and children subjected to sex trafficking and forced labor. Identified cases of human trafficking within the country during this reporting period generally involved

women and girls in forced prostitution. Guyanese nationals have been subjected to forced prostitution and forced labor in other countries in the region. People in domestic service in Guyana are vulnerable to human trafficking, and instances of the common Guyanese practice of poor, rural families sending children to live with higher-income family members or acquaintances in more populated areas sometimes transforms into domestic servitude. Other groups particularly vulnerable to human trafficking in Guyana include women in prostitution, children working in hazardous conditions, and foreign workers. Guyanese from rural, economically depressed areas are particularly vulnerable to trafficking in mining areas and urban centers. Trafficking victims in Guyana face disincentives to self-identify to authorities due to fear of retribution from trafficking offenders, fear of resettlement to abusive home situations, fear of arrest, and lack of awareness that human trafficking is a crime.

The Government of Guyana does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Officials achieved an important milestone during the year — the first conviction of a trafficking offender — and there was new information that some public servants, including mining officials, made efforts to try to rescue potential victims. Continued rhetoric from higher levels of the government minimizing the potential scope of human trafficking, poor results in the area of victim protection, and lack of action against official complicity of human trafficking are major obstacles to future progress.



Recommendations for Guyana: Foster a climate in which officials and NGOs are encouraged to discuss human trafficking vulnerabilities openly with the government and feel empowered to assist potential victims throughout the country, instead of being constrained by public statements that the problem is small; identify and help more potential victims of sex and labor trafficking throughout the country; empower and fund or offer in-kind support to NGOs to identify and actively help the women, men and children subjected to forced labor and sex trafficking; develop policies to ensure all identified victims are helped and not punished for crimes committed as a direct result of being in a forced prostitution or forced labor situation; vigorously and appropriately investigate and prosecute forced prostitution and forced labor, including trafficking complicity; raise awareness of forced labor and forced prostitution and opportunities for help in and around mining areas in addition to Georgetown and coastal areas.

Prosecution

The government made limited progress in holding human trafficking offenders in Guyana accountable during the reporting period. The Combating Trafficking of Persons Act of 2005 prohibits all forms of trafficking and prescribes sufficiently stringent penalties, ranging from three years' to life imprisonment. The penalties are commensurate with penalties prescribed for other serious crimes, such as rape. The government reported that four new sex trafficking investigations were initiated in 2010. Authorities initiated two new prosecutions against sex trafficking offenders as compared to the previous reporting period, during which authorities did not initiate any new prosecutions. In one case, a magistrate refused bail for an alleged trafficking offender at the request of a prosecutor. Two prosecutions initiated in other years were dismissed. For the first time, authorities reported a conviction of an offender who received a three-year prison sentence for sex trafficking. Local experts believe, and media reporting suggests, that some government officials are making a good-faith effort to obtain convictions in human trafficking cases. Officials and other local experts also view Guyana's legal system as largely dysfunctional and an ineffective deterrent against human trafficking. Accused criminals generally wait two years or longer for a judgment, and their cases are often delayed by backlogs, incorrectly filed paperwork, or the failure of witnesses to appear at a hearing. The Minister of Human Services and Social Security has attempted to strengthen trafficking prosecutions by hiring private attorneys to serve as special prosecutors in trafficking prosecutions, although this appears to be a temporary solution.

The government's anti-trafficking task force denied the existence of forced labor in Guyana, raising concerns about their credibility. According to several media reports, authorities removed a domestic servant complaining of forced labor and sexual assault by her private employers. Other government officials intervened and apparently brokered an informal settlement between the parties. The government reported no follow up investigation of this case for potential human trafficking.

Protection

The government made limited progress in protecting victims of trafficking during the reporting period. The government reported identifying only three forced prostitution victims and no forced labor victims during the reporting period. The government has a protocol in place to guide officials in identifying and referring suspected trafficking victims to assistance, but a 2010 government report indicated that the small quantity of victims is an internal measure of success in combating trafficking, creating a potential disincentive for officials to identify victims proactively. In a positive development during the reporting period, Guyana Geology and Mines Commission officials found during routine inspections children working in gold mines, a warning sign of potential human trafficking, and ordered the mine operators to remove the children; the government did not report on any subsequent action to refer the children to protective services or hold the mine owners accountable. While NGOs reported overall good working-level relations with anti-trafficking officials,

some local observers expressed concern that pressure from senior officials may have prompted some lower-level officials to suppress information to avoid drawing attention to trafficking in Guyana. The government provided approximately \$50,000 to a domestic violence shelter in 2010 (an increase from \$45,000 the previous year) that provided psychological counseling and shelter for two child trafficking victims during the reporting period. The government also provided medical assistance to one of the two victims placed in the shelter during the reporting period. The government did not report on assistance provided to any other potential trafficking victims. There was evidence that some trafficking victims were penalized for crimes committed as a direct result of being in a trafficking situation. Local observers have noted that other potential victims may have been sent to the juvenile detention center, and one victim was arrested and charged with "wandering" as a result of her trafficking experience during the reporting period, according to media reports. The government did not enact formal provisions ensuring legal alternatives to the removal of foreign victims to their home countries where they may face hardship or retribution.

Prevention

The government made limited progress in preventing human trafficking during the reporting period. The Ministry of Human Services distributed anti-trafficking awareness materials throughout the country. In a positive development, during a speech to a large group of Chinese nationals in Guyana, the president reportedly addressed the issue of forced and bonded labor; however, during the reporting period, the government continued to focus public comments on propagating a position that there are few trafficking victims in Guyana instead of fostering awareness, open discussion, credible research of the problem, and a self-critical approach to monitoring government efforts. The government has not updated its national action plan to combat trafficking in persons since 2005. Officials did not report any measures to reduce the demand for commercial sex acts during the reporting period. While child prostitution exists in Guyana, there were no reports that Guyana was a significant sex tourism destination.

HONDURAS (Tier 2)

Honduras is principally a source and transit country for men, women, and children subjected to sex trafficking and forced labor. Honduran victims are often recruited from rural areas with promises of employment and later subjected to forced prostitution in urban and tourist centers, such as Tegucigalpa, San Pedro Sula, and the Bay Islands. Honduran women and children are found in conditions of sex trafficking in Guatemala, El Salvador, Mexico, Belize, and the United States. To a lesser extent, women and girls from neighboring countries, including Guatemala and Mexico, are subjected to sexual servitude in Honduras. In addition to anecdotal reports of incidents in the Bay Islands, Honduran authorities identified child sex tourists in La Ceiba, San Pedro Sula, and Siguatepeque during the year. There have also been reports of rural families selling their children who ultimately end up

subject to forced labor and commercial sexual exploitation in urban areas. NGOs reported incidents of forced labor in Honduras in agriculture and domestic service. Honduran men, women, and children are also subjected to forced labor in other countries, particularly in Guatemala, Mexico, and the United States; some of these migrants are exploited en route to or within the United States. Officials, NGOs, and the media reported that there was an increase in cases in which young males in urban areas were coerced and threatened by gang members in order to traffic drugs.

The Government of Honduras does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. These efforts included sustained, modest law enforcement efforts against child sex traffickers, the creation of a draft comprehensive anti-trafficking law, and the launching of an anti-trafficking hotline. However, government services for trafficking victims remained limited, laws failed to prohibit trafficking for the purposes of forced labor, and authorities did not employ proactive methods to identify trafficking victims among vulnerable populations.



Recommendations for Honduras: Pass a comprehensive anti-trafficking law that prohibits forced labor; increase efforts to investigate and prosecute all trafficking offenses, including forced labor crimes and forced prostitution of adult victims, and convict and sentence trafficking offenders; ensure that specialized services and shelter are available to trafficking victims through increased funding, either to government entities or civil society organizations; increase resources and staff for the dedicated police and prosecutorial units; develop formal procedures for identifying victims among vulnerable populations; increase training on victim identification and assistance, including for victims of forced labor, for local immigration, law enforcement, and judicial officials; enhance government planning and coordination mechanisms, perhaps through passing a national plan or increased committee action; and continue to raise awareness about all forms of human trafficking.

Prosecution

The Honduran government maintained efforts to investigate and punish sex trafficking crimes involving children over the reporting period, though it did not make serious and sustained efforts against trafficking crimes involving forced labor or the forced prostitution of adults. Honduras prohibits forced prostitution through aggravated circumstances contained in Article 149 of its penal code, enacted in 2006, but does not specifically prohibit forced labor. For sex trafficking offenses, Article 149 prescribes penalties ranging from 12 to 19.5 years' imprisonment. Such punishments are commensurate with those prescribed for other serious crimes, such as rape. While officials

reported their drafting of a new comprehensive anti-trafficking law, no draft law was submitted to Congress during the reporting period. The government maintained a law enforcement unit dedicated to investigating human trafficking and human smuggling crimes; this unit consisted of 10 investigative officers, all based in the capital. The Office of the Special Prosecutor for Children handles all trafficking cases, including those involving adults; however, this unit's effectiveness was hampered by limited staff and funding.

There were 106 pending investigations into human trafficking complaints during the reporting period. Authorities prosecuted seven cases of sex trafficking of children, as well as one case of forced labor using a financial exploitation law. The government obtained three convictions, with convicted offenders given sentences ranging from 10 to 19.5 years' imprisonment. In comparison, authorities prosecuted 26 trafficking cases and obtained five convictions during the previous year. The lack of specific prohibitions against forced labor remained a significant impediment in law enforcement efforts. The government did not report any investigations, prosecutions, convictions, or sentences of public officials for complicity in human trafficking. There were no confirmed allegations of trafficking-related corruption during the year. Honduran authorities collaborated with Guatemalan and Mexican officials on two investigations during the reporting period. NGOs and international organizations continued to deliver most of the anti-trafficking training available to government officials.

Protection

The Honduran government provided minimal services to trafficking victims during the year, but referred victims to NGOs to receive care services. There continue to be no formal procedures employed by officials to identify trafficking victims among vulnerable populations, such as women and girls in prostitution. The government did not fund dedicated shelters or services for trafficking victims. Child victims could receive limited medical and psychological assistance at three government shelters for at-risk children, one of which opened in San Pedro Sula in December 2010. Officials did not record the number of child trafficking victims who received services at these facilities. Honduran officials generally coordinated with NGOs to refer trafficking victims to receive care services. One partner NGO provided the majority of victim care for children and received no direct funding from the government. While NGOs have provided services to adult victims of trafficking in Honduras, including repatriated Honduran victims, government funding for adult victim services was practically nonexistent. The only government-provided shelter accessible to adult male victims is the migrant detention center, which is not appropriate for victims of trafficking. Government-funded victim services were largely limited to the delivery of basic medical, psychological, and dentistry services to some victims at government health facilities; these services are available to all Honduran citizens. A network of NGOs reported identifying over 300 victims during the reporting period. Honduran diplomats abroad reported assisting Honduran victims in other countries. Victims were encouraged to

assist in the investigation and prosecution of trafficking offenders, and some did so during the reporting period. Some trafficking victims declined to cooperate, however, due to distrust in the judicial system, particularly its ability to ensure their personal safety, as victim protection services are lacking. There were no reports of identified victims being penalized for unlawful acts committed as a result of their being trafficked. The government did not report systematically offering foreign victims legal alternatives to their removal to countries where they may face hardship or retribution, though authorities reported that there were no known cases of trafficking victims being deported.

Prevention

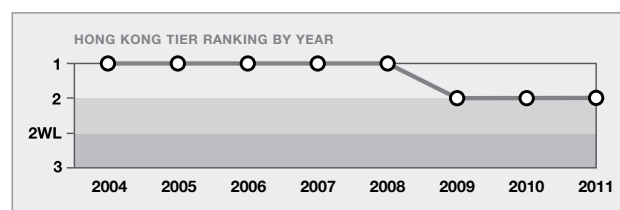
The government enhanced efforts to prevent human trafficking during the reporting period through partnerships with civil society organizations. The Inter-Institutional Commission on the Commercial Sexual Exploitation and Trafficking of Children, which is composed of government agencies, NGOs, and international organizations, served as the interagency coordinating body, and met eight times during the year. Most of the commission's efforts focused on child prostitution. Transparency in the government's anti-trafficking measures was limited; while authorities shared statistics on anti-trafficking efforts on request, the government did not publicly report on the effectiveness of its own efforts during the year. In September 2010, the government launched a national hotline for trafficking victims to obtain information and assistance, with the support of an international organization, the NGO community, and a foreign government; the hotline was administered by the anti-trafficking police unit. With the support of an international organization, officials hosted a bilateral working group with Colombian officials on best practices in fighting trafficking. Authorities continued to partner with the country's private tourism board, which worked with hotels and other tourist businesses to promote a code of conduct prohibiting the commercial sexual exploitation of children; 182 additional hotels and resorts signed during the reporting period for a total of 416 participating businesses. Authorities reported fining and closing two hotels for a week for permitting the sexual exploitation of children, in addition to fining seven bars and nightclubs for permitting sexual exploitation of children. The government investigated three child sex tourists from the United States and one from Honduras during 2010 but reported no prosecutions or convictions of child sex tourists. Authorities reported training almost 2,000 vulnerable children on how to recognize and report trafficking crimes and how not to be a victim. The government did not report efforts to reduce the demand for forced labor.

HONG KONG (Tier 2)

The Hong Kong Special Administrative Region (HKSAR) of the People's Republic of China is a destination and transit territory for men and women from mainland China, the Philippines, Indonesia, Thailand, Vietnam, Nepal, Cambodia, and elsewhere in Southeast Asia, subjected to forced prostitution and possibly forced labor. Women from Hong Kong have also been subjected to forced prostitution

in Canada. Some migrants are lured to Hong Kong by criminal syndicates or acquaintances with promises of financial rewards and deceived about the nature of the prospective work. Upon arrival in Hong Kong, these migrants are forced into prostitution to repay money owed for their passage to Hong Kong. According to an NGO, some victims of sex trafficking have been psychologically coerced into prostitution by traffickers who threaten to reveal photos or recordings of the victims' sexual encounters. Some foreign domestic workers in the territory, particularly those from Indonesia and the Philippines, face notable indebtedness assumed in their home countries as part of the terms of job placement, which have the potential to lead to situations of debt bondage. Foreign domestic workers from the Philippines and Indonesia are generally charged \$1,950 and \$2,725, respectively, by recruiters in their home countries. These debts may comprise more than 80 percent of workers' salaries for the first seven to eight months during which time some workers may be particularly afraid to report abuse by employers for fear of losing their jobs and being unable to pay debts. Several of Hong Kong's domestic worker employment agencies have illegally withheld passports, employment contracts, and bank debit cards of domestic workers until their debt has been paid – factors that could facilitate labor trafficking in the territory. In previous years, one NGO reported that some employers of Indonesian domestic workers compel their employees to work seven days a week and forbid them to leave the residence of work for non-work-related reasons, effectively preventing them from reporting exploitation to authorities.

