

# TRAFFICKING IN PERSONS REPORT



JUNE 2005



Dear Reader:

In his 2005 inaugural address, President Bush gave renewed voice to the hopes and dreams of people around the world who seek lives of freedom. He said, “America will not pretend that the jailed dissidents prefer their chains, or that women welcome humiliation and servitude, or that any human being aspires to live at the mercy of bullies.” Yet for millions of people entrapped each year in vicious schemes of labor and sex trafficking, freedom is denied. These trafficking victims are deprived of their most basic human rights and fall into modern-day slavery. President Bush, the Congress, and the American people are united in efforts to eradicate trafficking in persons internationally and within national borders because this global crime opposes the universal value of freedom.



This fifth annual *Trafficking in Persons Report*, along with the \$96 million in anti-trafficking assistance our nation provided to foreign governments and non-government organizations last year, demonstrates our strong commitment to this cause. This year, we included more country analyses as a result of deeper research and a wider range of sources. We also expanded our coverage of labor slavery, especially internal labor trafficking. Forced labor and involuntary servitude are appallingly common, including whole villages working to pay off old debts passed down through generations.

The *TIP Report* serves to expose these despicable aspects of trafficking. It provokes, lauds, and challenges. Countries including the United States, which is dealing with its own trafficking problem, have been inspired to greater action against human trafficking as a result of this unique compendium. By reading it, we hope you are joining with us in the abolitionist movement of the 21st century to advance freedom for the world’s most vulnerable citizens.

Sincerely,

A handwritten signature in blue ink that reads "Condoleezza Rice". The signature is fluid and cursive.

Condoleezza Rice



South Asian girl peers through the loom that is the instrument of her exploitation.

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*This Report and subsequent updates are available at [www.state.gov/g/tip](http://www.state.gov/g/tip)*



### VICTIM PROFILES

*The victims' testimonies included in the report are meant to be representative only and do not include all forms of trafficking that occur. Any of these stories could unfortunately take place almost anywhere in the world. They are provided to illustrate the many forms of trafficking and the wide variety of places in which they take place. No country is immune. All names of victims that appear in this report are fictional. The photographs on this Report's cover and most uncaptioned photographs in the Report are not images of confirmed trafficking victims, but are provided to show the myriad forms of exploitation that help define trafficking and the variety of cultures in which trafficking victims can be found.*

## INTRODUCTION

*CENTRAL AFRICA: Mary, a 16-year-old demobilized child soldier forced to join an armed rebel group in central Africa, remembers: “I feel so bad about the things that I did. It disturbs me so much that I inflicted death on other people. When I go home I must do some traditional rites because I have killed. I must perform these rites and cleanse myself. I still dream about the boy from my village whom I killed. I see him in my dreams, and he is talking to me, saying I killed him for nothing, and I am crying.”*

### The 2005 Trafficking in Persons (TIP) Report: Its Purpose

The Department of State is required by law to submit a report each year to the U.S. Congress on foreign governments’ efforts to eliminate severe forms of trafficking in persons. This Report is the fifth annual TIP Report.

This Report is intended to raise global awareness and spur foreign governments to take effective actions to counter all forms of trafficking in persons — a form of modern-day slavery. The Report has increasingly focused the efforts of a growing community of nations to share information and to partner in new and important ways to fight human trafficking. A country that fails to take significant actions to bring itself into compliance with the minimum standards for the elimina-

tion of trafficking in persons receives a negative “Tier 3” assessment in this Report. Such an assessment could trigger the withholding of non-humanitarian, non-trade-related assistance from the United States to that country.

In assessing foreign governments’ efforts, the TIP Report highlights the “three P’s” — prosecution, protection, and prevention. But a victim-centered approach to trafficking requires us equally to address the “three R’s” — rescue, rehabilitation, and reintegration. The law that guides these efforts, the Trafficking Victims Protection Act of 2000 (TVPA), makes clear from its first sentence that the purpose of combating human trafficking is to ensure just and effective punishment of traffickers, to protect their victims, and to prevent trafficking.



*Young Indian boy forced to weave saris.*





*Members of Northern Thailand's hill tribes, many of whom do not have formal citizenship or residency, are vulnerable to trafficking.*



More than 140 years ago, the United States fought a devastating war to rid our country of slavery, and to prevent those who supported it from dividing the nation. Although the vast majority of nations succeeded in eliminating the state-sanctioned practice, a modern form of human slavery has emerged as a growing global threat to the lives and freedom of millions of men, women, and children. Today, slavery is rarely state-sponsored. Instead, human trafficking often involves organized crime groups who make huge sums of money at the expense of trafficking victims.

*CAMBODIA: Neary grew up in rural Cambodia. Her parents died when she was a child, and, in an effort to give her a better life, her sister married her off when she was 17. Three months later they went to visit a fishing village. Her husband rented a room in what Neary thought was a guest house. But when she woke the next morning, her husband was gone. The owner of the house told her she had been sold by her husband for \$300 and that she was actually in a brothel.*

*For five years, Neary was raped by five to seven men every day. In addition to brutal physical abuse, Neary was infected with HIV and contracted AIDS. The brothel threw her out when she became sick, and she eventually found her way to a local shelter. She died of HIV/AIDS at the age of 23.*

Every year we add to our knowledge of the trafficking phenomenon. In last year's Report, we used U.S. Government data that disaggre-

gated transnational trafficking in persons by age and gender for the first time. These data showed that, of the estimated 600,000 to 800,000 men, women, and children trafficked across international borders each year, approximately 80 percent are women and girls and up to 50 percent are minors. The data also illustrate that the majority of transnational victims are trafficked into commercial sexual exploitation. With a focus on transnational trafficking in persons, however, these data fail to include millions of victims around the world who are trafficked within their own national borders.

The alarming enslavement of people for purposes of labor exploitation, often in their own countries, is a form of human trafficking that can be hard to track from afar. It may not involve the same criminal organizations profiting from transnational trafficking for sexual exploitation; more often individuals are guilty of, for example, enslaving one domestic servant or hundreds of unpaid, forced workers at a factory.

*UNITED ARAB EMIRATES: Lusa is a 17 year-old orphan kidnapped in 2004 from her native Uzbekistan. Lusa's aunt engineered her abduction to Dubai using a cousin's passport, because the aunt wanted to take Lusa's apartment. In Dubai, Lusa was sold to a slavery and prostitution ring. When she was no longer useable in prostitution, the traffickers sent her to a psychiatric center. An Uzbek NGO located her in Dubai. The NGO arranged to move her to a shelter, and they began working on her repatriation. Because she entered the U.A.E. illegally, on*

*a false passport, the U.A.E. immigration service said she should serve a two-year prison sentence. Government officials and the enterprising NGO are negotiating Lusa's case.*

A wide range of estimates exists on the scope and magnitude of modern-day slavery. The International Labor Organization (ILO) — the United Nations (UN) agency charged with addressing labor standards, employment, and social protection issues — estimates that there are 12.3 million people enslaved in forced labor,

bonded labor, forced child labor, sexual servitude, and involuntary servitude at any given time. The nationalities of these people are as diverse as the world's cultures. Some leave developing countries, seeking to improve their lives through low-skilled jobs in more prosperous countries. Others fall victim to forced or bonded labor in their own countries. Some families give children to related or unrelated adults who promise education and opportunity — but deliver the children into slavery — for money.

Conventional approaches to dealing with forced or bonded labor usually focus on com-

### COMBATING TRAFFICKING: THE INVALUABLE ROLE OF THE MEDIA

The media plays an indispensable role in educating us about the many manifestations of global human trafficking, presenting the problem in human terms and in all its painful detail. Yet media coverage is weak in many parts of the world. Some news media outlets are not yet aware of the trafficking phenomenon, or confuse it with other issues such as illegal migration and alien smuggling. The media's role is most effective when it:

- Illuminates the problem. By writing an article or airing a segment focusing on trafficking in persons, media not only educates the public but also shines a light on an issue typically shrouded in darkness. We know of many cases, particularly in corrupt systems, in which scrutiny by international media has made the difference between a trafficker's release or imprisonment.
- Provides a help line. When the media prints or airs an item on trafficking, it is beneficial to include a local anti-trafficking help line number and other assistance sources, for potential victims and community members who may want to get involved.
- Shames the perpetrators. Identify traffickers and protect victims. Press accounts tend to focus on victims. It is ethical and respectful for the media to protect victims by altering details of identity and personal story. Identify and photograph traffickers — they deserve the limelight.

The Department of State's Office to Monitor and Combat Trafficking in Persons has a Public Affairs and Outreach Section that is eager to hear from you. Please join us in the fight against trafficking: [tipoutreach@state.gov](mailto:tipoutreach@state.gov), or (202) 312-9639.



*Children watch television at the Border Police precinct after being held at the border town of Hachedura, El Salvador. Ten minors were rescued by border police after traffickers intended to smuggle them into Guatemala.*



pliance, in line with international conventions (i.e., ILO Conventions 29, 39, and 182). These approaches seek to have exploitative industries comply with the law by simply releasing the victims or requiring compensation.

Approaches to combating forced labor slavery that rely on labor standards can be weak in punishing the employers of forced or bonded laborers – the slave masters. Forced labor must be punished as a crime, through vigorous prosecutions. While most countries in the world have criminalized forced labor, they do little to prosecute offenders, in part due to lack of awareness of forced labor issues among law enforcement officials.

Over the next year, the Department of State intends to focus more attention on involuntary servitude and its related manifestations. This year, for the first time, several countries are placed on Tier 3 primarily as a result of their failure to address trafficking for forced labor.

Through the TVPA, this annual Report, strong leadership, enhanced government efforts, and increased attention from international organizations, NGOs, and the media, we are seeing a global effort building momentum to eliminate trafficking. Nations are increasingly working together to close trafficking routes, prosecute and convict traffickers, and protect and reintegrate trafficking victims. We

## ELIMINATING THE DEMAND FOR VICTIMS OF SEXUAL EXPLOITATION

**A**nalyzed as a market, human trafficking includes both supply and demand forces. On the supply side, poverty, corruption, lack of education, and the eternal human yearning for improving one's life make people vulnerable to the lures of trafficking. We are, and must continue, making significant efforts to address these "push" factors.

At the same time, we cannot ignore the demand side of the equation. Market demand — especially from male sex buyers — creates a strong profit incentive for traffickers to entrap more victims, fueling the growth of trafficking in persons. It is critical that governments take action to fight commercial sexual exploitation. For example, where prostitution flourishes, so does an environment that fuels trafficking in persons.

Furthermore, field research from nine countries shows the great harm suffered by people used in prostitution: 89 percent of people being used in prostitution want to escape. Sixty to 75 percent of women in prostitution have been raped, 70 to 95 percent have been physically assaulted, and 68 percent met the clinical criteria for post-traumatic stress disorder.

This year, the UN Commission on the Status of Women highlighted the need for more action in demand education by adopting a U.S. resolution on eliminating demand for trafficked women and girls. This was the first UN resolution focused on eliminating demand, and, importantly, it acknowledged the link between commercial sexual exploitation and trafficking.

International organizations and governments have an important role to play in drying up the demand for trafficking in persons, and this role cannot be ignored if we are to be serious about ending modern-day slavery.



*Sex tourism draws men from wealthy countries to less developed countries where they can take advantage of economically vulnerable women and children and weak criminal justice systems.*





*Thailand's fishing industry relies heavily on Burmese laborers – men and women – most of whom are undocumented and highly vulnerable to conditions of forced labor.*



hope this year's Report inspires people to make even greater progress.

### **The Common Thread of Servitude**

With the passage of the TVPA and the drafting of the 2000 UN Protocol on trafficking, anti-trafficking efforts shifted from the paradigm of earlier international conventions, which focused largely on the international movement of women for prostitution, to one based on the denial of freedom and resulting victimization. The definition of trafficking in persons in these instruments covers a wide array of exploitation that amounts to involuntary servitude. These instruments recognize that the women used in prostitution in another country or within their own country share a common bond with the child or man held in a state of bonded labor in his or her own community, and that countries throughout the world have responsibilities to combat this evil and care for its victims.

*ITALY: Viola, a young Albanian, was 13 when she started dating 21-year-old Dilin, who proposed to marry her, then move to Italy where he had cousins who could get him a job. Arriving in Italy, Viola's life changed forever. Dilin locked her in a hotel room and left her, never to be seen again. A group of men entered, and began to beat Viola. Then, each raped her. The leader informed Viola that Dilin had sold her and that she had to obey him or else she would be killed. For seven days Viola was beaten and repeatedly raped. Viola was sold a second time to someone who beat her head so*

*badly she was unable to see for two days. She was told if she didn't work as a prostitute, her mother and sister in Albania would be raped and killed. Viola was forced to submit to prostitution until police raided the brothel she was in. She was deported to Albania.*

The United States has criminalized “involuntary servitude” for more than 100 years. In the wake of the American Civil War, the United States passed and enacted the 13th Amendment, making it illegal to hold another person in a condition of involuntary servitude through force, threats of force, or threats of legal coercion equivalent to imprisonment. Since 1865, federal criminal cases have been brought under this statute in situations involving prostitution, migrant labor, domestic service, garment factory sweatshops, and begging rings.

As a recent court opinion interpreting the Trafficking Victims Protection Act noted, the TVPA was intended to define and expand the anti-slavery laws that would apply in trafficking situations, in order to reflect modern understanding of victimization. By more broadly encompassing the subtle means of coercion that traffickers use to bind their victims, these new criminal statutes make good on the promise made in the 13th Amendment to the Constitution: that no person shall suffer slavery or involuntary servitude on American soil.

The means by which people are subjected to servitude—their recruitment and the deception and coercion that may cause movement—are important factors but factors

that are secondary to their compelled service. It is the state of servitude that is key to defining trafficking. As such, “trafficking” denotes the act of placing someone in servitude and everything done knowingly that surrounds or contributes to it. In the popular lexicon, and because of the century-old history of the term in international law, this has been interpreted widely as movement.

*Lebanon: Silvia was a young, single, Sri Lankan mother seeking a better life for herself and her three-year-old son when she answered an advertisement for a housekeeping job in Lebanon. In the Beirut job agency, her passport was taken and she was hired by a Lebanese woman who subsequently confined her and restricted her access to food and communications. Treated like a prisoner and beaten daily, Silvia was determined to escape. She jumped from a window to the street below, landing with such force that she is permanently paralyzed. She is now back in Sri Lanka. Today, she travels around the country telling her story so that others do not suffer a similar fate.*

A person may travel of his or her own volition to another location within his or her own country or abroad and still fall into a state of involuntary servitude later. The movement of that person to the new location is not what constitutes trafficking; the force, fraud or coercion exercised on that person by another to perform or remain in service to the master is the defining element of trafficking in the mod-

ern usage. The person who is trapped in compelled service after initially voluntarily migrating or taking a job willingly is still considered a trafficking victim.

The child sold by his parents to the owner of a brick kiln on the outskirts of his rural Indian village is a trafficking victim. And, so is the Mexican man who legally or illegally migrates to the United States, only to be threatened and beaten by his agricultural crew leader to keep him from leaving the job.

The U.S. Government continues to learn about the scope and nature of human trafficking. We have tried in this Report to point out areas where information is sparse and to raise issues that merit further investigation. Given these qualifications, the 2005 TIP Report represents an updated, global look at the nature and scope of modern-day slavery, and the broad range of actions being taken by governments around the world in the campaign for its elimination.

### Trafficking in Persons Defined

The United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (one of three “Palermo Protocols”), defines trafficking in persons as:

The recruitment, transportation, transfer, harboring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over



*The international scope of trafficking and commoditization of women in the sex trade is seen through this sign, outside a Hong Kong club, which reads: “Young, fresh Hong Kong girls; White, clean Malaysian girls; Beijing women; Luxurious Ghost Girls from Russia.”*

## SOLDIERS AND SEXUAL EXPLOITATION

Where military forces gather, there has been an historical risk of sexual exploitation, especially of local women. Over the last year, the U.S. Department of Defense (DoD) made new strides in addressing this phenomenon. UN peacekeeping operations were rocked by a sex abuse scandal in the Congo that caused the organization to reexamine current training policy. And NATO grappled with a wide range of attitudes—and laws covering prostitution—among member countries.



heads of state and the Euro-Atlantic Partnership (EAP) council endorsed the “zero-tolerance” *NATO Policy on Combating Trafficking in Human Beings* that reinforces efforts to prevent and combat trafficking. This policy was initially led and sponsored by the United States and Norway. NATO is implementing reporting mechanisms to ensure compliance with the human trafficking policy. However, the NATO policy

cannot create a uniform prohibition on prostitution since the laws of individual member states govern the conduct of their personnel. NATO is currently implementing an anti-human trafficking education and awareness program that is mandatory for all personnel prior to deployment on NATO missions.

### U.S. Department of Defense (DoD)

The Department of Defense is implementing a multi-pronged anti-trafficking approach initiated in January 2004. DoD’s “zero-tolerance” policy opposes prostitution, recognizing it as a contributing factor to sex trafficking. Anti-trafficking training is mandatory for all U.S. service members and DoD civilians deploying overseas, and was made available at the command level in November 2004. U.S. Forces Korea (USFK) has developed an anti-trafficking program focusing on awareness, identification of victims, demand reduction, and cooperation with local authorities. USFK’s program is considered a model approach and served as the basis for NATO’s anti-trafficking training curriculum.

DoD has proposed an addition to its *Manual for Courts Martial* that would make patronizing a prostitute a specific, chargeable offense under the Uniformed Code of Military Justice. The proposal is expected to take effect in late 2005.

### North Atlantic Treaty Organization (NATO)

At NATO’s Istanbul Summit in June 2004,

### United Nations Department of Peacekeeping Operations (UNDPKO)

In June 2004, UN Secretary General Kofi Annan approved the UNDPKO *Position Paper on Human Trafficking and United Nations Peacekeeping*. The policy, coupled with the UN’s *Code of Conduct on Sexual Exploitation and Sexual Abuse* promotes a “zero-tolerance” approach to sex abuse and human trafficking by UN peacekeepers. UN enforcement of this policy has been challenged by ongoing allegations of sexual exploitation committed by UN peacekeepers. In late 2004, an internal investigation revealed that dozens of peacekeepers serving on a mission to the Congo had committed sex abuse crimes against refugees, including many minors. The UN’s Code of Conduct now includes a prohibition on patronizing prostitutes and establishes curfews for UNDPKO personnel.

*Children trafficked to the Gulf states in the Middle East are forced to race camels for the entertainment of the elite. These children were training under the shadow of Dubai's skyline in early 2005.*



## THE FACTS ABOUT CHILD CAMEL JOCKEYS

The trafficking and exploitation of South Asian and African children as camel jockeys has burgeoned in the Gulf states, which, with the discovery of oil and the associated surge in wealth, transformed camel racing from a traditional Bedouin sports pastime to a multi-million dollar activity. Today, thousands of children, some as young as three or four years of age, are trafficked from Bangladesh, Pakistan, and countries in East Africa, and sold into slavery to serve as camel jockeys.

These children live in an oppressive environment and endure harsh living conditions. They work long hours in temperatures exceeding 100 degrees Fahrenheit, live in unsanitary conditions, receive little food, and are deprived of sleep so that they do not gain weight and increase the load on the camels they race. They are trained and kept under the watchful eyes of handlers, who employ abusive control tactics, including threats and beatings. Some are reportedly abused sexually. Many have been seriously injured and some have been trampled to death by the camels. Those who survive the harsh conditions are disposed of once they reach their teenage years. Having gained no productive skills or education, scarred with physical and psychological trauma that can last a lifetime, these children face dim prospects. They often end up leading destitute lives. Trafficked child camel jockeys are robbed of their childhoods—and of their future.

another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs.

Many nations misunderstand this definition, overlooking internal trafficking or forms of labor trafficking in their national legislation, and often failing to distinguish trafficking from illegal migration. Most often left out of interpretations of this definition is involuntary servitude, a form of trafficking that does not require movement. The TVPA defines “severe forms of trafficking,” as:

- a. sex trafficking in which a commercial sex act is induced by force, fraud, or coercion,

or in which the person induced to perform such an act has not attained 18 years of age; or

- b. the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

These definitions do not require that a trafficking victim be physically transported from one location to another.

### The Human and Social Costs of Trafficking

Victims of human trafficking pay a horrible price. Psychological and physical harm, including disease and stunted growth, often have permanent effects. In many cases the

exploitation of trafficking victims is progressive: a child trafficked into one form of labor may be further abused in another. Another brutal reality of the modern-day slave trade is that its victims are frequently bought and sold many times over—often sold initially by family members.