The Government of Hong Kong does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In August 2010, the government established the Anti-Trafficking Working Group composed of officials from the Security Bureau, Hong Kong Police Force, and the Immigration, Customs, Labor, and Social Welfare Departments to coordinate on Hong Kong's anti-trafficking efforts. The government sustained efforts to investigate and punish sex trafficking offenses, and continued anti-trafficking prevention efforts among foreign domestic workers. Hong Kong authorities did not, however, prosecute labor trafficking offenses.



Recommendations for Hong Kong: Define the term "trafficking in persons" in Hong Kong law to fully prohibit domestic sex trafficking and forced labor and prescribe penalties of imprisonment for these acts; significantly increase efforts to identify indicators of trafficking in persons during investigations of illegal immigration and labor violations to increase trafficking prosecutions, particularly acts of domestic servitude and debt bondage; strengthen penalties for forced prostitution and delineate

penalties for forced labor that are sufficiently stringent; investigate and criminally prosecute Hong Kong employment agencies who require domestic workers to pay significant fees beyond the level permitted by Hong Kong authorities, which usually increases their vulnerability to trafficking resulting from the significant amounts of debt they assume to pay these fees; strengthen implementation of victim identification procedures for identifying trafficking victims among vulnerable groups to identify a greater number of sex and labor trafficking victims; provide incentives for foreign trafficking victims to pursue cases against their traffickers, such as routinely granting permission to remain in Hong Kong and allowing victims to work while participating in court proceedings; increase efforts to enforce existing criminal laws on holding travel documents and other identification as collateral on debts, particularly where used to hold someone in forced labor; and conduct a visible public awareness campaign aimed at reducing the demand for commercial sex acts.

Prosecution

The Hong Kong government improved its anti-trafficking law enforcement efforts during the reporting period, though it continued to be handicapped by an inadequate legal structure to address human trafficking. Section 129 of the Crimes Ordinance prohibiting “trafficking in persons to or from Hong Kong” requires an element of transnationality in the offense and focuses on movement of persons into or out of Hong Kong for prostitution regardless of whether force, fraud, or coercion has been used. Section 129’s prescribed penalty of 10 years’ imprisonment is sufficiently stringent and commensurate with other serious crimes. The Hong Kong Bill of Rights prohibits slavery and servitude, though it does not prescribe specific penalties for these offenses. Other sections of Hong Kong’s Immigration Ordinance, Crimes Ordinance, and Employment Ordinance can be used to prosecute trafficking offenses, though there was no indication that they were so used during the reporting period. Hong Kong authorities’ interpretation of trafficking, focusing on movement for prostitution and the lack of specific criminal prohibition on forced labor hinders the government’s anti-trafficking response. Nonetheless, authorities reported investigating four trafficking cases during the reporting period, resulting in the conviction, in one case, of five traffickers for luring five Chinese women to Hong Kong and subjecting them to forced prostitution under Section 129. These traffickers received sentences ranging from 16 months’ to three years’ imprisonment. The other three investigations are ongoing. Hong Kong authorities did not report, however, criminally investigating or prosecuting any cases of labor trafficking during the reporting period. Hong Kong’s laws also prohibits illegally withholding a foreign domestic worker’s passport – punishable with imprisonment of up to 10 years – though there was no evidence that authorities used this to prosecute and punish any trafficking offenders. In addition, police continued to receive training on investigating trafficking cases during the reporting period. There were no reports of official involvement or complicity in trafficking, and the government did not report any investigations, arrests, prosecutions, or convictions of government officials complicit in trafficking offenses.

Protection

The Hong Kong government made progress in identifying and protecting trafficking victims during the reporting period. The government identified 11 victims in four trafficking cases in 2010, including two Chinese, four Thai, and five Filipina women, all of whom were victims of forced prostitution. In identifying these 11 victims, the government reportedly employed a formal victim identification procedure to standardize and improve identification of trafficking victims among vulnerable populations, such as those arrested for prostitution and immigration violations. Victims who were recognized by Hong Kong authorities were not penalized for unlawful acts committed as a direct result of their being trafficked. However, some victims may have been deported for immigration violations. For example, one NGO reported that two young women from China were allegedly lured to Hong Kong with promises of jobs in hotels, but were later forced into prostitution. They were subsequently arrested and sentenced to 15 months’ imprisonment for illegally entering and remaining in Hong Kong. Hong Kong did not report identifying or having any victims of forced labor request protection during the reporting period. Hong Kong authorities operated three shelters for victims of violence, abuse, or exploitation, including trafficking victims, and subsidized an additional six NGO-operated shelters. Five of the 11 victims identified were referred to and received protection services at a shelter operated by one government-funded NGO; the other six victims returned home. Victims are legally required to assist in the investigation and prosecution of their traffickers and are provided with a stipend, but are not allowed to work while in Hong Kong. Victims, however, are allowed to leave Hong Kong pending trial proceedings. Seven of the 11 identified victims of trafficking assisted Hong Kong authorities with investigations during the reporting period. Some victims are reluctant to assist in long trials while not allowed to work in Hong Kong. Workers who filed labor complaints, including of conditions indicative of forced labor, were not allowed to work during subsequent legal proceedings, and it often took several weeks to schedule a conciliation meeting. While victims have the ability to file civil charges for compensation from their traffickers and are eligible for legal aid from the Hong Kong government, there were no such cases during the year. The Hong Kong government did not provide any victims with long-term legal alternatives to their removal to countries where they may face hardship or retribution, though authorities report that no foreign victim has requested such immigration relief.

Prevention

Hong Kong continued modest efforts to prevent trafficking in persons during the reporting period. Authorities did not criminally prosecute any cases of withholding workers’ passports or charging excessive fees during the reporting period. The Labor Department, however, reported receiving four complaints from foreign domestic workers of employment agencies withholding their travel documents; the Labor Department returned the documents to the workers and issued warnings to the offending employment agencies, but did not criminally investigate or punish them for these offenses. Nine employers of foreign domestic workers were fined or made to perform community service for withholding workers’ salaries and

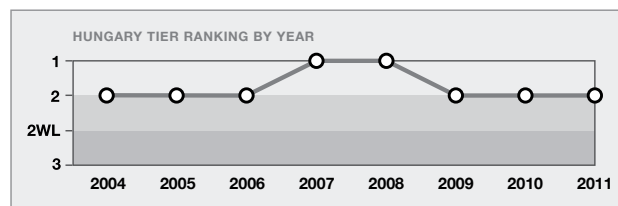
one employer was fined and sentenced to three months' imprisonment. The Labor Department revoked the license of one employment agency for charging foreign domestic workers excessive placement fees. It is unclear, however, whether these particular acts were used by employment agencies and employers for forced labor or sex trafficking. The Hong Kong authorities published and distributed an anti-trafficking informational pamphlet in five languages – Chinese, English, Bahasa Indonesia, Tagalog, and Thai – aimed at educating the public on trafficking issues. The Labor Department also continued to publish “guidebooks” for foreign domestic workers in several languages that explain workers' rights and services provided by the government. To reduce the demand for commercial sex acts, the Hong Kong authorities distributed pamphlets outlining prostitution-related offenses; however, authorities tolerated the existence of “one woman brothels” in Hong Kong. Authorities did not report efforts to address any demand for child sex tourism by Hong Kong residents. Hong Kong's Crimes Ordinance, however, allows for the prosecution of Hong Kong residents suspected of committing sex crimes against children under the age of 16 outside of the Hong Kong region. In January 2011, the government used this provision to sentence a Hong Kong social worker to eight years in prison following conviction for sex crimes against children in mainland China. Hong Kong is not a party to the 2000 UN TIP Protocol.

HUNGARY (Tier 2)

Hungary is a source, transit, and destination country for women and girls subjected to sex trafficking, and a source country for men and women subjected to forced labor. Women from Hungary are forced into prostitution in the Netherlands, Switzerland, the United Kingdom, Denmark, Germany, Austria, Italy, Norway, Spain, Ireland, Belgium, Greece, and the United States. Women from eastern Hungary are subjected to forced prostitution in Budapest and areas in Hungary along the Austrian border. Roma women and girls who grow up in Hungarian orphanages are highly vulnerable to internal sex trafficking. Men and women from Hungary are subjected to conditions of forced labor in the United Kingdom, Spain, Canada, and the United States, as well as within Hungary. Women from Slovakia, Romania, Moldova, Poland, Ukraine, and China are transported through Hungary to the Netherlands, the United Kingdom, Denmark, Germany, Austria, Italy, Switzerland, France, and the United Arab Emirates where they are subsequently subjected to forced prostitution; some of these victims may be exploited in Hungary before they reach their final destination country. Romanian women and children are subjected to sex trafficking in Hungary. Men from Western Europe travel to Budapest for the purpose of adult sex tourism, some of which may involve the exploitation of trafficking victims. Roma victims are overrepresented in trafficking victims from Hungary.

The Government of Hungary does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government of Hungary funded a shelter for trafficking victims for the first five months of 2010; however, this

shelter closed in May 2010 and the government has yet to fund a replacement shelter for trafficking victims. The government provided some in-kind assistance to NGOs assisting trafficking victims and funded a hotline for trafficking victims. Efforts to investigate and prosecute trafficking cases and convict offenders appeared to decline during the year, though the government continued to sentence the majority of convicted offenders to time in prison. The government provided a reflection period for foreign victims of trafficking; however, domestic victims were not permitted a reflection period. Additionally, at least one victim was punished for unlawful acts as a direct result of being trafficked.



Recommendations for Hungary: Boost efforts to investigate and prosecute trafficking offenses and convict and punish trafficking offenders; ensure that victims are not punished for unlawful acts as a direct result of being trafficked; ensure foreign victims have the same access to government-funded assistance as do Hungarian victims, including shelter; ensure government funding for trafficking victim assistance is sustained and renewable as well as allocated and distributed; provide trafficking training for law enforcement to increase the number of victims referred by police for assistance; consider amending Paragraph 175/b of the criminal code to remove language requiring proof that a victim is bought or sold – this change may increase prosecutions and convictions as well as victim identification; improve awareness among law enforcement and NGOs of what government-provided and privately provided services are available to victims of trafficking; and conduct a general trafficking awareness campaign about both sex and labor trafficking, targeting both potential victims as well as the general public.

Prosecution

The Hungarian government demonstrated decreased anti-trafficking law enforcement efforts during the reporting period. Hungary prohibits all forms of trafficking through Paragraph 175/b of its criminal code, though prosecutors rely on other trafficking-related statutes to prosecute most trafficking cases. Penalties prescribed in Paragraph 175/b range from one year to life imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Authorities note that because of a ruling by the Hungarian Supreme Court, prosecutors must meet strict evidentiary requirements for proving the crime of human trafficking under Paragraph 175/b, specifically that a victim of human trafficking had either been bought or sold by another person, or that direct or recently committed violence had been used as a form of coercion as opposed to the use of psychological coercion or abuse of a position of vulnerability. Because of this evidentiary

standard, prosecutors generally use other statutes to prosecute trafficking offenders. Police initiated eight new trafficking investigations, compared with 27 investigations initiated in 2009. Authorities prosecuted eight traffickers in 2010, compared with 16 in 2009. Convictions were obtained against 10 sex trafficking offenders and two labor trafficking offenders in 2010, compared with 23 sex trafficking convictions in 2009. In 2010, at least eight of 12 convicted offenders were sentenced to time in prison, compared with 20 of 23 convicted offenders sentenced to time in prison in 2009. Those sentenced to time in prison in 2010 received sentences ranging from one to seven years' imprisonment. The government did not provide any funding for trafficking-specific training of law enforcement officials; however, the government did provide venues for trafficking-specific training sessions run by NGOs for 62 law enforcement officials, social workers, teachers, and child care and protection workers. The government also provided anti-trafficking training to consular officials before their overseas postings. The government conducted six joint trafficking investigations with law enforcement from the Netherlands, Germany, Belgium, Switzerland, and France. NGOs reported that police often failed to investigate trafficking cases with Roma victims. There were no special judges or prosecutors for trafficking cases, and few county police officers trained in combating trafficking. The government maintained a central database to flag suspected trafficking cases for potential follow up by the National Bureau of Investigation. There were no reports of government officials complicit in trafficking crimes in 2010.

Protection

The Hungarian government made uneven progress in protecting and providing assistance to victims during the reporting period; while it funded a shelter during the reporting period, that funding was allowed to lapse partway through the year and the government made no provisions for alternate sources of shelter for victims. A total of 22 victims were identified by the government in 2010; 16 were referred to IOM, while four were otherwise assisted by the government. Privately funded NGOs identified an additional 22 victims and provided assistance to a combined total of 38 trafficking victims in 2010, compared with a total of 45 victims assisted by NGOs in 2009. NGOs expressed concern that the government's legal interpretation of "victim of human trafficking" was often too narrow to include some victims of trafficking, thus making it difficult for these organizations to secure government funding. Although the government allocated approximately \$30,000 in 2009 to an NGO to establish a trafficking shelter, only \$19,500 was used, and the shelter closed in May 2010. The shelter was limited to assisting Hungarian victims of trafficking, and assisted three such victims in 2010 before closing. The government encouraged victims to assist with trafficking investigations and prosecutions; in 2010, three victims assisted in the investigation and prosecution of trafficking cases. The government offered foreign victims a 30-day reflection period to decide whether to assist law enforcement; however, no foreign victims applied for or received the 30-day temporary residency permits in 2010. Foreign victims may apply for a six-month temporary residency permit if they choose to cooperate with law enforcement.