Victims forced into sex slavery can be subdued with drugs and subjected to extreme violence. Victims trafficked for sexual exploitation face physical and emotional damage from forced sexual activity, forced substance abuse, and exposure to sexually transmitted diseases including HIV/AIDS. Some victims suffer permanent damage to their reproductive organs. When the victim is trafficked to a location where he or she cannot speak or understand the language, this compounds the psychological damage caused from isolation and domination by traffickers.

*INDIA: Shadir, a boy of 15 years, was offered a job that included good clothes and an education; he accepted. Instead of being given a job, Shadir was sold to a slave trader who took him to a remote village in India to produce hand-woven carpets. He was frequently beaten. He worked 12 to 14 hours a day and he was poorly fed. One day, Shadir was rescued by a NGO working to combat slavery. It took several days for him to realize he was no longer enslaved. He returned to his village, was reunited with his mother, and resumed his schooling. Now Shadir warns fellow village children about the risks of becoming a child slave.*

### ***The Human Rights Dimension.***

Fundamentally, trafficking in persons violates the universal human right to life, liberty, and freedom from slavery in all its forms.

Trafficking of children violates the inherent right of a child to grow up in a protective environment and the right to be free from all forms of abuse and exploitation.

***Promoting Social Breakdown.*** The loss of family and community support networks makes trafficking victims vulnerable to traffickers' demands and threats, and contributes in several ways to the breakdown of social structures. Trafficking tears children from their parents and extended family. The profits from trafficking allow the practice to take root in a particular community, which is then repeatedly exploited as a ready source of victims. The danger of becoming a trafficking victim can lead vulnerable groups such as children and young women to go into hiding, with adverse effects on their schooling or family structure. The loss of education reduces victims' future economic opportunities and increases their vulnerability to being re-trafficked in the future. Victims who are able to return to their communities often find themselves stigmatized or ostracized. Recovery from the trauma, if it ever occurs, can take a lifetime.

***Fueling Organized Crime.*** The profits from human trafficking fuel other criminal activities. According to the U.S. Federal Bureau of Investigation, human trafficking generates an estimated \$9.5 billion in annu-

*Esther Granados' son Abel, whose photo appears behind her, was killed by a ring of child traffickers that operated for 15 years in Mexico.*





*A rescued Nepalese trafficking victim is reunited with her father who came searching for her in India (left). The victim's friend was not as fortunate; the girl's mother is still searching for her daughter.*



al revenue. It is closely connected with money laundering, drug trafficking, document forgery, and human smuggling. Where organized crime flourishes, governments and the rule of law are undermined and weakened.

*TURKEY: Svetlana was a young Belarusian living in Minsk and looking for a job when she came upon some Turkish men who promised her a well-paying job in Istanbul. Once Svetlana crossed the border, her passport and money were taken and she was locked up. Svetlana and another foreign woman were sent to the apartment of two businessmen and forced into prostitution. Svetlana had other plans: In an attempt to escape, she jumped out of a window and fell six stories to the street below. According to Turkish court documents, customers did not take Svetlana to the hospital, they called the traffickers instead. These events led to her death. Svetlana's body lay unclaimed in the morgue for two weeks until Turkish authorities learned her identity and sent her body to Belarus. But Svetlana did not die in vain. Belarusian and Turkish authorities cooperated effectively to arrest and charge those responsible for contributing to a death and for human trafficking.*

**Depriving Countries of Human Capital and Inhibiting Development.** Trafficking has a negative impact on labor markets, contributing to an irretrievable loss of human resources. Some effects of trafficking include depressed wages, fewer individuals left to

care for an increasing number of elderly persons, and an undereducated generation. These effects lead to the loss of future productivity and earning power. Forcing children to work that denies them access to education can reinforce the cycle of poverty and illiteracy that stunts national development. When forced or bonded labor involves a significant part of a country's population, this form of trafficking retards the country's development, as generation after generation of these victims remain mired in poverty.

**Public Health Costs.** Victims of trafficking often endure brutal conditions that result in physical, sexual, and psychological trauma. Sexually transmitted infections, pelvic inflammatory disease, and HIV/AIDS are often the result of being used in prostitution. Anxiety, insomnia, depression, and post-traumatic stress disorder are common psychological manifestations among trafficked victims. Unsanitary and crowded living conditions, coupled with poor nutrition, foster a host of adverse health conditions such as scabies, tuberculosis, and other communicable diseases. The most egregious abuses are often borne by children, who are more easily controlled and forced into domestic service, armed conflict, and other hazardous forms of work.

**Erosion of Government Authority.** Many governments struggle to exercise full law enforcement authority over their national territory, particularly where corruption is prevalent. Armed conflicts, natural disasters,

and political or ethnic struggles can create large populations of internally displaced persons, who could be vulnerable to trafficking. Human trafficking operations further undermine government efforts to exert authority, threatening the security of vulnerable populations. Many governments are unable to protect women and children kidnapped from their homes and schools or from refugee camps. Moreover, the bribes paid to law enforcement, immigration, and judicial officials impede a government's ability to battle corruption from within government ranks.

### The Methods of Traffickers

Slave traders prey on the vulnerable. Their targets are often children and young women, and their ploys are creative and ruthless, designed to trick, coerce, and win the confidence of potential victims. Very often these ruses involve promises of marriage, employment, educational opportunities, or a better life.

In West Africa, for example, a trafficker may appear to be a successful trader in the region, persuading a child's parents that he will train the boy or girl in a valuable vocation in the country's big city. Once away from the child's

### BONDED LABOR

**T**he common denominator of trafficking scenarios is the use of force or coercion to exploit a person in order to induce commercial sex or for the purpose of subjecting a victim to involuntary servitude, debt bondage, or slavery. The use of force or coercion can be direct and violent, or more psychological in nature. Threatening to turn a foreign migrant worker over to authorities for immigration violations can be a fear-inducing form of coercive control.

Another form of force or coercion is the use of a bond, or debt, to keep a person in subjugation. This is referred to in law and policy as "bonded labor" or "debt bondage." It is criminalized under U.S. law and identified in the UN protocol on trafficking in persons as a form of human trafficking.

Many workers around the world fall victim to debt bondage as they assume an initial debt as part of the terms of employment or inherent debt in more traditional systems of bonded labor. Then they are kept in that labor or service while the debt grows, the terms of service mutate, and the employer-employee relationship becomes exploitative. Such workers are forced to work long beyond a reasonable amount of time for their debt to be repaid.

In South Asia, this phenomenon is seen in huge numbers as traditional bonded labor, in which millions of people are enslaved from generation to generation. They seldom know the amount or terms of their debt, for this is the form of force and coercion used by employers – slave-masters – to ensure their continued servitude. Cultural practices, illiteracy, and unequal power relationships make this traditional form of slavery for low-skilled work particularly difficult to eliminate.

Legislation against bonded labor is often detailed in a nation's labor code, with violations investigated by administrative authorities of labor ministries or local municipalities. In many cases, these officials are only authorized to levy fines, and not to investigate, prosecute, and apply criminal penalties to violators. As a result, employers who violate laws prohibiting bonded labor often face inadequate penalties and enjoy relative impunity before the law.







*A rescued Southeast Asian child victim of sex trafficking draws herself a brighter future.*

village, the trafficker sells the boys to a gang sending children to a neighboring country for grueling work in a rock quarry. Girls are sent to a brothel in the capital. The trafficker may even return to the same village, assuring all parents that their children are being well looked after in the big city, before moving on to exploit another village.

*SINGAPORE: Karin, a young mother of two, was looking for a job in Sri Lanka when a man befriended her and convinced her that she could land a better job in Singapore as a waitress. He arranged and paid for her travel. A Sri Lankan woman met Karin upon arrival in Singapore, confiscated her passport, and took her to a hotel. The woman made it clear that Karin had to submit to prostitution to pay back the money it cost for her to be flown into Singapore. Karin was taken to an open space for sale in the sex market where she joined women from Indonesia, Thailand, India, and China to be inspected and purchased by men from Pakistan, India, China, Indonesia and Africa. The men would take the women to nearby hotels and rape them. Karin was forced to have sex with an average of 15 men a day or night. She developed a serious illness, and three months after her arrival was arrested by the Singaporean police during a raid on the brothel. She was deported to Sri Lanka.*

In Bangladesh, an Arab man from the Gulf may offer to sponsor and train one of ten children in an impoverished family. The parents

are promised some of the boy's earnings once he starts work in a Gulf country. The boy's "work," however, is the harrowing life of a camel jockey; he is starved to keep his weight low and abused to keep him under the camel farm manager's control.

In northern Uganda, rebels from a terrorist-insurgent force, the Lord's Resistance Army, become traffickers when they abduct young children from villages to serve as soldiers and sex slaves. In rural areas of Latin America, traffickers prey on vulnerable teenage girls who want to move to large cities, making them job offers that mutate into a hellish life in prostitution once they are separated from families and in the unfamiliar city where the trafficker can manipulate them.

In Amsterdam, the 15 year-old daughter of a Ukrainian couple meets a so-called Moroccan "lover boy" who pays lots of attention to her and buys her nice things. She soon comes to trust him and considers him her partner. He convinces her to move with him to The Hague, where all is well for a short while. Then he starts coercing her to engage in commercial sexual activities with clients he identifies — he has become her pimp and trafficker. In Cambodia, a young girl is encouraged by an elder "auntie" to travel to Malaysia for work as a domestic servant. The auntie arranges for a legitimate Malaysian visa by making a bogus claim of sponsorship for work, but the girl's passport and other travel documents are taken away upon her arrival in Malaysia and she is forced to dance semi-nude at a club, servicing any client who demands sex with her. By this time, the auntie has disappeared.

### The Myriad Causes of Trafficking

The causes of human trafficking are complex and often reinforce each other. Viewing trafficking in persons as a global market, victims constitute the supply, and abusive employers or sexual exploiters (also known as sex buyers) represent the demand.

The supply of victims is encouraged by many factors including poverty, the attraction

of perceived higher standards of living elsewhere, lack of employment opportunities, organized crime, violence against women and children, discrimination against women, government corruption, political instability, and armed conflict. In some societies a tradition of fostering allows the third or fourth child to be sent to live and work in an urban center with a member of the extended family (often, an

### THE 2004 TSUNAMI AND TRAFFICKING

In the aftermath of the December 26, 2004 Indian Ocean tsunami, there were sporadic reports of rape, sexual abuse, kidnapping, and trafficking in persons in the countries devastated by the tsunami. Thousands of orphaned children were vulnerable to exploitation by criminal elements seeking profit from their misery. In response, governments, international organizations, and NGOs made the prevention of human trafficking, particularly child trafficking, an integral component of disaster-relief planning.