Hungarian victims were not provided with a reflection period to receive assistance and decide whether to assist law enforcement; instead, Hungarian victims were required to decide at the time of initial identification whether they wanted to assist law enforcement. In practice, some victims who chose not to assist law enforcement were forced to testify, and trafficking victims may be charged for violating prostitution, labor, or migration laws. At least one victim of trafficking was arrested and prosecuted in 2010 and children in prostitution were at times not screened as potential trafficking victims when detained by law enforcement. NGOs reported that some victims were reluctant to approach the police for fear of prosecution for prostitution.

Prevention

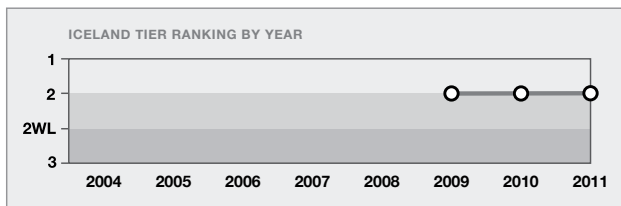
Hungary demonstrated negligible efforts to raise awareness during the reporting period. For another year, the central government took no steps to conduct any general anti-trafficking awareness campaigns focused on the general public or potential victims of trafficking; however, local officials delivered lectures about trafficking prevention in schools, orphanages, and churches. In contrast with previous years, the government did not include NGOs in National Coordinating Mechanism meetings and the meetings were largely symbolic. The national strategy to combat human trafficking, adopted in 2008, established a framework of cooperation for government agencies involved in trafficking cases. However, the government has yet to adopt a complementary national action plan. The government did not undertake specific measures to reduce demand for commercial sex acts during the reporting period.

ICELAND (Tier 2)

Iceland is a destination and transit country for women subjected to forced prostitution. Some reports maintain Iceland also may be a destination country for men and women who are subjected to conditions of forced labor in the restaurant and construction industries. A 2009 Icelandic Red Cross report claimed that there were at least 59 and possibly as many as 128 cases of human trafficking in Iceland over the three years prior to the report; female victims of human trafficking in Iceland came from Eastern Europe, Russia, Africa, South America, and Southeast Asia. During the reporting period, foreign women in prostitution within the country were vulnerable to sex trafficking. According to the Red Cross report, undocumented foreign workers – mostly from Eastern Europe and Baltic states – in Iceland's manufacturing and construction industries were vulnerable to forced labor. During the reporting period, local authorities were unable to document cases of forced labor but did acknowledge violations of immigration or employment law. Authorities suspected involvement of organized crime in trafficking.

The Government of Iceland does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The Icelandic government made important progress in victim protection this year, identifying and caring for more victims of trafficking than in the previous year. The government

also approved two new residence permits to assist victims of trafficking and provided funding for a new shelter to aid the long-term reintegration of trafficking victims. During the year, the Iceland police developed formal guidelines for victim identification. Nevertheless, the Government of Iceland's prevention activities were limited and, in contrast with the last reporting period, it prosecuted no trafficking offenses. Critically, the Icelandic government continued to prescribe a sentence for trafficking that was half that prescribed for other violent crimes such as rape and aggravated physical assault; the statutory maximum sentence did not obligate Icelandic police to hold human trafficking suspects in pre-trial detention.



Recommendations for Iceland: Amend the criminal code to ensure that penalties prescribed for sex trafficking are commensurate with penalties prescribed for other serious crimes such as rape and aggravated physical assault; vigorously investigate, prosecute, and convict trafficking offenders; continue to formalize victim identification and care procedures for all care providers; expand training on identification and referral of victims to prosecutors, labor inspectors, and health officials; conduct an awareness and prevention campaign focused on both sex and labor trafficking and the demand for both forms of trafficking; consider establishing a hotline for reporting suspected instances of human trafficking.

Prosecution

The government of Iceland demonstrated some law enforcement efforts during the reporting period, although the government did not initiate any prosecutions or convict any trafficking offenders. Iceland prohibits both sex and labor trafficking under Article 227a of its criminal code. Punishments prescribed for trafficking under Article 227a range up to eight years' imprisonment, which are sufficiently stringent though not commensurate with penalties prescribed for other serious crimes such as rape. Although actual sentences awarded to trafficking offenders have been similar to rape sentences, government officials reported that the lower statutory trafficking sentence impaired criminal trafficking investigations by not obligating the police to hold trafficking suspects in pre-trial detention. During the reporting period, the Government of Iceland drafted legislation to raise the maximum sentence for trafficking in persons to 12 years' imprisonment. If passed, this legislation would enforce a maximum sentence that would obligate the police to hold trafficking suspects in pre-trial detention. Police conducted two trafficking investigations during the reporting period, compared with three investigations in 2009. Icelandic authorities did not initiate any trafficking prosecutions during the reporting period, nor did it achieve any convictions. Last year, it initiated eight prosecutions and convicted five trafficking

offenders. The Government of Iceland does not have specialized anti-trafficking investigative or prosecutorial units. The government did not report the investigation, prosecution, conviction, or sentencing of any government official complicit in trafficking. In 2010, the Icelandic government cooperated with Spanish law enforcement authorities on a trafficking investigation. Icelandic authorities trained students at the national police college on recognizing and investigating human trafficking and funded some training of Icelandic law enforcement officers abroad.

Protection

The government made significant progress in its victim protection efforts, establishing a more formal system for the identification and referral of victims of trafficking and developing residence permits for victims of trafficking. During the reporting period, the government established a new temporary residence permit for victims of trafficking, granting a six-month reflection period to foreign individuals if there is suspicion that they are victims of trafficking; the government granted one of these permits to a victim of trafficking. The government also created a second one-year renewable residence permit for victims of trafficking who cooperate with law enforcement or who find themselves in compelling circumstances, such as facing retribution or hardship in their home countries. The Icelandic government funded a domestic violence shelter that was available to house trafficking victims. This year, the shelter reported caring for approximately six victims of trafficking. Victims of trafficking were permitted to leave the shelter unchaperoned and at will. The government also allocated approximately \$85,000 for a long-term shelter to assist sex trafficking victims in reintegration; the government anticipates that this shelter will open later in 2011. There is no specialized care center available to male victims of trafficking, although all victims, regardless of age or gender, are entitled to free, government-supported health care, and legal and counseling services. During the reporting period, the National Police Commissioner published formal rules of procedure for identifying and caring for suspected victims of trafficking. Social workers, health care professionals, and labor inspectors still lacked formal proactive guidance on identifying and caring for victims of trafficking. Stakeholders consequently called for formal cooperation agreements and procedures to be established for all those participating in identification and care of trafficking victims. Law enforcement identified at least six trafficking victims during the reporting period and referred each victim to care. This is a large increase from last year, in which the government identified three victims of trafficking. Nevertheless, three victims declined assistance. NGOs reported identifying at least four more victims of trafficking. NGOs reported that no trafficking victims were detained, fined, or jailed for unlawful acts committed as a result of their being trafficked. The government encouraged victims to participate in the investigation and prosecution of trafficking and at least one victim did so during the reporting period.

Prevention

The Icelandic government made limited progress on trafficking prevention. Although there were no specific anti-trafficking awareness campaigns in Iceland during the reporting period, public awareness of trafficking continued to increase during the reporting period due to media reports about trafficking cases, a government conference featuring an anti-trafficking panel, and anti-trafficking training. In public appearances by high level government officials, the government also continued to recognize that trafficking remained a problem in the country. The government coordinated its anti-trafficking activities through its Specialist and Coordination Team for Human Trafficking, and followed the course of improvement set forth in its 2009-2012 National Action Plan. It did not publish a public report on its anti-trafficking activities. The government did, however, provide anti-trafficking financial assistance to the Government of Belarus for a project administered by the Icelandic Red Cross and to the OSCE to produce a documentary about labor trafficking. In June 2010, the Government of Iceland ratified the 2000 UN TIP Protocol.

INDIA (Tier 2)

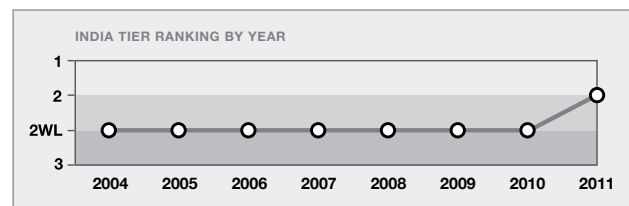
India is a source, destination, and transit country for men, women, and children subjected to forced labor and sex trafficking. The forced labor of millions of its citizens constitutes India's largest trafficking problem; men, women, and children in debt bondage are forced to work in industries such as brick kilns, rice mills, agriculture, and embroidery factories. A common characteristic of bonded labor is the use of physical and, in many instances, sexual violence – including rape – as coercive tools, in addition to debt, to maintain these victims' labor. Ninety percent of trafficking in India is internal, and those from India's most disadvantaged social economic strata including the lowest castes are particularly vulnerable to forced or bonded labor and sex trafficking. Children are also subjected to forced labor as factory workers, domestic servants, beggars, agricultural workers, and, to a lesser extent, in some areas of rural Uttar Pradesh, as carpet weavers.

Women and girls are trafficked within the country for the purposes of forced prostitution. Religious pilgrimage centers and cities popular for tourism continue to be vulnerable to child sex tourism. Indian nationals engage in child sex tourism within the country and, to a lesser extent, in other countries. Sex trafficking in some large cities continued to move from red light areas to road side small hotels, and private apartments. Women and girls from Nepal and Bangladesh are also subjected to sex trafficking in India. Maoist armed groups known as the Naxalites forcibly recruited children into their ranks.

There are also victims of labor trafficking among the hundreds of thousands of Indians who migrate willingly every year to the Middle East and, to a lesser extent, the United States, Europe, and other countries, for work as domestic servants and low-skilled laborers. In some cases, such workers are lured from their communities through fraudulent recruitment, leading them directly to situations

of forced labor, including debt bondage; in other cases, high debts incurred to pay recruitment fees leave them vulnerable to exploitation, conditions of involuntary servitude, and physical and sexual abuse by unscrupulous employers in the destination countries. Nationals from Bangladesh and Nepal are trafficked through India for forced labor and commercial sexual exploitation in the Middle East. Some Indians have been investigated and convicted by foreign governments for human trafficking. Over 500 guestworkers from India filed a class action lawsuit in a U.S. court alleging that they were held in forced labor in Texas and Mississippi.

The Government of India does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The Ministry of Home Affairs' launched the government's "Comprehensive Scheme for Strengthening Law Enforcement Response in India," which seeks to improve India's overall law enforcement response to all forms of trafficking, including bonded labor, and established at least 87 new Anti Human Trafficking Units (AHTUs). The government also ratified the 2000 UN TIP Protocol. The government took important law enforcement steps by convicting several bonded labor offenders with sentences between five and 14 years and improved rescue and rehabilitation efforts for bonded laborers. Overall law enforcement efforts against bonded labor, however, remained inadequate, and the complicity of public officials in human trafficking remained a serious problem, which impeded progress.



Recommendations for India: Strengthen central and state government law enforcement capacity to fight against all forms of human trafficking; work towards ensuring that national legislation prohibits and punishes all forms of human trafficking; increase intrastate and interstate investigations, prosecutions, and convictions on all forms of trafficking, including bonded labor; increase law enforcement efforts to decrease official complicity in trafficking, including prosecuting alleged complicit officials and convicting and punishing complicit officials in accordance with Indian law; encourage states to establish Immoral Trafficking Prevention Act courts like the one in Mumbai; improve distribution of state and central government rehabilitation funds to victims under the Bonded Labor (System) Abolition Act (BLSA); improve protections for trafficking victims who testify against their traffickers; empower AHTUs through financial support and encourage them to address labor trafficking, including bonded labor; encourage state and district governments to file bonded labor cases under appropriate criminal statutes; improve central and state government implementation of protection programs and compensation schemes to ensure that certified trafficking victims receive benefits;

target welfare schemes and laws to communities that are specifically vulnerable to trafficking and to rescued victims; and increase the quantity and breadth of public awareness and related programs on bonded labor.

Prosecution

The government made progress in law enforcement efforts to combat human trafficking in 2010, but concerns remain. India prohibits and punishes most, but not all, forms of human trafficking under a number of laws. The government prohibits bonded and forced labor through the BLSA, the Child Labor (Prohibition and Regulation) Act (CLA), and the Juvenile Justice Act. These laws were unevenly enforced, and their prescribed penalties – a maximum of three years in prison – are not sufficiently stringent. Moreover, these prison sentences were rarely imposed on offenders. India also prohibits some, but not all, forms of sex trafficking through the Immoral Trafficking Prevention Act (ITPA). Prescribed penalties under the ITPA, ranging from seven years' to life imprisonment, are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The ITPA also criminalizes other offenses. ITPA crimes, however, are frequently tried under magistrate courts, which limit sentences to three years, whereas rape cases are generally tried under Sessions courts which permit the maximum sentences according to the law. Indian authorities also used Sections 366(A) and 372 of the Indian Penal Code (IPC), which prohibit kidnapping and selling children into prostitution, respectively, to arrest and prosecute suspected sex traffickers. Penalties prescribed under these provisions are a maximum of 10 years' imprisonment and a fine. The Indian government continued to debate proposed amendments to the ITPA to give trafficking victims greater protections and eliminate Section 8, which is sometimes used to criminalize sex trafficking victims. The state of Goa has its own laws prohibiting child trafficking; prescribed penalties under the 2003 Goa Children's Act include imprisonment of no less than three months and/or a fine for child labor trafficking, and imprisonment for one year and a fine for child sex trafficking.

A court in the state of Tamil Nadu in July 2010 issued a landmark conviction of five years' imprisonment and a fine to three bonded labor perpetrators. An NGO reported five other convictions against bonded labor perpetrators in Uttar Pradesh with sentences of 14 years' imprisonment. NGOs reported there were at least 150 labor trafficking prosecutions launched. Most government prosecutions were supported in partnership with NGOs; however, officials in Tamil Nadu proactively initiated the rescue of bonded laborers and prosecutions in at least four cases. The disposition of the prosecutions recorded in the 2010 TIP Report are unknown. Some state governments convicted offenders for the use of child labor, such as the 444 convictions obtained by Uttar Pradesh courts under the CLA; some of these children may have been trafficking victims.