The tsunami-affected countries immediately alerted the public about the danger of human trafficking and worked with police and community officials to detect and deter trafficking cases. In particular, the Indonesian Government moved swiftly to halt international adoptions in the face of potential abuse. The Sri Lankan and Indonesian Governments also posted additional police at camps for internally displaced persons to prevent abuses of women and children.

Complementing these steps, the U.S. Government engaged organizations with expertise in family reunification and sent out an alert to NGO partners in affected countries, warning of the potential for human trafficking and asking them to spread the word among relief workers in Asia. The U.S. Government offered officials and volunteers in the region guidelines designed to minimize the risk of human trafficking in and around camps where displaced and homeless people gathered. The guidelines included: registering people in camps and ensuring security during their stays; ensuring proper security for the residents of the camps, especially women and children; and increasing the general awareness of relief workers.



*After the 2004 tsunami, some feared that criminal gangs would take advantage of the chaos in Sumatra's Aceh province by whisking orphaned children into trafficking networks, possibly selling them into forced labor or even sexual slavery. The government has since banned Acehnese children under the age of 16 from leaving Indonesia.*

“uncle”), in exchange for a promise of education and instruction in a trade. Taking advantage of this tradition, traffickers often position themselves as employment agents, inducing parents to part with a child, but then traffic the child to work in prostitution, domestic servitude, or a commercial enterprise. In the end, the family receives few if any wage remittances, the child remains unschooled and untrained and separated from his or her family, and the hoped-for educational and economic opportunities never materialize.

On the demand side, factors driving trafficking in persons include the sex industry and the growing demand for exploitable labor. Sex tourism and child pornography have become worldwide industries, facilitated by

technologies such as the Internet, which vastly expand the choices available to “consumers” and permit instant and nearly undetectable transactions. Trafficking is also driven by the global demand for cheap, vulnerable, and illegal labor. For example, there is great demand in some prosperous countries of Asia and the Gulf for domestic servants who sometimes fall victim to exploitation or involuntary servitude.

A new source of demand for young women as brides and concubines has become apparent in Taiwan, where local men are importing Vietnamese women as wives at a record-high rate. Many Vietnamese women believe they will find a real husband and a better life in Taiwan, but are sold into prostitution not long

### SCREENING AND IDENTIFICATION OF TRAFFICKING VICTIMS

As governments, law enforcement, relief or health workers, and NGOs work to combat human trafficking, it is essential to properly screen for victims of human trafficking.

The screening process begins with an assessment of indicators that can be evaluated before interviewing an individual. The Department of Health and Human Services’ (HHS) “Look Beneath the Surface” anti-trafficking public awareness campaign recommends that the following indicators can flag potential victims:

- Evidence of being controlled, evidence of inability to move or leave job;
- Bruises or other signs of physical abuse;
- Fear or depression;
- Not speaking on own behalf and/or not speaking local language; or
- No passport or other forms of identification or documentation

If one or more of these indicators is present, the interviewer should pursue questions that will help identify the key elements of a trafficking scenario. HHS recommends the following questions:

- Why type of work do you do?
- Are you being paid?
- Can you leave your job if you want to?
- Can you come and go as you please?
- Have you or your family been threatened?
- What are your working and living conditions like?
- Where do you sleep and eat?
- Do you have to ask permission to eat/sleep/go to the bathroom?
- Are there locks on your doors/windows so you cannot get out?
- Has your identification or documentation been taken from you?

By looking beneath the surface, a life might be saved.





Former Austrian figure skating champion Wolfgang Schwartz was sentenced for trafficking women from Eastern Europe to Austria for the purpose of sexual exploitation.



## PROSTITUTION AND SEX TRAFFICKING

The U.S. Government adopted a strong position against legalized prostitution in a December 2002 National Security Presidential Directive based on evidence that prostitution is inherently harmful and dehumanizing, and fuels trafficking in persons.

Prostitution and related activities, including pimping and patronizing or maintaining brothels, fuel the growth of modern-day slavery by providing a façade behind which traffickers for sexual exploitation operate.

Where prostitution is legalized or tolerated, there is a greater demand for human trafficking victims and nearly always an increase in the number of women and children trafficked into commercial sex slavery.

Of the estimated 600,000 to 800,000 people trafficked across international borders annually, 80 percent of victims are female, and up to 50 percent are children. Hundreds of thousands of these women and children are used in prostitution each year.

### Women and Children Want to Escape Prostitution

The vast majority of women in prostitution do not want to be there. Few seek it out or choose it, and most are desperate to leave it. A 2003 study in the scientific *Journal of Trauma Practice* found that 89 percent of women in prostitution want to escape prostitution. Children are also trapped in prostitution—despite the fact that a number of international covenants and protocols impose upon state parties an obligation to criminalize the commercial sexual exploitation of children.

### Prostitution Is Inherently Demeaning and Harmful

Few activities are as brutal and damaging to people as prostitution. Field research in nine countries concluded that 60 to 75 percent of women in prostitution were raped, 70 to 95 percent were physically assaulted, and 68 percent met the criteria for posttraumatic stress disorder in the same range as treatment-seeking combat veterans and victims of state-organized torture.

### Regulation

State attempts to regulate prostitution by introducing medical check-ups or licenses do not address the core problem: the routine abuse and violence that form the prostitution experience and brutally victimize those caught in its netherworld. Prostitution leaves women and children physically, mentally, emotionally, and spiritually devastated. Recovery takes years, even decades—often, the damages can never be undone.



after they are “married” and become legal Taiwan residents.

A similar source of demand for the trafficking of young women is a consequence of widening gender gaps in densely populated India and China. In China, this gap is due in part to the one-child policy, while in India, it is due to the perception that a girl child is an economic liability. Foreign girls and women from Burma, North Korea, Russia, and Vietnam reportedly are trafficked into China as forced brides, concubines, and prostitutes. Sources in India report a similar pattern: the trafficking of girls from West Bengal and Assam to the more prosperous states of Punjab and Haryana, which have the most acute gender gaps.

### Effective Strategies in Combating Trafficking

To be effective, anti-trafficking strategies must target both the supply side, the traffickers — and the demand side — the owners or, in the case of trafficking for sexual exploitation, the sex buyers — of this ugly phenomenon.

On the **supply** side, the conditions that drive trafficking must be dealt with through programs that alert communities to the dangers of trafficking, improve and expand educational and economic opportunities to vulnerable groups, promote equal access to education, educate people regarding their legal rights, and create better and broader life opportunities.

Regarding **traffickers**, law enforcement must vigorously prosecute traffickers and those who aid and abet them; fight public corruption which facilitates and profits from the

trade; identify and interdict trafficking routes through better intelligence gathering and coordination; clarify legal definitions of trafficking and coordinate law enforcement responsibilities; and train personnel to identify and direct trafficking victims to appropriate care.

On the **demand** side, persons who exploit trafficked persons must be identified and prosecuted. Employers of forced labor and exploiters of victims trafficked for sexual exploitation must be named and shamed. With regard to sex slavery, awareness-raising campaigns must be conducted in destination countries to make it harder for trafficking to be concealed or ignored. Victims must be rescued from slave-like living and working situations, rehabilitated, and reintegrated into their families and communities.

Local, state, national, and regional programs to fight trafficking must be coordinated. By drawing public attention to the problem, governments can enlist the support of the public in the fight against trafficking. Anti-trafficking strategies and programs developed with input from stakeholders (civil society and NGOs) are the most effective and likely to succeed as they bring a comprehensive view to the problem. Coordination and cooperation—whether national, bilateral, or regional—will leverage country efforts and help rationalize the allocation of resources. Nations should cooperate more closely to deny traffickers legal sanctuary and facilitate their extradition for prosecution. Such cooperation should also aim to facilitate the voluntary and humane repatriation of victims.

*Vocational training such as basket weaving empowers trafficking survivors as well as women and children at risk of being trafficked.*





## ILLEGAL ADOPTION, BABY SELLING, AND HUMAN TRAFFICKING

Legitimate intercountry adoption provides a permanent family placement for a child unable to find one in his or her country of origin, absent any irregularities by the adoptive parents, the birth parents, or any parties involved in facilitating the relationship. Appropriate and legitimate intercountry adoption does not imply baby selling or human trafficking. Unless adoption occurs for the purpose of commercial sexual exploitation or forced labor, adoption does not fall under the scope of the Trafficking Victims Protection Act.

Baby selling, which is sometimes used as a means to circumvent legal adoption requirements, involves coerced or induced removal of a child, or situations where deception or undue compensation is used to induce relinquishment of a child. Baby selling is not an acceptable route to adoption and can include many attributes in common with human trafficking. Though baby selling is illegal, it would not necessarily constitute human trafficking where it occurs for adoption, based on the Trafficking Victims Protection Act, the UN Protocols on Trafficking in Persons and the Sale of Children, the 1993 Hague Convention on Protection of Children and Co-operation in respect of Intercountry Adoption, and definitions of adoption established by U.S. jurisdictions.

The purposes of baby selling and human trafficking are not necessarily the same. Some individuals assume that baby selling for adoption is a form of human trafficking because trafficking and baby selling both involve making a profit by selling another person. However, illegally selling a child for adoption would not constitute trafficking where the child itself is not to be exploited. Baby selling generally results in a situation that is non-exploitative with respect to the child. Trafficking, on the other hand, implies exploitation of the victims. If an adopted child is subjected to coerced labor or sexual exploitation, then it constitutes a case of human trafficking.

Knowledge about trafficking must be continually improved, and the network of anti-trafficking organizations and efforts strengthened. Religious institutions, NGOs, schools, community associations, and traditional leaders need to be mobilized and drawn into the struggle. Victims and their families are important stakeholders in the fight against trafficking. Governments need to periodically reassess their anti-trafficking strategies and

programs to ensure they remain effective to counter new methods and approaches by traffickers.

Finally, government officials must be trained in anti-trafficking techniques and methods, and trafficking flows and trends must be closely monitored to better understand the nature and magnitude of the problem so that appropriate policy responses can be crafted to tackle trafficking. ■

Carlson Companies  
CEO Marilyn  
Carlson Nelson  
signs the Code of  
Conduct in April  
2004 while U.S.  
Ambassador-at-  
Large for  
Trafficking In  
Persons John Miller  
looks on.



### What Is Child Sex Tourism?

Each year more than a million children are exploited in the global commercial sex trade. Child sex tourism (CST) involves people who travel from their own country to another and engage in commercial sex acts with children. CST is a shameful assault on the dignity of children and a form of violent child abuse. The sexual exploitation of children has devastating consequences.

Tourists engaging in CST often travel to developing countries looking for anonymity and the availability of children in prostitution. The crime is typically fueled by weak law enforcement, corruption, the Internet, ease of travel, and poverty. These sexual offenders come from all socio-economic backgrounds and may hold positions of trust.

### A Global Response

Over the last five years, there has been an increase in the prosecution of child sex tourism offenses. At least 32 countries have extraterritorial laws that allow the prosecution of their citizens for CST crimes committed abroad.

In response to the phenomenon of CST, NGOs, the tourism industry, and governments have begun

### What Governments Can Do

#### **Enhance Research and Coordination:**

- Research the extent and nature of the problem;
- Draft an action plan for addressing CST; and
- Designate a government point of contact to coordinate efforts with nongovernmental, intergovernmental, and travel/tourism organizations.

#### **Augment Prevention and Training:**

- Encourage the travel industry to sign and implement the Code of Conduct;
- Fund and/or launch public awareness campaigns, highlighting relevant extraterritorial laws;
- Train and sensitize law enforcement on the issue; and
- Ensure that border and airport officials report any suspected cases of child trafficking.

#### **Strengthen Legal Measures and Prosecutions:**

- Draft, pass, and/or enforce extraterritorial laws criminalizing CST;
- Prescribe punishment that is commensurate with that for other grave crimes; and
- Prosecute the crime to the fullest extent possible.

#### **Assist Victims:**

- Provide shelter, counseling, medical, and legal assistance to victims;
- Provide reintegration assistance as appropriate; and
- Support the efforts of NGOs working with child victims.

#### **What United States Citizens Can Do**

- Stay informed and support the efforts of authorities and the tourism industry to prevent



to address the issue. The World Tourism Organization (WTO) established a task force to combat CST. The WTO, the NGO End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes (ECPAT), and Nordic tour operators created a global Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism in 1999. As of March 2005, 100 travel companies from 18 countries have signed the code. (See [www.thecode.org](http://www.thecode.org).)

### What the United States Is Doing

In 2003, the United States strengthened its ability to fight child sex tourism by passing the Prosecutorial Remedies and other Tools to end the Exploitation of Children Today (PROTECT) Act and The Trafficking Victims Protection Reauthorization Act. Together these laws increase penalties to a maximum of 30 years in prison for engaging in CST. Since the passage of the PROTECT Act, there have been over 20 indictments and over a dozen convictions of child sex tourists. The Department of Homeland Security has also developed the Operation Predator initiative to combat child exploitation, child pornography, and child sex tourism. The United States is also funding the NGO World Vision to conduct a major public awareness, deterrence, and crime prevention project overseas.

- commercial sexual exploitation of children;
- Take notice and report to the authorities abroad and/or to the U.S. Department of Homeland Security's Immigration and Customs Enforcement (toll-free TIP line: 1-866-DHS-2ICE if you suspect children are being commercially sexually exploited in tourism destinations;
- Be aware that any U.S. citizen or permanent legal resident arrested in a foreign country for sexually abusing minors may be subject to return to the U.S., and, if convicted, can face up to 30 year's imprisonment; and
- Support the efforts of NGOs working to protect children from commercial sexual exploitation.

### What Companies Can Do

Travel, tourism, and hospitality companies can

sign the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism, which requires them to implement the following measures:

- Establish a corporate ethical policy against commercial sexual exploitation of children;
- Train tourism personnel in the country of origin and travel destinations;
- Introduce clauses in contracts with suppliers stating a common repudiation of sexual exploitation of children;
- Provide information to travelers through catalogues, brochures, in-flight videos, ticket slips, and websites;
- Provide information to local "key persons" at travel destinations; and
- Report annually on progress to the Code of Conduct's General Secretariat.



## DEFINITION OF “SEVERE FORMS OF TRAFFICKING IN PERSONS”

### The Trafficking Victims Protection Act defines “severe form of trafficking in persons” as

- (a) **sex trafficking** in which a **commercial sex act** is induced by force, fraud, or **coercion**, or in which the person induced to perform such an act has not attained 18 years of age; or
- (b) the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to **involuntary servitude**, peonage, **debt bondage**, or slavery.

### Definition of Terms Used in the Term “Severe Forms of Trafficking in Persons”

“*Sex trafficking*” means the recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act.

“*Commercial sex act*” means any sex act on account of which anything of value is given to or received by any person.

“*Involuntary servitude*” includes a condition of servitude induced by means of (a) any scheme, plan, or pattern intended to cause a person to believe that, if the person did not enter into or continue in such condition, that person or another person would suffer serious harm or physical restraint; or (b) the abuse or threatened abuse of the legal process.

“*Debt bondage*” means the status or condition of a debtor arising from a pledge by the debtor of his or her personal services or of those of a person under his or her control as a security for debt, if the value of those services as reasonably assessed is not applied toward the liquidation of the debt or the length and nature of those services are not respectively limited and defined.

“*Coercion*” means (a) threats of serious harm to or physical restraint against any person; (b) any scheme, plan or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint against any person; or, (c) the abuse or threatened abuse of the legal process.

## MORE ABOUT THE 2005 TIP REPORT

The TIP Report is the most comprehensive worldwide report on the efforts of governments to combat severe forms of trafficking in persons. The TIP Report covers the period April 2004 through March 2005.



*A small girl, bonded into slavery just as her parents and their parents were before her, labors under the hot sun forming bricks from clay in rural South Asia.*

### What the Report Is and Is Not

The annual Trafficking in Persons (TIP) Report includes those countries determined to be countries of origin, transit, or destination for a significant number of victims of severe forms of trafficking. Since trafficking likely extends to every country in the world, the omission of a country from the Report may only indicate a lack of adequate information. The country narratives describe the scope and nature of the trafficking problem, the reasons for including the country in the Report, and the government's efforts to combat trafficking. The narrative also contains an assessment of the government's compliance with the minimum standards for the elimina-

tion of trafficking as laid out in the Trafficking Victims Protection Act of 2000 (TVPA), and includes suggestions for actions to combat trafficking. The remainder of the country narrative describes the government's efforts to enforce laws against trafficking, protect victims, and prevent trafficking. Each narrative explains the basis for rating a country as Tier 1, Tier 2, Tier 2 Watch List, or Tier 3. If a country has been placed on Tier 2 Watch List, the narrative will contain a statement explaining why, using terms found in the TVPA as amended in 2003.

Some countries have held conferences and established task forces or national action plans to create goals for anti-trafficking efforts.



*Rescued child camel jockeys rediscover their childhood in a new United Arab Emirates shelter.*

However, conferences, plans, and task forces alone are not weighted heavily in assessing country efforts. Rather, the Report focuses on concrete actions governments have taken to fight trafficking: highlighting prosecutions, convictions, and prison sentences for traffickers, victim protection, and prevention efforts. The Report does not give great weight to laws in draft form or laws that have not yet been enacted. Finally, the Report does not focus on other government efforts that contribute indirectly to reducing trafficking, such as education programs, support for economic development, or programs aimed at enhancing gender equality, although these are worthwhile endeavors.

### **The Special Watch List — Tier 2 Watch List**

The 2003 reauthorization of the TVPA created a “Special Watch List” of countries on the TIP Report that should receive special scrutiny. The list is composed of: 1) countries listed as Tier 1 in the current Report that were listed as Tier 2 in the 2004 Report; 2) countries listed as Tier 2 in the current Report that were listed as Tier 3 in the 2004 Report; and, 3) countries listed as Tier 2 in the current Report, where

- a) The absolute number of victims of severe forms of trafficking is very significant or is significantly increasing;

- b) There is a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year, including increased investigations, prosecutions and convictions of trafficking crimes, increased assistance to victims, and decreasing evidence of complicity in severe forms of trafficking by government officials; or
- c) The determination that a country is making significant efforts to bring itself into compliance with minimum standards was based on commitments by the country to take additional future steps over the next year.

This category (including a, b, and c) has been termed by the Department of State “Tier 2 Watch List.” There were 42 countries placed on Tier 2 Watch List in the June 2004 Report. Along with four countries that were reassessed as Tier 2 Watch List countries in September 2004 and three countries that met the first two categories above (moving up a tier from the 2003 TIP Report), these 42 countries were included in an “Interim Assessment” released by the Department of State on January 3, 2005.

Of the 46 countries on Tier 2 Watch List at the time of the Interim Assessment, 31 moved

## GIVING HOPE OF NEW LIFE UNDER THE PRESIDENT'S INITIATIVE ON TRAFFICKING IN PERSONS

In a September 2003 address to the United Nations General Assembly, President Bush announced a \$50 million special initiative, “to support the good work of organizations that are rescuing women and children from exploitation, and giving them shelter and medical treatment and the hope of a new life.” In 2004, the Bush Administration gave funding priority to Brazil, Cambodia, India, Indonesia, Mexico, Moldova, Sierra Leone, and Tanzania. The first phase of the anti-trafficking Presidential Initiative consists of economic alternative/vocational programs; emergency and long-term shelters and care; voluntary repatriation and reintegration programs; and public information campaigns.

Groups such as the Bilateral Safety Corridor Coalition and the Centers for Disease Control and Prevention are launching training programs targeting healthcare workers and others who provide services to vulnerable populations. Catholic Relief Services, Hagar International, American Center for International Labor Solidarity, the International Catholic Migration Commission, and others are implementing creative programs in conjunction with local partners to provide vocational counseling, job preparation, employment assistance, and income generation activities for trafficking survivors as well as for persons at risk of being trafficked. World Vision, The Asia Foundation and the United Nations Development Program, for example, are partnering with local community and faith-based organizations in the delivery of emergency and long-term care for trafficking victims. Care ranges from emergency shelters and long-term housing facilities to medical, psychological, and legal counseling. The International Organization for Migration, Winrock International, and UNIFEM's programs are focused on cross border activities such as border shelters, repatriation, and reintegration.