In Mumbai, the ITPA court issued 164 convictions against brothel owners and pimps; a majority of these convictions were for sex trafficking. As progress from the previous year, the judge in Mumbai's ITPA court ensured that sex

trafficking victims were not penalized with a \$2 fine. In 2010, Andhra Pradesh courts registered 118 convictions against brothel owners and pimps under various sections of the ITPA and IPC, with sentences ranging from three to seven years; a majority of these convictions were for sex trafficking. However, as convicts are entitled to bail on the first day of sentencing, it is unclear how many convicted criminals actually served their sentences. In Tamil Nadu, the government reported that police launched investigations in 572 cases under the ITPA between January and December 2010.

Indian courts had a lenient attitude towards bail for alleged trafficking offenders, and the accused were often released on bail after an investigation was over; this facilitated witness intimidation and delayed trials. Obtaining convictions in many parts of India was difficult due to many causes, including overburdened courts, the lack of modern docket systems, a weak understanding of the laws, and lack of commitment and awareness by some local authorities. Under the Indian Constitution, states have the primary responsibility for law enforcement, and state-level authorities are limited in their abilities to effectively confront interstate and transnational trafficking crimes. The ILO has noted that enforcement of the BLSA remains weak. Law enforcement efforts against bonded labor were also hampered by instances of police complicity, traffickers escaping during raids or on bail, or cases dropped by officials for a variety of reasons, including insufficient evidence, witnesses turning hostile, and intimidation by traffickers. Some police treated victims as perpetrators, did not use victim-centric policies, and did not improve victim-witness security, which hindered victim testimony and prosecutions. Other police, however, actively partnered with NGOs to facilitate prosecutions.

The Government of India's "Comprehensive Scheme for Strengthening Law Enforcement Response in India" earmarked \$12 million over three years to implement the nationwide anti-trafficking effort. As a part of this effort, state governments established at least 87 new AHTUs in police departments during the reporting period, for a total of at least 125 AHTUs, spanning at least 17 of India's 28 states. Some NGOs believed that some units were more focused on sex trafficking than the more significant problem of labor trafficking, including bonded labor. Each AHTU is designed to be tailored to local conditions to effectively confront the forms of human trafficking found in the particular district.

The involvement of some public officials in human trafficking, and the pervasiveness of corruption in India, remained significant and largely unaddressed hurdles to greater progress against trafficking. Corrupt law enforcement officers reportedly continued to facilitate the movement of sex trafficking victims and protected suspected traffickers and brothel keepers from the law. Some police continued to tip-off locations of sex and labor trafficking to impede rescue efforts. Some owners of brothels, rice mills, brick kilns, and stone quarries are reportedly politically connected. India reported no convictions or sentences of government officials for trafficking-related offenses during the reporting period. However, the government arrested a former member of

parliament for forcing a girl into prostitution in Kolkata. The government filed a First Information Report against an Indian Administrative Service officer for his alleged use of forced child labor. The officer is currently out on bail.

Indian courts continued to be active in the fight against human trafficking during the year. High court orders in Bihar, Delhi, Punjab, and West Bengal required those states to strengthen their anti-trafficking law enforcement efforts; results from these court orders were uneven. According to NGOs, state and district officials countrywide trained over 10,000 law enforcement officials on human trafficking, in partnership with them. This included four training-of-trainer regional workshops held in the reporting period by the Bureau of Police Research and Development and UNODC.

Protection

India made uneven progress in its efforts to protect victims of human trafficking. Indian law enforcement and immigration officials continued to lack formal procedures for proactively identifying victims of trafficking among vulnerable populations, such as children at work sites, females in prostitution, or members from the disadvantaged social economic strata in rural industries. The Ministry of Labor and Employment reported that in Chhattisgarh, Uttar Pradesh, and West Bengal, over 750 bonded laborers were rescued and hundreds of rehabilitation packages were issued, valuing approximately \$171,000, between January 2010 and September 2010. NGOs reported hundreds of more rescues and release certificates and issued during the reporting period, particularly in Tamil Nadu, Andhra Pradesh, Karnataka, Uttar Pradesh, and Bihar. Although each government-recognized victim of bonded labor is entitled to 20,000 rupees (about \$450) under the BLSA from the state and central government, disbursement of rehabilitation funds was uneven. NGOs reported that the government increasingly released rehabilitation funds, although disbursement problems remained. For instance, one NGO cited that in a Tamil Nadu case, 10 laborers received their rehabilitation packages within two and a half months (in advance of the six months processing time allowed by the law), but also noted that bonded laborers released in Andhra Pradesh had not received any rehabilitation funds since 2007, despite 150 packages pending. Andhra Pradesh provided property to 30 freed bonded laborers and provided government-subsidized loans to help 200 sex trafficking victims acquire homes. Tamil Nadu trained over 100 of its inspectors on human trafficking, including bonded labor. According to an NGO, state officials in Orissa and Karnataka worked together to rescue and repatriate 77 bonded laborers from a brick kiln in Karnataka in September 2010, although the government has not yet prosecuted the alleged traffickers.

The Ministry of Women and Child Development (MWCD) funded 331 Swadhar projects – which helps female victims of violence, including sex trafficking – and 134 projects and 73 rehabilitation centers in 16 states under the Ujjwala program – which seeks to protect and rehabilitate female trafficking victims – and 238 women’s helplines. This is an increase from the previous year. Foreign victims can access

these shelters. Some NGOs have cited difficulty in receiving timely disbursements of national government funding of their shelters under these programs, and some rescued sex trafficking victims in Andhra Pradesh died while waiting over three years to get rehabilitation funds. India does not have specialized care for adult male trafficking victims.

Conditions of government shelter homes under the MWCD varied from state to state. Many shelters functioned beyond capacity, were unhygienic, offered poor food, and provided limited, if any, psychiatric and medical services, although NGOs provided some of those services. Some women may have been placed in protective homes against their will. Some shelters did not permit child victims to leave the shelters – including for school – to prevent their re-trafficking. Traffickers continued to re-traffic some victims by approaching shelter managers and pretending to be family members to get the victims released to them, although this practice is declining. Many Indian diplomatic missions in destination countries, especially those in the Middle East, provided services, including temporary shelters, to Indian migrant laborers, some of whom were victims of trafficking.

Some trafficking victims were penalized for acts committed as a result of being trafficked. NGOs asserted that some parts of Andhra Pradesh, Maharashtra, Goa, Bihar, Delhi, Tamil Nadu, and West Bengal continued to make progress in not criminalizing sex trafficking victims; however, Section 8 of the ITPA (solicitation) and Section 294 of IPC (obscenity in public places) continued to be widely used in other areas. Reports indicated that some foreign victims continued to be charged and detained under the Foreigners’ Act for undocumented status. Foreign trafficking victims were not offered special immigration benefits such as temporary or permanent residency status. Foreign victims are not offered legal alternatives to their removal to countries where they may face hardship or retribution. The Government of India successfully repatriated seven Bangladeshi trafficking victims from Chennai in 2010 with the assistance of NGOs, and repatriated 29 Bangladeshi victims from Maharashtra in 2010-2011, although repatriation remained a challenge for other victims. India established a trafficking task force with Bangladesh which held three meetings.

The level to which government officials encouraged victims to cooperate with law enforcement investigations and prosecutions of traffickers was inconsistent and in most cases, NGOs assisted rescued victims in providing evidence to prosecute suspected traffickers. Many victims declined to testify against their traffickers due to the fear of retribution by traffickers, who were sometimes acquaintances.

Prevention

The Government of India made progress in its efforts to prevent human trafficking. Central and state governments conducted several initiatives to raise awareness about sex trafficking, especially during the run-up to the October Commonwealth Games, but made little progress in increasing awareness about adult forced labor. The Ministry of Home Affairs collaborated with the Indira Gandhi National Open University (IGNOU) and the

Home Minister publicly launched a six-month graduate certificate course on human trafficking. In January 2011, the MHA issued an Advisory encouraging state police officers to enroll in the course; the government reported that more than 200 officials have already enrolled, most of whom are police officers. Through the Ujjawala scheme, the MWCD held quarterly inter-ministerial stakeholder meetings. The MHA's Anti-Trafficking Nodal Cell held four video-conference meetings with state anti-trafficking nodal officers during the reporting period to coordinate and monitor nationwide efforts to implementing the Comprehensive Scheme for Strengthening Law Enforcement Response in India. In these meetings, the nodal officers reported on state government anti-trafficking activities, such as progress in establishing AHTUs, translating and distributing anti-trafficking manuals, submitting names of state and district officials to attend training-of-trainers classes, and encouraging officials to enroll in the IGNOU course. The Government of Orissa issued a notification abolishing the *bartan* system, a form of bonded labor. The Government of Punjab passed an anti-smuggling bill in the reporting period, one clause of which could be used to prosecute recruitment agents who act as aiders or abettors to trafficking; there is no indication whether such cases have been brought. The Ministry of Labor and Employment provided \$119,000 for states to conduct bonded labor surveys; it is uncertain what the status is of the bonded labor survey conducted in Madhya Pradesh last year, as noted in the 2010 TIP Report. Karnataka officials distributed 7,000 copies of the state's action plan against bonded labor in all its 30 districts. The Ministry of Labor and Employment also earmarked \$1.1 million for advocacy campaigns against child labor over the reporting period, some of which may have been for forced child labor, a large increase over the previous year.

The Ministry of Labor and Employment launched a five-state project, funded by a foreign government and implemented in partnership with the ILO, which is directed in part against forced child labor. The Ministry also expanded its preventative convergence-based model against bonded labor in Andhra Pradesh, Haryana, and Orissa. The model targets populations specifically vulnerable to bonded labor and seeks to empower them economically and socially. While it is difficult to measure the impact on bonded labor of the completed pilot project in Tamil Nadu, the project helped approximately 7,200 families access basic education, health insurance, and other government benefits. This model, however, involves collaboration between bonded laborers and their employers – that is, their traffickers – which casts doubt on its ability to adequately address bonded labor. After a rescue operation of bonded laborers in a rock quarry, a Deputy Commissioner in Mangalore requested government officials to cancel the lease of that quarry; however, it is not clear whether that request has been granted. The government does not permit its female nationals under the age of 30 to emigrate to 17 countries due to the high incidence of physical abuse; evidence suggests such restrictions on migration do not have a positive effect on preventing human trafficking. The Migrant Resource Center in Cochin counseled 2,985 potential migrants between January and October 2010, compared to 2,633 in 2009.

Indian embassies in the Middle East housed Indian Worker Resource Centers, including a new center publicly launched by the Indian president in the United Arab Emirates. The government reduced the demand for commercial sex acts in the reporting period by convicting clients of prostitution. The Code of Conduct adopted by the Tourism Ministry in July 2010 included guidelines to enable the Indian travel and tourism industry to prevent child sex tourism. Data from India's last social survey indicates approximately 60 percent of births were unregistered; such a lack of identify documentation contributes to vulnerability to trafficking. However, the government launched a multi-year project in July 2010 to issue issued unique identification numbers to citizens, with over \$400 million in funds that were allocated last year (and noted in the 2010 TIP Report). As of March 2011, the Unique Identification Authority issued numbers to almost four million citizens. In an effort to reduce the demand for commercial sex acts, the Supreme Court reportedly issued a directive February 2011, ordering all states to provide a list of the measures they are taking to fight prostitution. Training for Indian soldiers and police officers deployed in peacekeeping missions reportedly included awareness about trafficking. India ratified the 2000 UN TIP Protocol in May 2011.

INDONESIA (Tier 2)

Indonesia is a major source country, and to a much lesser extent a destination and transit country for women, children, and men who are subjected to sex trafficking and forced labor. Each of Indonesia's 33 provinces is a source and destination of trafficking, with the most significant source areas being Java, West Kalimantan, Lampung, North Sumatra, and South Sumatra. A significant number of Indonesian migrant workers face conditions of forced labor and debt bondage in more developed Asian countries and the Middle East – particularly Malaysia, Saudi Arabia, Singapore, Kuwait, Syria, and Iraq. The number of Indonesians seeking work abroad remains very high, with an estimated 6.5 million to 9 million Indonesian migrant workers worldwide, including 2.6 million in Malaysia and 1.8 million in the Middle East. An estimated 69 percent of all overseas Indonesian workers are female. IOM and a leading Indonesian anti-trafficking NGO estimates that 43 to 50 percent – or some 3 to 4.5 million – of Indonesia's expatriate workforce are victims of conditions indicative of trafficking. Of 3,840 trafficking victims IOM and the Indonesian government identified upon their return from work overseas, 90 percent were female and 56 percent had been exploited in domestic work. According to IOM, a total of 82 percent of victims identified in 2010 had been trafficked abroad; 18 percent were trafficked within Indonesia. During voluntary interviews, these Indonesian trafficking victims reporting experiencing the following forms of abuse, all conducive to trafficking: withheld salary (85 percent); excessive working hours (80 percent); total restriction of movement (77 percent); verbal or psychological abuse (75 percent); and confiscation of travel documents (66 percent). The number of Indonesian women who are raped while working as domestic workers appears to be on the rise. Based on a 2010 survey, a respected Indonesian NGO noted that during the year 471 Indonesian

migrants returned from the Middle East pregnant as the result of rape, and an additional 161 returned with children who had been born in the Middle East. Half of the victims of trafficking within the country were children, while 70 percent of victims trafficked abroad were adults.

According to IOM, labor recruiters, both legal and illegal, are responsible for more than 50 percent of the Indonesian female workers who experience trafficking conditions in destination countries. Some recruiters work independently, others for recruitment labor companies called PJTKIs (which include both legal and illegal companies). Some PJTKIs operate similar to trafficking rings, leading both male and female workers into debt bondage and other trafficking situations. These recruitment brokers often operate outside the law with impunity and some PJTKIs use ties to government officials or police to escape punishment. There are reports of workers recruited for overseas work by PJTKIs being confined involuntarily for months in compounds – ostensibly for training and processing – prior to their deployment, accumulating debts that make them vulnerable to debt bondage. Licensed and unlicensed companies used debt bondage, withholding of documents, threats of violence, and confinement in locked premises for extended periods to keep Indonesian migrants in situations of forced labor.