The second phase of the program will focus on joint collaboration with law enforcement to set up multi-disciplinary and mobile police rescue teams. Rescuing victims and prosecuting their perpetrators requires a coordinated response.



*Under the guise of offering boys an apprenticeship in a trade, child trafficking victims are confined and forced to work in small factories or workshops under harsh conditions such as these Indian boys in a “Zari” (beadwork sewing) shop.*

## THE TIERS

**TIER 1: Countries whose governments fully comply with the Act's minimum standards.**

**TIER 2 : Countries whose governments do not fully comply with the Act's minimum standards but are making significant efforts to bring themselves into compliance with those standards.**

**TIER 2 SPECIAL WATCH LIST: Countries whose governments do not fully comply with the Act's minimum standards but are making significant efforts to bring themselves into compliance with those standards, and:**

- a) **The absolute number of victims of severe forms of trafficking is very significant or is significantly increasing; or**
- b) **There is a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year; or**
- c) **The determination that a country is making significant efforts to bring themselves into compliance with minimum standards was based on commitments by the country to take additional future steps over the next year.**

**TIER 3: Countries whose governments do not fully comply with the minimum standards and are not making significant efforts to do so.**

up to Tier 2 on this Report, while five fell to Tier 3 and ten remain on Tier 2 Watch List for a second consecutive year.

Countries placed on the Special Watch List in this Report will be reexamined in an interim assessment to be submitted to the U.S. Congress by February 1, 2006.

### **Why the 2005 TIP Report Contains More Country Assessments**

The 2005 Report includes an analysis of trafficking and government efforts to combat it in 150 countries, a net increase of ten countries over last year. In previous years, some countries have not been included because it was difficult to gather reliable and sufficient information due to: the illegal and underground nature of trafficking; the absence or nascence of government programs; the difficulty in distinguishing between trafficking and smuggling; the fear and silence of trafficking victims, who

often cross borders illegally or are physically abused or coerced; or the general lack of freedom of information in a country. For some countries, there was information available, but the data did not support a finding that a significant number of persons were trafficked to, from, or within a country—the general threshold for inclusion in the TIP Report.

Over the past year, we have witnessed a stronger response from many governments, more public awareness campaigns alerting victims to protection services, and greater transparency in anti-trafficking efforts. As a result of these positive actions, and the attention of more Department of State resources, the Department gathered information on more countries this year. The Department intends to include all countries with a significant number of trafficking victims in future reports, as more and better information becomes available.

### How the Report Is Used

This Report is a diplomatic tool for the U.S. Government to use as an instrument for continued dialogue, encouragement, and a guide to help focus resources on prosecution, protection, and prevention programs and policies. The Department will continue to engage governments about the content of the Report in order to strengthen cooperative efforts to eradicate trafficking. In the coming year, and particularly in the months before a determination is made regarding sanctions for Tier 3 countries, the Department will use the information gathered in the compilation of this Report to more effectively target assistance programs and to work with countries that need help in combating trafficking. The Department hopes the Report will be a catalyst for government and non-government efforts to combat trafficking in persons around the world.

### Methodology

The Department of State prepared this Report using information from U.S. embassies, meetings with foreign government officials, NGOs and international organizations, published reports, research trips to every region, and the information submitted to the e-mail address ([tipreport@state.gov](mailto:tipreport@state.gov)) which was established for NGOs and individuals to report information on government progress in addressing trafficking. Our diplomatic posts reported on the trafficking situation and governmental action based on thorough research, including meetings with a wide variety of government officials, local and international NGO representatives, international organizations, officials, journalists, academics, and victims.

To compile this year's Report, the Department took a fresh look at sources of information on every country to make the



*Rescued trafficking victims in a Mumbai shelter take art therapy; a young victim's self-portrait.*

assessments in this report. Assessing each government's anti-trafficking efforts involved a two-step process:

***Step One: Significant Numbers of Victims***

First, the Department determined whether a country is "a country of origin, transit, or destination for a significant number of victims of severe forms of trafficking," generally on the order of 100 or more victims, the same threshold applied in previous reports. Some countries for which such information was not available were not given tier ratings, but are included in the Special Case section, as they exhibited indications of trafficking.

***Step Two: Tier Placement***

The Department placed each of the countries included on the 2005 TIP Report into one of the three lists, described here as tiers, mandated by the TVPA. This placement is based on the extent of a government's actions to combat trafficking. The Department first evaluates whether the government fully complies with

the TVPA's minimum standards for the elimination of trafficking (detailed on p. 252). Governments that do are placed in Tier 1. For other governments, the Department considers whether they made significant efforts to bring themselves into compliance. Governments that are making significant efforts to meet the minimum standards are placed in Tier 2. Those countries whose governments do not fully comply with the minimum standards and are not making significant efforts to do so are placed in Tier 3. Finally, the Special Watch List criteria are considered and, if applicable, Tier 2 countries are placed on the Tier 2 Watch List.

As required by the TVPA, in making tier determinations between Tiers 2 and 3, the Department considers the overall extent of human trafficking in the country; the extent of government noncompliance with the minimum standards, particularly the extent to which government officials have participated in, facilitated, condoned, or are otherwise complicit in trafficking; and, what measures are reasonable to bring the government into com-



*Engagement through the Trafficking in Persons (TIP) Report yields tangible results. After the 2004 TIP Report placed Bangladesh on Tier 3, Bangladeshi police rescued from a brothel these teenage girls who would have been trafficked to the Gulf states.*



*A trafficked Ghanaian child, one of thousands forced to work seven days a week, fishes in Lake Volta, Ghana. Rural children are often sold by their parents in exchange for money, an agreement that is generally brokered by the fishing recruiters.*

pliance with the minimum standards in light of the government's resources and capabilities.

### **Potential Penalties for Tier 3 Countries**

Governments of countries in Tier 3 may be subject to certain sanctions. The U.S. Government may withhold non-humanitarian, non-trade-related assistance. Countries that receive no such assistance would be subject to withholding of funding for participation in educational and cultural exchange programs. Consistent with the TVPA, such governments would also face U.S. opposition to assistance (except for humanitarian, trade-related, and certain development-related assistance) from international financial institutions such as the International Monetary Fund and multilateral development banks such as the World Bank. These potential consequences would take effect at the beginning of the next fiscal year, October 1, 2005.

All or part of the TVPA's sanctions can be waived upon a determination by the President

that the provision of such assistance to the government would promote the purposes of the statute or is otherwise in the national interest of the United States. The TVPA also provides that sanctions shall be waived if necessary to avoid significant adverse effects on vulnerable populations, including women and children. Sanctions also would not apply if the President finds that, after this Report is issued but before the imposition of sanctions, a government has come into compliance with the minimum standards or is making significant efforts to bring itself into compliance.

Regardless of tier placement, every country can do more, including the United States. No country placement is permanent. All countries must maintain and increase efforts to combat trafficking. The United States will continue to monitor progress throughout the world and work with its partners to strengthen international efforts to eliminate all forms of modern-day slavery. ■





## 2005 TIP REPORT

# INTERNATIONAL BEST PRACTICES

**The Republic of Korea (R.O.K.): Cracking Down on Prostitution and Trafficking.** In response to a petition by a million Korean women, the R.O.K. passed two significant anti-prostitution and anti-trafficking laws in 2004 aimed at combating the commercial sexual exploitation of women and girls. The laws not only stiffened penalties for trafficking and prostitution, established support mechanisms and facilities for victims, and provided for public awareness and education campaigns, but also reflected the input of the NGO community and the government agencies charged with responsibility for enforcement. The Government of the Republic of Korea backed its new laws with both political will and resources. The new legislation has resulted in the rescue of over 200 victims and the arrests of over 500 traffickers and sex-buyers. The government's efforts have also produced a visible reduction in the commercial sexual exploitation of women and girls and markedly raised public awareness of trafficking and prostitution.

**Mali/Senegal/Burkina Faso: Implementing Bilateral Anti-Trafficking Accords.** In 2004, the Government of Mali signed bilateral accords with the Governments of Senegal and Burkina Faso to fight child trafficking. As a result, Senegal repatriated 54 Malian children and Mali repatriated 20 children to Burkina Faso.

**Malawi: Creatively Combating the Prostitution of Children.** People Serving Girls at Risk (PSGR), a local Malawian NGO, takes an innovative approach to help girls leave prostitution through social reintegration and building support networks. Male and female staff, "peer educators," go undercover where girls solicit customers and pretend to be pros-

titutes or clients to establish relationships of trust. The girls in prostitution are offered social and medical services and legal advice. PSGR helps form "watchdog groups" that are vigilant against girls joining or being lured into the commercial sex industry. These groups visit families and offer counseling to vulnerable girls.

**Indonesia: Involving Local Muslim Leaders.** Many young girls from impoverished families are educated in Islamic boarding schools (*pesantren*). The Asia Foundation supports the Fahmina Institute to provide anti-trafficking training materials to *pesantren* teachers, and to male and female preachers. In January 2005, The Asia Foundation helped organize a meeting of *pesantren* leaders, resulting in 32 schools forming the Pesantren-Based Alliance for Eliminating Trafficking in Persons in East Java.

**Philippines: Public-Private Partnership.** NGO Visayan Forum Foundation (VFF) operates four shelters for victims at major Philippine ports, including Manila and Davao. The Philippine Port Authority, police, and shipping companies, including the country's largest passenger shipping company, identify victims, mainly children, transiting the port and turn them over to VFF, which provides housing and protection. VFF then works with police to facilitate investigations and with the Department of Social Welfare and Development (DSWD) to repatriate and counsel victims. At the Davao shelter alone, VFF serves up to 45 victims a week.

**Portugal: Raising Public Awareness.** In October and November 2004, an anti-trafficking

movie, *Dark Night* was released for commercial viewing in Portuguese theaters. With a popular, well-known Portuguese cast, it ran alongside first-run American movies at mainstream cinemas. *Dark Night*, which was awarded the Portuguese 2005 Best Film and Best Actress awards, raised public awareness. Portuguese filmmaker Joao Canijo collaborated with police and NGOs to better understand trafficking and to portray it as distinct from illegal immigration in the film.

**Czech Republic: Establishing Screening and Identification Procedures.**

In cooperation with NGOs, the Government of the Czech Republic has formalized its victim screening process by creating a list of ten questions for police to use. Detailed questions are often essential for law enforcement to discover a human trafficking case. With EU support, the Czech Government also established an intranet site for police on how to identify and assist victims. The site, used on a daily basis, includes definitions of human trafficking, ways to identify trafficking victims, how to proceed with

trafficking cases, and which NGOs to contact for victim assistance. A portion of the site is under development and will allow officers to refresh training independently.

**Estonia: Raising Awareness.** To raise public awareness about trafficking in persons among students, the Estonian Government sponsored two essay competitions in spring 2004 for young people to write on the issues of prostitution and human trafficking. The subject was, “How could I fall into the hands of traffickers?”

**Slovenia: Protecting The Most Vulnerable.** The Project Against Trafficking and Sex and Gender Based Violence (PATS) provides trafficking awareness information and assistance to asylum-seekers most at risk, especially single females and children separated from their parents. Key elements of the project include: One-on-one information sessions with a social worker for those at risk; information on warning signs and the dangers of falling victim; information about where potential victims can access assistance; access to spe-

**GLOBAL LAW ENFORCEMENT DATA**

The Trafficking Victims Protection Reauthorization Act (TVPRA) of 2003 added to the original law a new requirement that foreign governments provide the Department of State with data on trafficking-related investigations, prosecutions, convictions, and sentences in order to be considered in full compliance with the TVPA's minimum standards for the elimination of trafficking (Tier 1). Last year's *TIP Report* collected this data for the first time. The chart below compares data collected for this and last year's Report:

YEAR	PROSECUTIONS	CONVICTIONS	NEW OR AMENDED LEGISLATION
2003	7,992	2,815	24
2004	6,885	3,025	39

Although reported prosecution totals decreased, the number of convictions increased, and more countries now have legal tools with which to combat trafficking. Data collection on prosecutions is not easy. Many sources commingle trafficking and alien smuggling data while others omit trafficking-related data because it is captured in other categories such as kidnapping.

**Starting this year, for reporting in the 2006 Trafficking in Persons Report, governments must collect and provide full law enforcement data in order to qualify for Tier 1.**



*Nigerian trafficking victims in Italy receive counseling from local NGOs.*

cialized assistance and protection for victims identified in the asylum procedures; and access to asylum procedures for identified trafficking victims. All at-risk asylum-seekers receive a small book, the purpose of which is disguised, that contains trafficking information and assistance contacts throughout Europe. The project is jointly administered by the Ministry of Interior's Asylum Section, two local NGOs (Kljuc and Slovenksa Filantropija), and the United Nations High Commissioner for Refugees (UNHCR) in Slovenia. Slovenia's Ministry of Foreign Affairs actively promotes the project regionally with other governments.

#### **Global: Fighting International Child Sex Tourism.**

The World Tourism Organization, End Child Prostitution, Child Pornography, and Trafficking of Children for Sexual Purposes (ECPAT), and Nordic tour operators created a global Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism in 1999 ([www.thecode.org](http://www.thecode.org)). This code requires signatories to: 1) Establish a corporate ethical policy repudiating the commercial sexual exploitation of children and introduce such clauses in suppliers' contracts; 2) Train tourism personnel; 3) Provide information to travelers; and 4) Report annually on their progress. As of March 2005, 100 travel

companies from 18 countries had signed the Code. The world's largest tour operator, JTB, along with the Japanese Association of Travel Agents, signed this spring.

Several governments, including Sweden, Italy, Brazil, and Thailand, deserve special credit. Queen Silvia of Sweden has been an especially committed, effective advocate. Italian law requires tour operators to highlight Italy's laws against child sex tourism in advertising materials. The Italian tourism institute and ECPAT-Italy established a training program for travel industry teachers, students, and law enforcement officers. Brazil has been a leader on the Code's International Steering Committee. The Tourism Authority of Thailand distributes literature on the issue at their tourism offices and airports.

**Singapore: Preventing Abuse of Foreign Domestic Workers.** During 2004, the newly created Foreign Manpower Management Division (FMMD) of Singapore's Ministry of Manpower sought to address abusive conditions faced by foreign domestic workers in Singapore, including conditions of involuntary servitude. It expanded educational programs for Singaporean employers, increased investigative resources and mediation services to address complaints of foreign

## PUNISHING TRAFFICKERS—WHAT IS SUFFICIENT?

As the Department of State collects and examines global law enforcement statistics in greater detail, a disturbing trend has emerged. In many countries, particularly in Europe, governments are imposing suspended or conditional sentences for serious trafficking crimes. This practice can mean that an individual who was involved, in some way, with a crime as serious as violent rape is sometimes released from police custody at the end of his or her trial and placed on probation. Can such weak punishment be sufficiently intimidating to deter human trafficking? Do suspended or conditional sentences adequately match the magnitude of the crime as required in the TVPA's minimum standards? Three of four minimum standards in the TVPA deal with punishing traffickers. (See page 252 excerpting the law.)

In most of the countries exhibiting this trend, higher penalties are available to judges under the criminal code, but judicial systems often have guidelines that favor the use of low sentences for first-time offenders. Beginning with the 2006 *Trafficking in Persons Report*, U.S. law will require countries placed in Tier 1 to submit law enforcement statistics covering: investigations, prosecutions, convictions, and sentences imposed (including suspended and non-suspended sentences). Many governments are already sharing this level of detail. Others still struggle with tabulating trafficking in persons conviction and sentencing data. We will be looking specifically this coming year at what convictions actually result in punishment.

workers, and mounted public awareness campaigns to sensitize the public on the problem of exploitation facing some foreign workers. FMMD carried out these efforts through a network of partnerships within the government and with local NGOs, unions, and civic groups. The Ministry of Manpower's efforts have led to a substantial drop in abuse cases, a rise in prosecutions, and what one activist called "an awakening in Singapore society." Prosecutions have been made more effective because Singapore applies one and a half times the normal penalty in cases where the victim is a foreign domestic worker.

### **Morocco: Addressing Trafficking-related Crimes of International Peacekeeping Forces.**

Following allegations that Moroccan peacekeepers abused civilians under their protection as part of the UN peacekeeping mission to the Congo, the Government of Morocco took quick and vigorous action. It strongly condemned the act, quickly launched an investigation, and arrested six implicated peacekeepers, announcing that they would be court-martialed. Press reports indicate that

Morocco dismissed the commander of its peacekeeping contingent in the Congo and his assistant. Four additional perpetrators were also arrested and are expected to face justice. The UN welcomed Morocco's decisive response. It should serve as a positive example for other troop-contributing countries.

**Brazil: Outreach to Passport Applicants.** To alert potential victims to the dangers of international trafficking, the Brazilian Government launched an information campaign for women traveling abroad. Each female Brazilian passport applicant between the ages of 18 and 35 receives a leaflet with her new passport stating, "First they take your passport, then your freedom." The leaflet includes a list of key human trafficking indicators and provides a national federal police contact number for filing complaints. The campaign was launched in October 2004 by the Ministry of Justice's Secretariat for Human Rights with the assistance of the United Nations Office of Drugs and Crime. It is part of a larger public awareness campaign using leaflets, posters, and radio spots to prevent women from

falling victim to international trafficking for sexual exploitation.

**India: NGO's Annual TIP Report.** The NGO *Shakti Vahini*, based in India's Haryana State, pioneered the concept of government responsibility on the human trafficking issue by publishing its own version of an Indian Trafficking in Persons (TIP) Report, which

rates in one of five “tiers” the anti-trafficking performance of each Indian state. Started last year, the *Shakti Vahini* TIP Report parallels and complements the U.S. Government's TIP Report from a uniquely Indian perspective. *Shakti Vahini* is currently working on its 2005 TIP Report and promises it will be an annual feature. Last year's edition gained attention within India and beyond. ■

### IRREGULAR MIGRATION - TRAFFICKING VULNERABILITY

The country assessments in this Report show a clear link between migration and involuntary servitude or “trafficking.” When people travel from their home communities, usually in search of better economic opportunities, they become more vulnerable to possible servitude. Lack of familiarity with customs, laws, and practices in a destination country or community can make them vulnerable to exploitation by unscrupulous employers or others they would trust. Documented migrants are less vulnerable than undocumented or “irregular” migrants, as they can avail themselves of legal aid in the community without fear of legal action taken against them.

Irregular migrants, however, are extremely vulnerable to exploitation that constitutes involuntary servitude. Employers or others who seek to exploit irregular migrants for their labor or services can coerce the migrant into a form of servitude, by threatening to turn the worker over to immigration authorities for punishment of his or her irregular status. Using such a threat of “giving up” a migrant to immigration authorities for arrest and deportation is one of the elements in the U.S. Criminal Code's definition of Forced Labor — “the abuse or threatened abuse of the legal process.” This element, which was added by the TVPA, is increasingly being used in prosecutions of trafficking crimes committed in the United States.

#### Withholding of Travel Documents

Similarly, the withholding of passports and other key travel documents of a migrant — regular or irregular — with the intent of committing involuntary servitude, forced labor, or sex trafficking against a person is also a crime under U.S. law. Research into trafficking and involuntary servitude of foreign migrants around the world has shown that this withholding of travel documents is a key tool used by persons to force or coerce others to enter into or continue in a state of servitude — a condition of service against a person's will.

Acknowledging this connection between the withholding of travel documents and involuntary servitude, many governments have criminalized the confiscation or withholding of travel and identity documents of foreign migrants. Taking of documents for these purposes is a form of threat of physical restraint. It restricts the basic movements of foreign migrants — prohibiting them from leaving the country they are in and possibly limiting their movements within that country.



# HEROES ACTING TO END MODERN-DAY SLAVERY

## **Angelina Atyam, Co-Founder of Concerned Parents' Association, Uganda**

Angelina Atyam co-founded the Concerned Parents' Association (CPA) in 1996 after the terrorist-insurgent organization Lord's Resistance Army (LRA) abducted her 14-year-old daughter. Since then, Mrs. Atyam has worked tirelessly to provide support and assistance to child victims and their families who have suffered from LRA atrocities, including rape, mutilation, forced labor, and forced soldiering. The CPA serves as a support network for more than 2,000 parents of abducted children and operates a reception center where former LRA captives are provided medical support. In 2004, Mrs. Atyam was reunited with her daughter, Charlotte, and two grandchildren, who risked their lives to escape from the LRA. Mrs. Atyam continues her work on behalf of abducted children, citing the CPA motto "every child is my child."