Indonesian women migrate to Malaysia, Singapore, and the Middle East and are subsequently subjected to forced prostitution; they are also subjected to forced prostitution and forced labor in Indonesia. According to the Director General for the Development of Tourist Destinations, an estimated 40,000 to 70,000 Indonesian children have been exploited in prostitution within the country. Children are trafficked internally and abroad primarily for domestic servitude, forced prostitution, and cottage industries. Many of these trafficked girls work 14-16 hours a day at very low wages, often under perpetual debt due to pay advances given to their families by Indonesian brokers. Debt bondage is particularly pronounced among sex trafficking victims, with an initial debt of some \$600 to \$1,200 imposed on victims; given an accumulation of additional fees and debts, women and girls are often unable to escape this indebted servitude, even after years in prostitution. Sixty percent of children under 5 years old do not have official birth certificates, putting them at higher risk for trafficking. Traffickers employ a variety of means to attract and control victims, including promises of well-paying jobs, debt bondage, community and family pressures, threats of violence, rape, false marriages, and confiscation of passports.

A trend of recruitment of Indonesian migrant workers in Malaysia for *Umrah*, a religious pilgrimage to Mecca continued during the year; once in the Saudi Kingdom, Indonesian migrants are trafficked to other points in the Middle East. A greater number of Indonesian girls were recruited into sex trafficking through Internet social networking media during the year. Traffickers also resorted to outright kidnapping of girls and young women for sex trafficking within the country and abroad. More than 25 sex trafficking victims from Uzbekistan were identified in 2010, and there were reports of victims from China,

Thailand, other Central Asian countries, and Eastern Europe exploited in Indonesia.

Internal trafficking is also a significant problem in Indonesia, with women and girls exploited in domestic servitude, commercial sexual exploitation, and in forced labor in rural agriculture, mining, and fishing. Many victims were originally recruited with offers of jobs in restaurants, factories, or as domestic workers before they were coerced into prostitution. Child sex tourism is prevalent in most urban areas and tourist destinations, such as Bali and Riau Island. Some traffickers continued to forge partnerships with school officials to recruit young men and women in vocational programs for forced labor on fishing boats through fraudulent “internship” opportunities. In April 2011, the government established the National Coalition for the Elimination of Commercial Sexual Exploitation of Children at the University of Indonesia as a first step to addressing the problem.

The Government of Indonesia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the year, the government undertook efforts to improve coordination and reporting of its anti-trafficking efforts. However, the government did not enact necessary migrant worker legislation or apply sufficient criminal sanctions to labor recruiters who subject Indonesian migrants to labor trafficking. Moreover, the government did not demonstrate vigorous efforts to investigate, prosecute, and criminally punish law enforcement officials complicit in human trafficking, and this remained a severe impediment to the government’s and NGOs’ anti-trafficking efforts.

During the year, the Indonesian government undertook a number of reforms that significantly improved the coordination and effectiveness of the 19 ministries and agencies involved in addressing human trafficking. The government clarified the role of the National Agency for Placement and Protection of Indonesian Overseas Workers (BNP2TKI) in implementing the 2004 migrant labor law (Law No. 39), which created the agency. It also enacted a new immigration law that provides additional tools with which to fight the complicity of law enforcement officials in human trafficking and smuggling, and advanced draft legislation to protect migrant workers, including trafficking victims, more effectively. Recognizing the high vulnerability of female migrant workers in some receiving countries, the Indonesian government imposed a ban on its certification of additional Indonesian female migrants going to Saudi Arabia and Jordan; it continued an earlier-imposed ban on female migrants going to Malaysia.



Recommendations for Indonesia: Enact draft legislation that would amend the 2004 Overseas Labor Placement and

Protection Law in order to provide effective protections to Indonesian migrants recruited for work abroad, particularly female domestic workers, as a means of preventing potential trafficking of these migrants; undertake greater efforts to criminally prosecute and punish labor recruitment agencies involved in trafficking and the illicit recruitment practices that facilitate trafficking, including the charging of recruitment fees that are grossly disproportionate to the services that recruiters provide; increase efforts to prosecute and convict public officials – particularly law enforcement and Ministry of Manpower officials who are involved in trafficking; undertake efforts to prosecute and punish those who obtain commercial sexual services from children; increase government funding at all levels of government for law enforcement efforts against trafficking and the rescue, recovery, and reintegration of trafficking victims; increase efforts to protect domestic workers within Indonesia, particularly children, through law enforcement, public awareness and assistance to families, given their particular vulnerabilities to trafficking; improve the collection, analysis, and public reporting of comprehensive data on law enforcement actions taken under the 2007 law; improve coordination with other labor sending governments, through ASEAN or regional migration fora such as the Colombo Process, with the goal of creating a regional migration framework that protects workers from human trafficking and exploitation; and increase efforts to combat trafficking through awareness campaigns targeted at the public and law enforcement personnel at all levels of government in primary trafficking source regions.

Prosecution

The Indonesian government sustained anti-trafficking law enforcement efforts during the last year, though the reported numbers of trafficking offenders prosecuted and convicted declined significantly. This drop may be attributable to an improved system of collecting and reporting law enforcement data within Indonesia's increasingly decentralized government. Through a comprehensive anti-trafficking law passed in 2007 and implemented in 2009, Indonesia prohibits all forms of trafficking in persons, prescribing penalties of three to 15 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. However, police and prosecutors, many of whom are still unfamiliar with the legislation, are often reluctant or unsure of how to effectively use it to punish traffickers. While police reportedly used the 2007 law to prepare cases for prosecution, some prosecutors and judges still use other, more familiar laws to prosecute traffickers. During 2010, police investigated 106 persons who were arrested and charged with offenses under the 2007 law. During the year, the government prosecuted 112 suspected trafficking offenders under the 2007 trafficking law, compared with 138 prosecuted in 2009. The Indonesian government obtained the convictions of 25 offenders in 2010, compared with 84 convictions obtained in 2009. The significantly lower number of convictions in 2010 is in part due to a new and improved data reporting format for national and provincial law enforcement authorities, which resulted in reporting only January through June 2010 for this report

and includes only cases charged under the 2007 anti-trafficking law, rather than counting convictions under child labor and immigration laws. The national task force, in consolidating the collection of anti-trafficking data, faced challenges in collecting full data from provincial and district law enforcement authorities.

Indonesian officials and local NGOs continued to criticize the police as being too passive in investigating trafficking absent specific complaints. NGOs also reported that in cases where police rescued trafficking victims, they often failed to pursue their traffickers, who fled to other regions or left the country. While police were often aware of children in prostitution or other trafficking situations, they frequently failed to intervene to arrest probable traffickers or to protect victims without specific reports from third parties. Police liaison officers are posted to Indonesian embassies in Saudi Arabia, Malaysia, Australia, the Philippines, and Thailand to support law enforcement cooperation with host governments, including trafficking investigations. During the year, the government expanded its collaboration with foreign partners and NGOs in the training of law enforcement officials on trafficking.

The Criminal Investigation Unit in Surabaya has focused on prostitution offenders. In September 2010, they arrested the head of two child trafficking rings. Twenty victims were rescued and the case was referred to prosecution. Police also uncovered a case in which the parents of three girls, who lived in a poor area of Surabaya, sold their daughters to local pimps. Also, in East Java, in May 2010, police in Malang arrested the owners of the labor recruitment firm Jaya Sakti PT Sodo for involvement in suspected trafficking offenses.

During the year, government officials and civil society actors discussed draft legislation on migrant workers that would address the significant gaps in the existing 2004 law. In March 2011, Indonesia's parliament passed a new immigration law, replacing a 1992 statute, that provides punishments of up to two years' imprisonment for officials found guilty of aiding and abetting human trafficking or people smuggling. The new law also links human trafficking and people smuggling, allowing traffickers also to be prosecuted for the crime of smuggling.

Corruption remains endemic in Indonesia, and members of the security forces continued to be involved both directly and indirectly in trafficking, according to NGOs and local officials. Police and military officials were sometimes associated with brothels and fronts for prostitution, most frequently through the collection of protection money, which was a widespread practice. Some security force members were also brothel owners. Fraudulent recruitment brokers involved in trafficking often operate outside the law with impunity. Some Ministry of Manpower officials reportedly licensed and protected international labor recruiting agencies involved in human trafficking, despite the officials' knowledge of the agencies' involvement in trafficking. Some fraudulent recruitment agencies tied to families or friends of government officials or police who make deals when caught, and then continue to operate government passport services remained the object of widespread corruption, and recruitment agencies routinely

falsified birth dates, including for children, in order to apply for passports and migrant worker documents. The Ministry of Manpower publicly stated that it is identifying and punishing these companies, and the media frequently reports arrests of labor company recruiters. In April 2011, authorities reportedly arrested two PJTKI representatives for falsifying the documents of two Indonesian domestic workers that the company sent to Saudi Arabia, and who were severely abused in the Kingdom. However, the ministry has not yet provided any statistics on such activities. Some local officials facilitated trafficking by certifying false information in the production of national identity cards and family data cards for children, allowing them to be recruited for work as adults abroad and within the country.

International organizations and third-country diplomats reported that, in return for bribes, some immigration officials turned a blind eye to potential trafficking victims, failing to screen or act with due diligence in processing passports and immigration control. International NGOs report that corrupt Indonesian immigration officials posted abroad work hand-in-hand with trafficking rings in supplying brothels with victims. There were credible reports of police and military elements complicit in running brothels filled with victims from foreign countries, such as Uzbekistan. When alerted by the victims' embassies of the problems the police reportedly refused to rescue the women. Despite some reports of law enforcement officials' complicity in human trafficking during the year, the government did not report any investigations, prosecutions, convictions, or sentences of public officials for such trafficking-related offenses.

Protection

The Indonesian government continued modest but uneven efforts to protect victims of trafficking during the year. The Ministry of Social Welfare continued to operate 22 shelters and trauma clinics for victims of sex and labor trafficking and the National Police operated several "integrated service centers," which provided medical services to victims of violence, also accessible to victims of trafficking. The government did not, however, report how many victims of trafficking were assisted by these centers. The government continued to operate more than 500 district level women's help desks to assist women and child victims of violence, including trafficking. The government relied significantly on international organizations and NGOs for the provision of services to victims, such as IOM assistance in running the police integrated service centers, and provided some limited funding to domestic NGOs and civil society groups that supported services for populations which included trafficking victims. Most security personnel did not employ formal procedures for the identification and referral of victims among vulnerable groups, such as females in prostitution, children migrating within the country, and workers returning from abroad, but did refer some victims to service providers on an *ad hoc* basis. In part because of a lack of sufficient funding, police were often compelled to return trafficking victims to their homes the day they were rescued, without the provision of any meaningful shelter or assistance. This jeopardized the successful prosecution of trafficking cases and often played into the hands of

traffickers who waited for the victims' return and the opportunity to re-traffic them.

During the year, the government sustained funding for trafficking victim protection efforts, allocating \$133,000 through the Ministry of Women's Empowerment and Child Protection (MWECP) specifically for assistance to trafficking victims. An additional \$3.1 million was allotted by MWECP to the protection of women and children, an unknown part of which will benefit victims of human trafficking. The Social Welfare Ministry continued programs that included operating trauma centers, providing more psychosocial workers and trauma experts, and training on trauma treatment.

Screening of migrants for evidence of trafficking at Jakarta International Airport's Terminal Four, through which nearly 40 percent of legal migrants on their way to destinations other than Malaysia pass, remained inadequate. Officials at the terminal estimated that more than 35 percent of the returnees are victims of trafficking, though for a number of reasons were reluctant to report the problem. Seven ministries operated Terminal Four and the result was that the returnees, more than 1,000 per day, were forced to pay excessive fees for inadequate services. Returnees were required to use transportation arranged by the Ministry of Transportation at exorbitant rates. Neither family members nor friends were allowed to meet with the returnees until they returned to their home of record. The police demanded a fee for the ride and certification of delivery.

Some trafficking victims were detained and arrested by police, including through raids on prostitution establishments; some anti-prostitution raids were carried out by police in order to extract bribes from managers and owners of these establishments. There were reports that some police refused to receive trafficking complaints from victims, instead urging the victims to reach informal settlements with their traffickers. Some government personnel encouraged victims to assist in the investigation and prosecution of trafficking cases, while others were less solicitous of victims' cooperation. The prolonged nature of court cases often led victims to avoid cooperating with the prosecution of their traffickers; additionally, the government does not provide adequate funds for victim witnesses to travel to trials. Authorities continued to round up and deport a small number of women in prostitution without determining whether they were victims of trafficking. Indonesia's Foreign Ministry continued to operate shelters for trafficking victims and migrant workers at some of its embassies and consulates abroad. These diplomatic shelters sheltered thousands of Indonesian citizens in distress, including trafficking victims.

Prevention

The Indonesian government made efforts to prevent human trafficking during the reporting period. The Ministry of Women's Empowerment and Child Protection continued to chair the national task force on trafficking, which included working group sub-units on coordination, policy, and other areas. Indonesia's vice president chaired an October 2010 meeting of the national task force, in which the 19 member agencies were tasked with forming six working groups

and attendant work plans and budgets in line with the 2009-2014 national action plan against human trafficking. The MWECP chaired a follow-up meeting of the task force in January 2011, to develop the six working groups' plans. Despite this progress in coordinating the national government's anti-trafficking, the task force's secretariat continued to face inadequate funding and staffing. During the reporting period, the number of provinces with local anti-trafficking task forces increased to 20, along with a total of 72 regencies and cities with their own task forces. The Ministry of Education launched a public awareness campaign throughout Indonesia to alert vulnerable populations, in particular girls in vocational schools in poorer regions, to the dangers of trafficking and to inform them of their rights. Similarly, the MWEPC aired public service announcements throughout Indonesia warning about trafficking and providing contact information for assistance to victims. The government continued partnerships with NGOs and international organizations to increase public awareness of trafficking. This was the result of coordination among members of the joint task force against trafficking. The government's negotiations with the Malaysian government on amendments to a 2006 memorandum of understanding covering Indonesian domestic workers stalled during the year, reportedly due to an impasse on the issue of a minimum wage and a weekly day off which the government of Indonesia is demanding of domestic workers; as a result, an Indonesian government ban on approving the emigration of domestic workers to Malaysia remained in effect. The 2006 MOU ceded the rights of Indonesian domestic workers to hold their passports while working in Malaysia.

During the year, the government clarified the mandate of the BNP2TKI, which was established under the 2004 Labor Placement and Protection Law (Law No. 39). In prior years, the BNP2TKI and the Ministry of Manpower claimed dueling mandates over the placement and protection of Indonesian migrant workers. The BNP2TKI was formally designated the sole implementer of the 2004 law through a Ministry of Manpower decree issued in October 2010. The Ministry of Manpower reportedly listed approximately 100 labor recruiting companies (PJTJKIs) suspected of malpractice and abuses that potentially contribute to labor trafficking; to date, however, the government has not penalized any of these PJTKIs. The government did not report efforts to reduce the demand for forced labor or the demand for commercial sex acts during the year.

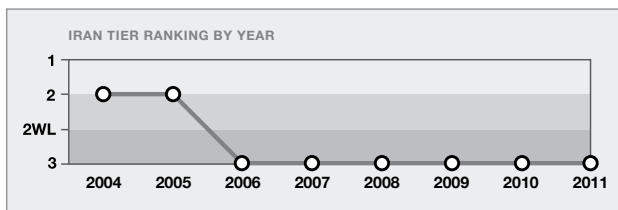
IRAN (Tier 3)

Iran is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Iranian women are trafficked internally for forced prostitution and forced marriage. Iranian and Afghan children living in Iran are trafficked within the country for commercial sexual exploitation – sometimes through forced marriages, in which their new “husbands” force them into prostitution and involuntary servitude as beggars or laborers to pay debts, provide income, or support drug addiction of their families. There are reports of women and girls being sold for marriage to men in Pakistan for the purpose of sexual servitude. Young men and Afghan boys

are forced into prostitution in male brothels in southern Iran or to Afghan and Pakistani warlords. Iranian women and children – both girls and boys – are also subjected to sex trafficking in Pakistan, Turkey, Qatar, Kuwait, the United Arab Emirates, Bahrain, Iraq, France, Germany, and the United Kingdom. Some NGOs report that religious leaders and immigration officials are involved in the sale of young girls and boys between nine and 14 years old to men in Gulf states, particularly Bahrain, for commercial sexual exploitation. According to these sources, a young girl or boy could be sold for \$15 to \$20 or, in Iran, for as little as \$5. The main purchasers of child prostitution in Iran include truck drivers, religious seminaries, and Afghan immigrant workers. Afghan women, boys and girls are also trafficked through Iran to the Persian Gulf for commercial sexual exploitation.

Men and women from Pakistan, Bangladesh, and Iraq migrate voluntarily or are smuggled to Iran, or through Iran, to other Gulf states, Greece, and Turkey seeking employment. Some subsequently are subjected to conditions of forced labor or debt bondage, including through the use of such practices as restriction of movement, nonpayment of wages, and physical or sexual abuse. In Iran, reports indicate victims primarily work in the construction and agricultural sectors, although this type of forced labor may have declined over the past year due to the economic crisis. There are reports that women from Azerbaijan and Tajikistan travel to Iran to find employment and subsequently fall victim to forced prostitution. Tajik women transit Iran and are forced into prostitution in the UAE. NGO reports indicate criminal organizations, sometimes politically connected, play a significant role in human trafficking to and from Iran, particularly across the borders with Afghanistan and Pakistan in connection with smuggling of migrants, drugs, and arms. There are nearly one million Afghans living in Iran, some as refugees and others as economic migrants, who are vulnerable to conditions of human trafficking.

The Government of Iran does not fully comply with the minimum standards for the elimination of trafficking, and is not making significant efforts to do so. Lack of access to Iran by U.S. government officials impedes the collection of information on the country's human trafficking problem and the government's efforts to curb it. The government did not share information on its anti-trafficking efforts with the international community during the reporting period. Publicly available information from NGOs, the press, international organizations, and other governments nonetheless indicate that the government is not taking sufficient steps to address its extensive trafficking challenges. The government did not report any law enforcement efforts to punish trafficking offenders and continues to lack any semblance of victim protection measures. Victims of trafficking are, by government policy, detained and deported if foreign, or simply jailed or turned away if Iranian, further compounding their trauma. The Government of Iran has made no discernible efforts to address widespread government corruption that facilitates trafficking in Iran. For these reasons, Iran is placed on Tier 3 for a sixth consecutive year.



Recommendations for Iran: Significantly increase efforts to investigate trafficking offenses and prosecute and punish trafficking offenders, including officials who are complicit in trafficking; institute a victim identification procedure to systematically identify victims of trafficking, particularly those among vulnerable populations such as persons in prostitution, children in begging rings, and undocumented migrants; offer protection services to victims of trafficking, including shelter and medical, psychological, and legal assistance; cease the punishment of victims of trafficking for unlawful acts committed as a result of being trafficked; and increase transparency in government anti-trafficking policies and activities through public reporting on these.

Prosecution

No reliable information was available on human trafficking investigations, prosecutions, convictions or punishments during the past year. A 2004 law prohibits trafficking in persons by means of the threat or use of force, coercion, abuse of power or of a position of vulnerability of the victim for purposes of prostitution, removal of organs, slavery, or forced marriage. The prescribed penalty under this law reportedly is up to 10 years' imprisonment, which is sufficiently stringent, but not commensurate with penalties prescribed under Iranian law for other serious crimes, such as rape. The Constitution and Labor Code both prohibit forced labor and debt bondage; the prescribed penalty of a fine and up to one year's imprisonment is not sufficient to deter these crimes and is not commensurate with prescribed penalties for other serious crimes, such as rape. In addition, the Labor Code does not apply to work in households. NGO sources report that these laws remain unenforced due to lack of political will and widespread corruption. According to these sources, government officials rarely make efforts to investigate trafficking offenses and traffickers, if found, are able to pay bribes or use connections to avoid punishment. When traffickers are sentenced to prison terms, their sentences are often short to avoid overcrowding of prisons and because Iranian authorities reportedly do not view human trafficking as dangerous to the public. There were no reports of government officials being investigated or punished for complicity in trafficking offenses during the reporting period.

Protection

The Government of Iran made no discernible efforts to protect victims of trafficking during the reporting period, but rather, took steps to punish them. Iran continued to favor direct deportation of foreign victims of trafficking over protection; during the reporting period, Iran deported very large numbers of undocumented Afghans without attempting to identify trafficking victims among them. The government did not have a process to identify

trafficking victims among vulnerable populations found in the country, and officials did not differentiate between victims of trafficking and undocumented migrants. The government also reportedly punished victims of sex trafficking for unlawful acts committed as a direct result of being trafficked, for example, adultery and prostitution. There were reports that the government arrested, prosecuted, and punished several trafficking victims on charges of prostitution or adultery. It is unknown how many victims may have been subjected to punishment during the reporting period for such acts committed as a result of being trafficked. It was extremely difficult for women forcibly held in commercial sexual exploitation to obtain justice; first, because under Iranian law the testimony of two women is needed to contest adequately the testimony of one man, and second, because women who are victims of sexual abuse are vulnerable to being executed for adultery, defined as sexual relations outside of marriage. Most foreign trafficking victims are detained for a short period of time and then deported. Child victims of trafficking may, on rare occasions, be sent to orphanages, but it is reported that these children are often abused there and returned to society without protection. Some welfare organizations may help Iranian trafficking victims, but their efforts are not supported by the government. Foreign victims of trafficking do not have a legal alternative to removal to countries in which they may face hardship or retribution and the government does not encourage victims to assist law enforcement authorities as they investigate and prosecute trafficking cases.

Prevention

There were no reports of efforts by the Government of Iran to prevent trafficking during the past year, such as campaigns to raise public awareness of trafficking, to reduce demand for commercial sex acts, or to reduce demand for child sex tourism by Iranians traveling abroad. There was no improvement in the transparency of the government's reporting on its own anti-trafficking policies or activities and no discernible efforts to forge partnerships with international organizations or NGOs in addressing human trafficking problems. Government complicity in trafficking is a serious impediment to anti-trafficking efforts in Iran and remains unaddressed by the Iranian government. Iran is not a party to the 2000 UN TIP Protocol.

IRAQ (Tier 2 Watch List)

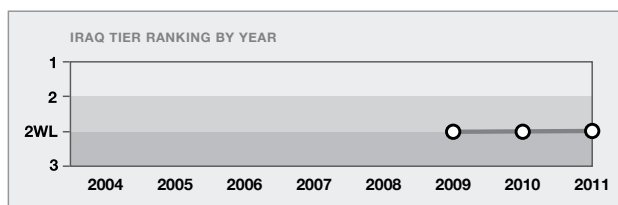
Iraq is a source and destination country for men, women, and children subjected to sex trafficking and forced labor. Iraqi women and girls are subjected to conditions of trafficking within the country and in Syria, Lebanon, Jordan, Kuwait, the United Arab Emirates, Turkey, Iran, Yemen, and Saudi Arabia for forced prostitution and sexual exploitation within households. Women are lured into forced prostitution through false promises of work. Women are also subjected to involuntary servitude through forced marriages, often as payment of a debt, and women who flee such marriages are often more vulnerable to being subjected to further forced labor or sexual servitude. One NGO reports that recruiters rape women and girls on film

and blackmail them into prostitution or recruit them in prisons by posting bail and then holding them in situations of debt bondage in prostitution. Some women and children are forced by family members into prostitution to escape desperate economic circumstances, to pay debts, or to resolve disputes between families. NGOs report that these women are often prostituted in private residences, brothels, restaurants, and places of entertainment. Some women and girls are trafficked within Iraq for the purpose of sexual exploitation through the use of temporary marriages (*muta'a*), by which the family of the girl receives money in the form of a dowry in exchange for permission to marry the girl for a limited period of time. Some Iraqi parents have reportedly collaborated with traffickers to leave children at the Iraqi side of the border with Syria with the expectation that traffickers will arrange for them forged documents to enter Syria and employment in a nightclub. The large population of internally displaced persons and refugees moving within Iraq and across its borders are particularly at risk of being trafficked. Women from Iran, China, and the Philippines reportedly may be trafficked to or through Iraq for commercial sexual exploitation.

Iraq is also a destination country for men and women who migrate from Bangladesh, India, Indonesia, Nepal, the Philippines, Sri Lanka, Thailand, Pakistan, Georgia, Jordan, and Uganda and are subsequently subjected to involuntary servitude as construction workers, security guards, cleaners, handymen, and domestic workers. Such men and women face practices such as confiscation of passports and official documents, nonpayment of wages, long working hours, threats of deportation, and physical and sexual abuse as a means to keep them in a situation of forced labor. Some of these foreign migrants were recruited for work in other countries such as Jordan or the Gulf States, but were forced, coerced, or deceived into traveling to Iraq, where their passports were confiscated and their wages withheld, ostensibly to repay labor brokers for the costs of recruitment, transport, and food and lodging. Other foreign migrants were aware they were destined for Iraq, but once in-country, found the terms of employment were not what they expected or the jobs they were promised did not exist, and they faced coercion and serious harm, financial or otherwise, if they attempted to leave. In addition, some Iraqi boys from poor families are reportedly subjected to forced street begging and other nonconsensual labor exploitation and commercial sexual exploitation. Some women from Ethiopia, Indonesia, Nepal, and the Philippines who migrated to the area under the jurisdiction of the Kurdistan Regional Government (KRG) experienced conditions of domestic servitude after being recruited with offers of different jobs. An Iraqi official revealed networks of women have been involved in the trafficking and sale of male and female children for the purposes of sex trafficking.

The Government of Iraq does not fully comply with the minimum standards for the elimination of trafficking, but is making significant efforts to do so. The government did not demonstrate evidence of significant efforts to punish traffickers or proactively identify victims; therefore, Iraq is placed on Tier 2 Watch List for a third consecutive year. Iraq 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. Nonetheless, the government did not enact its draft anti-trafficking legislation and has reported no other efforts to prosecute or punish traffickers. The Government of Iraq continues to lack proactive victim identification procedures, persists in punishing victims of forced prostitution, and provides no systematic protection services to victims of trafficking.



Recommendations for Iraq: Use existing Iraqi criminal statutes – including those prohibiting kidnapping and detention by force or deception – to investigate and prosecute human trafficking offenses; institute a procedure to proactively identify victims, such as by comprehensively training police and immigration officials who may come into contact with trafficking victims; enact and begin implementing the draft law criminalizing all forms of trafficking; investigate and prosecute trafficking offenses – including both forced prostitution and forced labor – and convict and punish trafficking offenders; cease punishing identified victims of trafficking for crimes committed as a direct result of being trafficked, including forced prostitution; provide protection services to victims or proactively refer victims to available non-governmental protection services; encourage victims’ assistance in prosecuting offenders; provide assistance to Iraqi victims of trafficking identified abroad; offer legal alternatives to removal to foreign victims of trafficking; take steps to end the practice of forced marriages that entrap girls in sexual and domestic servitude; regulate recruitment practices of foreign labor brokers to prevent practices facilitating forced labor; and undertake a public awareness campaign to raise awareness of sex trafficking and forced labor.

Prosecution

The government demonstrated negligible law enforcement efforts against the country’s trafficking in persons problem during the reporting period. The 2005 Iraqi Constitution prohibits forced labor, slavery, slave trade, trafficking in women or children, and sex trade, though the Constitution does not prescribe specific punishments for these acts and it cannot be used to prosecute offenders. The Government of Iraq’s Council of Ministers approved a draft anti-trafficking law during the reporting period, but was unable to enact and begin implementing its promised draft law criminalizing all forms of trafficking, because there was virtually no legislative session since February 2010 due to Iraq’s prolonged government formation process. Nonetheless, several provisions of the penal code criminalize unlawful seizure, kidnapping, and detention by force or deception. The prescribed penalty is up to seven

years' imprisonment and up to 15 years' imprisonment if the victim is a minor and force is used. The penalty for sexual assault or forced prostitution of a child is up to 10 years' imprisonment, which is sufficiently stringent to deter, though not commensurate with the penalties prescribed for rape (up to 15 years in prison). Despite the availability of these laws, however, the government does not collect statistics on prosecutions, convictions, or sentences of trafficking offenders. The government also did not make demonstrable efforts to investigate or punish official complicity in trafficking offenses. The Baghdad Police College provided two anti-trafficking training sessions for police officers, one for female officers and one for male officers, which raised awareness of human trafficking. The Government of Iraq has no mechanisms to collect data on offenses or anti-trafficking law enforcement measures.

Protection

The Iraqi government demonstrated minimal efforts to protect victims of trafficking during the reporting period. Government authorities continued to lack a formal procedure to identify victims of trafficking among vulnerable groups, such as women arrested for prostitution or foreign workers, and did not recognize that women in prostitution may be coerced. As a result, some victims of trafficking were incarcerated, fined, or otherwise penalized for acts committed as a direct result of being trafficked, such as prostitution. Some victims of forced labor, however, were reportedly not detained, fined, or jailed for immigration violations, but they were generally not provided protection services by the government. Some Iraqi police centers have specialists to assist women and children who are victims of trafficking and abuse; the number of victims assisted and the type of assistance provided is unclear. The government neither provided protection services to victims of trafficking nor funded or provided in-kind assistance to NGOs providing victim protection services. All available care was administered by NGOs, which ran victim-care facilities and shelters accessible to victims of trafficking. However, there were no signs that the government developed or implemented procedures by which government officials systematically referred victims to organizations providing legal, medical, or psychological services. Upon release from prison, female victims of forced prostitution had difficulty finding assistance, especially in cases where the victim's family had sold her into prostitution, thereby increasing their chances of being re-trafficked. Some child trafficking victims were placed in protective facilities, orphanages, and foster care, while others were placed in juvenile detention centers. Since trafficking is not established as a crime in Iraq, the government did not encourage victims to assist in investigations or prosecutions or provide legal assistance or legal alternatives to removal to countries in which they may face hardship or retribution for foreign victims of trafficking into Iraq.

Prevention

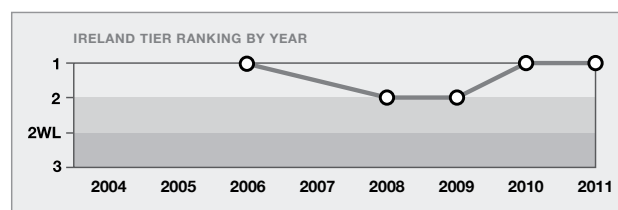
The Government of Iraq did not report efforts to prevent trafficking in persons. The government has not conducted any public awareness or education campaigns to educate

migrant workers, labor brokers, and employers of workers' rights against forced labor. There were also no reported efforts to reduce the demand for commercial sex acts beyond enforcing anti-prostitution laws. The Iraqi government does not consistently monitor immigration and emigration patterns for evidence of trafficking, but there are reports of isolated instances in which Iraqi border security forces prevented older men and young girls traveling together from leaving Iraq using fake documents.

IRELAND (Tier 1)

Ireland is a destination, source and transit country for women, men, and children subjected to sex trafficking and forced labor. Sex trafficking victims originate in Eastern Europe, Africa, including Nigeria, as well as South America and Asia. Labor trafficking victims reportedly consist of men and women from Bangladesh, Pakistan, Egypt, and the Philippines, though there may also be some victims from South America, Eastern Europe, and other parts of Asia and Africa. Forced labor victims are found in domestic service, restaurant, and agricultural work. According to local reporting, including an NGO service provider, some victims have been subjected to domestic servitude by foreign diplomats posted in Ireland. According to local experts, children are subjected to prostitution in various cities in Ireland, including Sligo, Kilkenny, Cork, and Dublin. A 2010 report by NGO experts concluded that victims of sex trafficking in Ireland are subjected to multiple repressive methods, including debt bondage, as well as physical and psychological coercion, which prevent their discovery by law enforcement. Further, NGOs report that the majority of trafficking victims in Ireland remain unidentified; only victims who escape, are rescued, or pay off their indentured debts come to the attention of authorities.

The Government of Ireland fully complies with the minimum standards for the elimination of trafficking. During the year, the Irish government funded NGOs that provided specialized assistance to victims of forced labor and forced prostitution and increased implementation of its anti-trafficking law. The government, however, prosecuted and convicted only one person for a human trafficking offense, involving the commercial sexual exploitation of a child. The government identified a number of possible victims of trafficking, but only a few were granted official victim status or provided with temporary residency permits in 2010.



Recommendations for Ireland: Increase implementation of the Criminal Law (Human Trafficking) Act of 2008 and vigorously prosecute, convict, and sentence labor and sex trafficking offenders in Ireland; separate the sexual

abuse of children and child pornography clauses from the 2008 statute to ensure trafficking offenses prosecuted under the 2008 law can be tracked under accepted definitions; publish recently amended guidelines for prosecutors and take additional steps to ensure identified victims are not punished as a direct result of their being trafficked; take steps to institutionalize and improve the proactive identification of trafficking victims given their initial reluctance to disclose elements of exploitation to law enforcement; pursue a victim-centered approach to trafficking by expanding partnerships with NGOs providing specialized services for forced labor and sex trafficking victims; improve identification efforts of potential forced labor victims, including among undocumented migrants in Ireland; and implement demand measures among consumers of the products made and services provided through forced labor and educate potential clients of prostitution about trafficking.

Prosecution

The Government of Ireland made progress in its anti-trafficking law enforcement efforts during the reporting period. Although it improved implementation of its 2008 anti-trafficking law, only two convicted offenders served time in jail during the reporting period. Ireland prohibits all forms of trafficking through its Criminal Law (Human Trafficking) Act, enacted in 2008. Penalties prescribed under this law range from no imprisonment to life imprisonment, a range that is sufficiently stringent and commensurate with punishments prescribed for other serious offenses, such as rape. The government investigated 75 suspected offenders in 2010, an increase from 66 investigated in 2009. Local observers continued to express concern over the lack of use of the 2008 anti-trafficking law to prosecute trafficking offenders in Ireland. Furthermore, the government adopted a broad definition of sexual exploitation under this law, including the sexual abuse of children. Under Ireland's Child Trafficking and Pornography Act, the government convicted an offender to a prison sentence of 10 years for recruiting a child to engage in a sexual act for the purpose of producing child pornography, an offense that constitutes human trafficking. In another case, the government convicted and sentenced an offender to six years' imprisonment under its Child Trafficking and Pornography Act for the attempted recruitment of a child for sexual exploitation. While the government reported it convicted other offenders in 2010, these cases centered on the sexual abuse of children that did not include elements of commercial sexual exploitation. There were no convictions of labor trafficking offenders in Ireland in 2010. The government took an important step to address the trafficking complicity of public officials through Operation Mast, a two year investigation into trafficking and organized prostitution in Ireland, which resulted in the rescue of 11 Nigerian trafficking victims and the arrest of a suspended member of the Irish police force in November 2010. According to media reports, the officer allegedly provided falsified documentation to a female Nigerian trafficker running the ring.

Protection

The Irish government sustained its progress in the protection of trafficking victims in 2010, but issued only five temporary residence permits in 2010. According to NGOs and recent research, Ireland's current statutory systems and services are insufficient to support and protect victims of trafficking, which can result in victims' criminalization and deportation. During the reporting period, the government identified 78 potential trafficking victims, including 19 children, and six Irish nationals; this is an improvement from 2009, when 66 potential victims were identified. However, given the government's overly broad definition of trafficking, some of these could be cases of sexual abuse rather than trafficking as such. According to NGOs, the average waiting time for a victim to be officially identified as a potential victim of trafficking is six months, and during this time, the individual is not entitled to any state benefits. Thus, NGOs take responsibility for providing support to the uncertified victims. In addition, NGO experts continued to assert that more trafficked children and adults in Ireland remain unidentified and could not benefit from the increased protections put in place for them. While the government formalized procedures to guide officials in the identification and referral of victims, NGOs report that better institutional cooperation among key stakeholders is needed to achieve a reliable identification process to locate other potential trafficking victims in Ireland. Most trafficking victims identified by Irish authorities were referred to state-provided accommodations or to the government's health care and planning department, instead of being referred to NGOs offering specialized services for trafficking victims. The government accommodated trafficking victims in reception centers that also cared for asylum seekers.

The government provided only temporary legal alternatives to the removal of foreign victims as part of a 60-day reflection period – time for victims to receive immediate care and assistance while they consider whether to assist law enforcement. Five victims received the reflection period during the reporting period, compared with 10 victims during the previous year. NGOs expressed concern with the length of time it takes to grant victims a reflection period. Also, NGOs reported that victims were subjected to interviews with law enforcement before being granted temporary legal status. The government reported that nearly half of the identified trafficking victims were in the process of claiming asylum, a complex and time-consuming procedure. According to the government's 2009-2012 National Action Plan on Trafficking, victims in Ireland who "allege trafficking as part of an asylum claim" cannot access the labor market, while other victims are granted such access.

The government reported funding \$551,000 to NGOs providing specialized services for victims of sex trafficking and \$12,000 to NGOs focusing on labor trafficking. Government social workers, the majority of whom have received anti-trafficking training, organized specific care plans for child victims. The government encouraged victims to participate in anti-trafficking investigations and prosecutions and provided a 60-day period of reflection to decide; however, NGOs noted concern that some victims required more time to recover and to escape the influence

of their alleged traffickers in order to make a decision about whether to cooperate with law enforcement. The government reported that no identified trafficking victims were subjected to deportation from Ireland and there were no documented cases of trafficking victims being criminalized for unlawful acts committed as a direct result of their being trafficked during the reporting period. NGOs continue to voice concerns that victims were not adequately protected from such penalization.

Prevention

The government sustained its anti-trafficking prevention efforts. In January 2011, it launched a regional Blue Blindfold campaign in Ireland aimed at targeting potential victims and to reduce demand for trafficking. The Irish Justice Department's anti-human trafficking unit continued to coordinate the country's anti-trafficking effort; a high-level anti-trafficking interdepartmental group also functioned as a coordination mechanism. It sponsored and organized a one day film festival in October 2010 to coincide with the EU's Anti-trafficking day. The government did not report on any prevention measures targeted at reducing the vulnerability of unaccompanied foreign minors to trafficking. The Department of Defense provided ongoing anti-trafficking training for all Irish troops prior to their deployment abroad as part of international peacekeeping missions. The government did not identify any Irish nationals involved in child sex tourism during the reporting period.

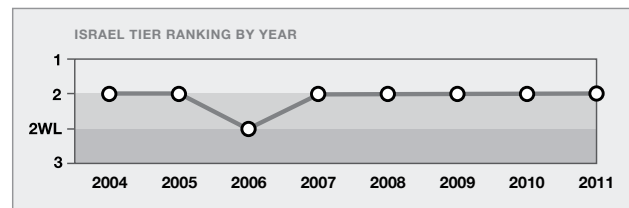
ISRAEL (Tier 2)

Israel is a destination country for men and women subjected to forced labor and sex trafficking. Low-skilled workers from Thailand, China, Nepal, the Philippines, India, Sri Lanka, and, to a lesser extent, Romania, migrate voluntarily and legally to Israel for temporary contract labor in construction, agriculture, and home health care provision. Some, however, subsequently face conditions of forced labor, including through such practices as the unlawful withholding of passports, restrictions on movement, inability to change or otherwise choose one's employer, nonpayment of wages, threats, sexual assault, and physical intimidation. Many labor recruitment agencies in source countries and in Israel require workers to pay recruitment fees typically ranging from \$4,000 to \$20,000 – a practice making workers highly vulnerable to trafficking or debt bondage once working in Israel. One NGO noted that recruitment fees increased in 2010.

According to the Ministry of Interior (MOI), an increased number of migrants (approximately 14,000) crossed into Israel in 2010 from the Sinai, compared with approximately 5,000 in 2009. Organized Bedouin groups kept many of these migrants captive in the Sinai; an unknown number of them were forced into sexual servitude or labor to build homes and serve as domestic workers. Some women from the former Soviet Union and China are subjected to forced prostitution in Israel, although the number of women affected has declined since the passage and implementation of Israel's 2006 anti-trafficking bill. Chinese sex trafficking victims are forced into prostitution for male Chinese

workers in Israel. In the past year, the government and the media reported that four South American women were forced into prostitution. According to an NGO and a media report, some Israeli women and girls are subjected to sex trafficking in Israel, but the police could not corroborate these allegations.

The Government of Israel does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Israel continued law enforcement actions against sex trafficking and continued to make strong prevention efforts. The government continued to take inadequate steps, however, to identify and protect labor trafficking victims and prosecute and convict labor trafficking offenders in the reporting period.



Recommendations for Israel: Significantly increase prosecutions, convictions, and punishment of labor trafficking offenders (including “employers”) and offenses; ensure that labor trafficking crimes are prosecuted under labor trafficking statutes; ensure trafficking victims are not penalized for unlawful acts committed as a direct result of being trafficked, such as immigration violations; continue to investigate the incidence of Israeli nationals subjected to forced prostitution; increase the number of labor inspectors and translators in the agriculture, construction, and homecare sectors, ensuring that they are adequately trained in identifying trafficking cases; eliminate “binding” and other restrictions on the ability of foreign workers to freely change employers within sectors; evaluate employers and recruitment agencies for histories or indicators of abusive practices before referring abused migrant workers to them for new employment; strengthen victim identification of migrants arriving from Sinai, and accord those trafficking victims full protections and medical treatment; enforce the prohibition to charge brokerage fees beyond the maximum amount allowed by Israeli law; and cease practice of immediately returning migrants back to Egypt (“hot returns”) without determining if they were trafficking victims in the Sinai.

Prosecution

The Government of Israel sustained its strong law enforcement progress against sex trafficking during the reporting period; it also made initial progress against labor trafficking, seen through the first prosecution under a labor trafficking statute involving a migrant worker. Israel prohibits all forms of human trafficking through its Anti-Trafficking Law of 2006, which prescribes penalties of up to 16 years' imprisonment for trafficking of an adult, up to 20 years' imprisonment for trafficking of a child, up to 16 years' imprisonment for slavery, and up to seven years' imprisonment for forced labor. These penalties

are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. During the year, the government did not record any convictions for labor trafficking under trafficking statutes. The government convicted seven sex traffickers under trafficking statutes, with sentencing ranging from six months' community service to 8.5 years' imprisonment with compensation to the victim of about \$11,000. At least one of these cases is currently under appeal. Israel convicted six sex traffickers under non-trafficking statutes; these cases were prosecuted under trafficking statutes but the offense was changed during plea negotiations. Sentences imposed on these convicted offenders ranged from 24 months' imprisonment with compensation to the victim of \$8,000 to 7.5 years' imprisonment. The government prosecuted two cases with three defendants for labor trafficking under trafficking statutes, one of which involved migrant workers from Thailand and the Philippines in the agriculture and homecare sectors. Eleven sex trafficking cases, with approximately 21 defendants, were prosecuted under trafficking statutes. Many of these prosecutions were ongoing from previous years. In the reporting period, the government investigated three individuals for labor trafficking and seven individuals for sex trafficking. One of these investigations stemmed from a complaint an NGO filed with police in May 2010 on behalf of a caregiver from Moldova who was forced to have sex with the employer's young disabled son over a sustained period of time, experiencing threats and lack of freedom of movement. A Ministry of Welfare and Social Services employee had been aware of the situation of forced sex but did not intervene; the government launched an investigation of the employer, as well as a separate investigation of the Ministry worker.

NGOs continued to assert that the government focused on prosecutions of related offenses – which allow for smaller punishments – rather than the prosecutions of trafficking crimes. Police did not uncover cases where Israeli women were forced into prostitution during the reporting period. NGOs continued to report that the majority of alleged labor trafficking complaints were launched by NGOs, as opposed to by the government, and they also noted that there was insufficient funding and staffing for police enforcement, particularly in the field. The SAAR unit – which was established in 2009 to specialize in cases involving foreign workers, and includes a trafficking unit – confirmed that it relied largely on information from NGOs to investigate instances of alleged labor trafficking. The government continued to provide numerous classes, workshops, and seminars to train law enforcement officers, judicial officials, labor inspectors, and others on trafficking. For instance, the Institute of Legal Training for Attorneys and Advisors of the Ministry of Justice conducted a seminar on trafficking for state prosecutors, judges, and lawyers.

Protection

The Government of Israel continued to improve its protection of trafficking victims over the reporting period, although it lacked effective procedures to identify victims of labor trafficking, including migrant workers and migrants who entered from the Sinai. As a result, some unidentified victims were penalized for offenses or violations committed as part of their being trafficked. The

government has a formal system of proactively identifying foreign sex trafficking victims among high-risk persons with whom they come in contact. In the reporting period, police did not identify any children or Israeli women forced into prostitution. During the reporting period, the government completed a study which, among other things, examined claims of internal sex trafficking. According to an NGO, Israel detained and deported some labor trafficking victims if they were undocumented and not identified as trafficking victims. Some alleged sex trafficking victims were also arrested and detained for their undocumented status. An NGO noted that some trafficking victims who entered Israel via the Sinai stayed in the Saharonim prison long after being recognized as trafficking victims. The government provided some training and workshops on victim identification to officials. For instance, in November 2010, all Population, Immigration, and Borders Authority inspectors enforcing certain foreign labor laws participated in a mandatory training program which included a segment on trafficking prevention and victim identification.

The government continued to run its 35-bed Maagan shelter for foreign female trafficking victims and the 35-bed Atlas shelter for foreign male trafficking victims, both of which were open and did not detain victims involuntarily. NGOs and international organizations claim that these shelters are insufficient to treat the scale of trafficking victims in Israel. The government referred 15 women to the Maagan shelter and 63 men to the Atlas shelter in 2010. As of December 2010, 20 women, 13 men, and six children were housed in the shelters. The shelter staff maintained contact with trafficking victims after they had left the shelter to assist them with long-term re-integration into Israeli society. The government continued to fund and supervise the shelters and its legal and medical services, allocating approximately \$1.4 million in 2010 to fund an NGO's operation of the Atlas and Maagan facilities. While these two shelters offer some job training, they were not geared for long-term treatment beyond one year. The Legal Aid Branch of the Ministry of Justice continued to enable victims to obtain restitution and provided representation to all victims free of charge. In cases handled by the Branch, however, traffickers were given lesser penalties than if they were sentenced in criminal proceedings. The government encouraged victims to assist in the investigation and prosecution of trafficking.

The MOI did not perform sufficient checks on referred employers and had sent some migrant workers, who had already experienced abuses in Israel, to work for other abusive employers – sometimes without their consent. Government officials noted that there were several allegations against particular police officers about mistreatment and abuse of foreign workers, some of whom may have been trafficking victims. During the year, the government issued several temporary B1 visas – unrestricted work visas – to trafficking victims, not contingent on their cooperation with law enforcement officials. While the government insisted that all requests for such B1 visas be approved by the Ministry of Interior, an NGO noted that some trafficking victims assisted in shelters during the reporting period – including those who entered via the Sinai – were not granted those visas. The government acknowledged the problem that no trafficking

victims who entered via the Sinai received B1 visas, and officials began discussing how to rectify the situation.

NGOs and international organizations were critical of Israeli efforts to identify and protect trafficking victims among the migrants and refugees who entered via the Sinai, as well as the government's continued practice of "hot returns" of asylum seekers back to Egypt without attempting to identify trafficking victims among them. According to international organizations and NGOs, immigration officials pressured some trafficking victims with disputed nationalities not to claim citizenship of Sudan or Eritrea, which would accord protection from deportation. As a result, these trafficking victims were not offered protection, including shelter and B1 visas. In August 2010, the Humanitarian Committee of the Ministry of Interior ruled that a sex trafficking victim was permitted to receive an A5 temporary residence visa for two years, after which period she could enter into the process to become a permanent resident, due to the special circumstances of her case – she was trafficked at the age of 15 by her father in 2001.

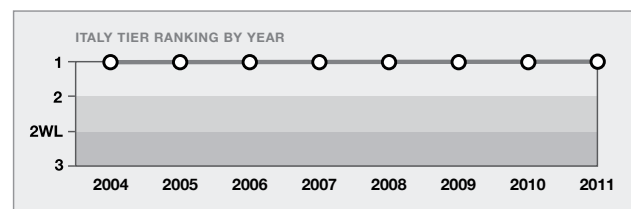
Prevention

The Israeli government made sustained progress in preventing trafficking in persons over the reporting period. In December 2010, the government held its third annual ceremony to present awards to individuals or organizations that made a significant contribution against human trafficking. The Knesset Subcommittee on Trafficking in Women met often during the reporting period, including via public hearings, to discuss ways to enhance governmental efforts to combat human trafficking. Inter-agency coordination on human trafficking was generally well-coordinated. The government opened several investigations and prosecutions, and obtained three convictions with sentences ranging from 15 to 50 months' imprisonment, for illegal extraction of recruitment fees from foreign workers. The government revoked the license of one recruitment agency due to illegal fees taken from migrant workers recruited abroad. NGOs continued to criticize the lack of mobility of foreign workers within sectors and raised concerns over amendments to the Law of Entry passed in the Knesset in May 2011 that further bind foreign workers to sectors, employers, and geographic regions. NGOs assert that the binding of migrant workers creates vulnerability to human trafficking. As a continuation of last year's efforts, the country's national coordinator for human trafficking posted an annual summary of the Israeli government's anti-trafficking efforts on the Internet. As in prior years, the Knesset held a meeting to discuss the 2010 TIP Report for Israel. The government continued to distribute a labor rights brochure to foreign workers arriving at Ben Gurion Airport. In November 2010, an amendment to the Foreign Workers Law was passed which authorizes inspectors to enter and inspect a private household where migrant workers are employed. Every Israeli citizen is registered in the Population Registry. Foreign workers are registered with their respective manpower agencies. The government opened 456 cases of managing a property for the purpose of engaging persons in prostitution and 27 cases of advertisement of prostitution services, in efforts to reduce the demand for commercial sex acts.

ITALY (Tier 1)

Italy is a destination and transit country for women, children, and men subjected to sex trafficking and forced labor. Victims originate from Romania, Nigeria, Morocco, Albania, Moldova, Russia, Ukraine, Bulgaria, China, and, to a lesser extent, Belarus, Brazil, Colombia, Kazakhstan, Kyrgyzstan, Pakistan, Bangladesh, and Ecuador. Romanians and other children from Eastern Europe continued to be subjected to sex trafficking and forced begging in the country. A significant number of men continued to be subjected to forced labor and debt bondage, mostly in the agricultural sector in southern Italy and the service sectors in the north of the country. Recruiters or middlemen are often used as enforcers for overseeing the work on farms in the south; reportedly they are often foreigners linked to organized crime elements in southern Italy. Immigrant laborers in the agriculture, construction, and domestic service sectors and those working in hotels and restaurants were particularly vulnerable to forced labor. Forced labor victims originate in Poland, Romania, Pakistan, Albania, Morocco, Bangladesh, China, Senegal, Ghana, and Cote d'Ivoire.

The Government of Italy fully complies with the minimum standards for the elimination of trafficking. The government provided comprehensive social assistance to identified trafficking victims and it continued to vigorously prosecute trafficking offenders. However, the government has yet to adopt national procedures for the identification and referral of victims throughout Italy. Furthermore, NGOs remain concerned that the government's focus on the expedited return of illegal migrants and foreign women in street prostitution resulted in trafficking victims not being identified by authorities and therefore being treated as law violators and being penalized for unlawful acts committed as a direct result of being trafficked. During the reporting period, the country's prime minister was investigated for facilitating child prostitution.



Recommendations for Italy: Ensure that formalized protection and services are provided to victims of forced labor in Italy; collect and disseminate comprehensive law enforcement data disaggregating forced labor from forced prostitution convictions; standardize identification and referral procedures for potential trafficking victims on the national level; increase outreach and identification efforts to all potential victims to ensure trafficking victims are not penalized for immigration crimes committed as a direct result of being trafficked; implement proactive anti-trafficking prevention programs targeted at vulnerable groups, trafficked victims and the larger public; consider establishing an autonomous, national rapporteur to enhance anti-trafficking efforts; and share Italy's best practices on victim protection with other countries.

Prosecution

The Government of Italy continued to proactively investigate and prosecute trafficking offenders during the reporting period. Italy prohibits all forms of trafficking in persons through its 2003 Measures Against Trafficking in Persons Law, which prescribes penalties of eight to 20 years' imprisonment. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. In 2009, the government reported investigating 2,521 suspected trafficking offenders, resulting in the arrest of 286 people, compared with investigating 2,738 suspects, and arresting 365 people in 2008. Italian courts convicted 166 trafficking offenders in 2009, an increase from 138 convictions in 2008. The average sentence imposed on offenders convicted under the country's trafficking law was 6.5 years in prison. Trafficking offenders convicted under exploitation of underage prostitution and slavery laws were given sentences averaging 3.5 and 1.5 years, respectively. The government did not disaggregate its data to demonstrate convictions of forced labor offenders. In February 2011, investigators disrupted a criminal organization composed of three groups of Romanians and Italians suspected of trafficking in persons in Messina. Prosecutors requested the arrest of 40 individuals accused of recruiting, kidnapping, segregating, raping, and forcing Romanian victims into prostitution as well as threatening their relatives in Romania. The suspects reportedly also auctioned off the virginity of underage victims. Although the government continued to investigate acts of trafficking-related complicity involving police officers and other officials, it did not report any resulting prosecutions, convictions, or sentences. Specifically, the government did not report additional action in a case from December 2009 in which authorities arrested and charged two prison guards with exploitation of women in prostitution or a case from September 2007 involving an officer of the Italian consulate in Kyiv arrested for facilitating the trafficking of young girls for forced prostitution. In May 2010, officials arrested two police officers suspected of trafficking-related complicity in a night club in Pisa. In February 2011, judges set a trial date for Prime Minister Berlusconi for the alleged commercial sexual exploitation of a Moroccan child; media reports indicate evidence of third party involvement in the case, indicating the girl was a victim of trafficking.

Protection

In 2010, the Government of Italy continued to provide comprehensive assistance to identified trafficking victims, primarily through the funding of NGOs by national, regional and local authorities. Article 13 of the Law 228/2003 provides victims with three to six months' assistance while Article 18 of Law 286/1998 guarantees victims shelter benefits for another 12 months and reintegration assistance. Application of this article is renewable if the victim finds employment or has enrolled in a training program, and is sheltered in special facilities. Foreign child victims of trafficking received an automatic residence permit until they reached age 18. While there are arrangements at the local level to help guide officials in identifying and referring trafficking victims, the government did not have formal procedures on the national level for all front-line responders in Italy. The

government did not provide information on the overall number of victims identified or the number who entered social protection programs during the year, though it reported that 527 victims obtained temporary residence visas in 2010, a decline from 810 victims who obtained such visas in 2009. The police reported identifying 640 victims of labor exploitation in 2010, compared to 410 identified in 2009. During the reporting period, government funding made available for social assistance programs for trafficking victims was approximately \$12.7 million. Eighty-three victims assisted law enforcement in the investigation of their traffickers. The Italian government does not have a formal reflection period during which trafficking victims can recuperate and decide whether to assist law enforcement, but rather informally grants one without it being limited to a finite number of days. A recent NGO report praised this informal reflection period, noting its "important results" when combined with comprehensive assistance provided to victims.

During the reporting period, the government continued to implement anti-immigration security laws and policies resulting in fines for illegal migrants and their expedited expulsion from Italy. Further, in November 2010, the government approved a security package that provides for the return of foreign women in prostitution found on the street in violation of rules adopted by local authorities. Local and international experts continue to voice concerns that this commitment to expedited expulsion has prevented law enforcement authorities from adequately identifying potential victims of trafficking.

Prevention

The Government of Italy demonstrated some efforts to prevent trafficking in 2010, but did not launch any new, comprehensive anti-trafficking campaigns to raise awareness or address demand for forced prostitution and forced labor during the reporting period. The Ministry for Equal Opportunity established a committee that included independent experts and NGOs to draft Italy's first national action plan on trafficking in 2010. Transparency in the government's anti-trafficking efforts was limited, however, as the government did not report publicly on its policies or various measures to address the problem. In September 2010, a federation of tour operators and trade unions presented its first report on child sex tourism: reportedly 78 percent of 130 tour operators informed their tourism clients about the need to respect children when traveling abroad; however, the report criticized Italian authorities for not enforcing child sex tourism laws. The Center of Excellence for Stability Police Units continued to organize training on human rights and trafficking for personnel who serve in international missions and the Italian armed forces regularly organize training to prevent the trafficking or sexual exploitation of women and children while troops are deployed abroad for any purpose.

JAMAICA (Tier 2)

Jamaica is a source, transit, and destination country for adults and children subjected to sex trafficking and forced labor. NGOs report that the most common form of