## **Nancy Kassebaum, Former U.S. Senator and Wife of Former U.S. Ambassador to Japan Howard Baker, United States of America**

Senator Nancy Kassebaum has been a longtime activist against human trafficking. In Japan, she visited NGO shelters that assist trafficking victims and worked with Embassy officers to determine how to significantly increase the public profile of trafficking crimes in Japan. She convened a conference that brought regional law enforcement, NGOs, and government officials together for the first time and applied her Senate experience and civil society savvy to help make the combating of human trafficking in Japan a priority. She has been a force behind the dramatic increase in public awareness of the human trafficking tragedy in Japan and has contributed to a national debate with lasting implications. Senator Kassebaum's

contributions have had both an immediate and a long-term impact.

## **Ansar Burney, Chairman, Ansar Burney Welfare Trust International, Pakistan**

A noted Pakistani human rights activist, Ansar Burney has worked relentlessly to bring to light the plight of thousands of South Asian and African children trafficked to Arabian Gulf countries for exploitation as camel jockeys. These abused children, some as young as two years of age, are purposely malnourished (to keep them lightweight) and denied education. As a result of Mr. Burney's efforts, the Government of the United Arab Emirates (U.A.E.) established its first-ever shelter for rescued child camel jockeys, and rescued 68 such children and repatriated 43 through the shelter. Mr. Burney oversees this shelter. He is quick to point out, however, that much more needs to be done to rescue, rehabilitate, and repatriate thousands of trafficked children throughout the Gulf region. (See [www.ansarburney.org](http://www.ansarburney.org))



## **Amod Kanth, Inspector General of Police, Indian Police Service (IPS) and Founder of NGO "Prayas," New Delhi, India**

Inspector General Kanth is a model of public service to the vulnerable children of India. In 1988, as Deputy Commissioner of Police in New Delhi, he founded Prayas as an NGO dedicated to caring for children in distress, including child trafficking victims. With assistance from various donors, he has built up an impressive network of shelters and drop-in care and education centers for vulnerable children. Working with the Ministry of Social Justice and Empowerment, Prayas led the effort to create a nationwide system of child-help emergency phone lines called "Child Line." Now any child

in distress in any of India's 56 largest cities can call "1-0-9-8" toll-free and receive help.

**Somaly Mam (right) and Pierre Legros, Co-Founders, Acting for At-Risk Women (Agir Pour Les Femmes En Situation Precaire-AFESIP), Southeast Asia**



Pierre Legros and Somaly Mam founded AFESIP ([www.afesip.org](http://www.afesip.org)) in 1996 to combat human trafficking and advocate against trafficking in children and women for sex slavery. Ms. Mam is a former trafficking victim who suffered firsthand the misery of sexual slavery. Mr. Legros' and Ms. Mam's organization has evolved into one of the leading—and most courageous—anti-trafficking NGOs in Southeast Asia. AFESIP has assisted over 3,000 women and girls through counseling, training, rehabilitation, and reintegration. The organization currently operates five centers in Cambodia with 137 staff in Cambodia, Vietnam, Laos, and Thailand. AFESIP has repeatedly taken on contentious and politically sensitive cases despite risk. It provided police leads that led to the December 7, 2004 raid on a notorious brothel promising virgins, and the rescue of 83 women and girls—a huge undertaking. Mr. Legros' and Ms. Mam's tireless efforts have endangered their family's life and brought numerous death threats from pimps and brothel owners.



**Ricky Martin, Founder of the Ricky Martin Foundation, United States of America**

International Superstar Ricky Martin has devoted his time, resources, and energy to improving the

lives of children around the world. Mr. Martin founded The Ricky Martin Foundation, an international organization that funds programs assisting exploited children and families, especially victims of human trafficking. Immediately following the devastating tsunami in Thailand, Mr. Martin traveled to the region

to warn people of the dangers of human trafficking and to show his concern for the country and its people. Recently, Mr. Martin joined with Habitat for Humanity to build and restore 224 houses in Pang Nga, Thailand. Lending a powerful voice to vulnerable children who are unable to speak for themselves, he's reaching tens of millions of people around the world. [www.rickymartinfoundation.com](http://www.rickymartinfoundation.com)



**Aida Mbodj, Family Minister, Senegal**

Minister Aida Mbodj has publicly taken a tough stand against exploitative child begging in Senegal, despite receiving death threats for her controversial position. As a leading government official and the wife of a well-respected religious figure, Minister Mbodj has worked to eliminate the abusive use of children to generate income for some religious scholars—a practice that qualifies as child trafficking under the TVPA. Minister Mbodj has enlisted the help of religious leaders to explain that exploitative begging is inconsistent with Islam's teachings. The Family Ministry now provides subsidies to Koranic schools that do not exploit their students. Minister Mbodj also laid the groundwork for, and signed, a 2004 bilateral anti-trafficking agreement between Senegal and Mali, which has already led to the repatriation of 54 trafficked Malian children.

**Sisters of Adoration, Slaves of the Blessed Sacrament and of Charity, Lima, Peru**

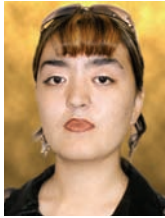


Saint Maria Micaela of the Blessed Sacrament

founded this Roman Catholic religious order in Spain after she witnessed the abuse, alienation, and social exclusion suffered by many women used in prostitution in mid-19th century Madrid. Today, the Sisters support missions worldwide assisting trafficking victims by providing education, medical attention,



counseling, and job training for girls and women liberated from prostitution. Members of the order regularly search dangerous city streets at night seeking girls and women who are trapped in prostitution and offer them opportunities for a better life. The Sisters of Adoration run education and assistance centers in Peru, Bolivia, Colombia, the Dominican Republic, Japan, India, and other countries.



**Adiba Umarova, Journalist,  
Tajikistan**

As a result of a U.S. Government-funded program for media professionals in Tajikistan, reporter Adiba

Umarova investigated a labor migration trafficking scam that had been dismissed from court. Her investigation led to the re-opening of the case and the re-arrest of the ringleader of the trafficking syndicate. The scam involved a group of men from Charku Village, who were deceived by an advertisement in a local newspaper promising work in Russia. After arriving in Moscow, the workers' passports were taken. They were forced to work in a landfill site to repay debts incurred for transportation. Several managed to escape and return to Tajikistan where they pushed for the arrest of the local scam leader. When the suspect was quickly released from custody without a satisfactory investigation, Ms. Umarova pursued the case beyond local officials to the regional prosecutor's office, which took an interest in the case and reopened the investigation. A short documentary was produced to highlight this story, which emphasizes important themes of forced labor abuse and local corruption.

**Her Majesty Queen Silvia of  
Sweden**

Queen Silvia has been a leader in fighting child sex trafficking. In 1994, she agreed to become the patron of the First World Congress against Commercial Sexual Exploitation of Children, which was



held in Stockholm in 1996. Inspired by the World Congress' Agenda for Action, the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism was developed by ECPAT Sweden. One hundred major travel businesses in 18 countries around the world have adopted the Code, are informing their travelers, and giving employees training in combating child sex tourism. Today through the World Childhood Foundation, which she founded, the Queen supports child anti-trafficking and other efforts to combat commercial sexual exploitation of children in Brazil, Russia, Thailand, and many other countries.

**Dewi Hughes, Media Celebrity,  
Indonesia**

In 2003, the Women's Empowerment Minister appointed popular television personality Dewi Hughes as Indonesia's national ambassador and spokesperson for the Campaign to Eliminate Trafficking in Women and Children. Indonesia's National Anti-Trafficking Conference, supported by U.S. funding, publicly launched Ms. Hughes' role in July 2003. Since then, Hughes has committed herself fully and selflessly to raising public awareness of this crime, and has been a strong advocate for change. Known as "Indonesia's Oprah," Ms. Hughes has used her celebrity status to speak out to millions of Indonesians about trafficking through television, radio, and print media. On a volunteer basis, she has worked countless hours to conduct interviews, speak at conferences, meet policymakers, and provide narration for training videos on trafficking. Ms. Hughes initiates many of her own media engagements, and she has devoted many of her talk shows to the subject of trafficking. In recent months, Ms. Hughes has traveled to Aceh to highlight the needs of women and children left vulnerable by the December 2004 earthquake and tsunami, and she has spoken out in support of Indonesia's draft anti-trafficking bill. ■





Children throughout the world are highly vulnerable to exploitation for labor and sex.

# TIER PLACEMENTS

## TIER 1

AUSTRALIA	DENMARK	LUXEMBOURG	POLAND
AUSTRIA	FRANCE	MOROCCO	PORTUGAL
BELGIUM	GERMANY	NEPAL	SOUTH KOREA
CANADA	HONG KONG	THE NETHERLANDS	SPAIN
COLOMBIA	ITALY	NEW ZEALAND	SWEDEN
CZECH REPUBLIC	LITHUANIA	NORWAY	UNITED KINGDOM

## TIER 2

AFGHANISTAN	EGYPT	LAOS	SENEGAL
ALBANIA	EL SALVADOR	LATVIA	SERBIA-MONTENEGRO
ALGERIA	EQUATORIAL GUINEA	LEBANON	SINGAPORE
ANGOLA	ESTONIA	LIBYA	SLOVENIA
ARGENTINA	ETHIOPIA	MACEDONIA	SRI LANKA
BANGLADESH	FINLAND	MADAGASCAR	SWITZERLAND
BELARUS	GABON	MALAWI	SYRIA
BOSNIA/HERZ.	GEORGIA	MALAYSIA	TAIWAN
BRAZIL	GHANA	MALI	TAJKISTAN
BULGARIA	GUATEMALA	MAURITANIA	TANZANIA
BURKINA FASO	GUYANA	MOLDOVA	THAILAND
BURUNDI	HONDURAS	MONGOLIA	TURKEY
CHAD	HUNGARY	MOZAMBIQUE	UGANDA
CHILE	INDONESIA	NIGERIA	URUGUAY
CONGO (DRC)	IRAN	OMAN	VIETNAM
COSTA RICA	ISRAEL	PAKISTAN	YEMEN
COTE D'IVOIRE	JAPAN	PANAMA	ZAMBIA
CROATIA	KAZAKHSTAN	PARAGUAY	
CYPRUS	KENYA	PERU	
EAST TIMOR	KYRGYZ REPUBLIC	ROMANIA	

## TIER 2 WATCH LIST

ARMENIA	DOMINICAN REP.	MEXICO	SLOVAK REPUBLIC
AZERBAIJAN	THE GAMBIA	NICARAGUA	SOUTH AFRICA
BAHRAIN	GREECE	NIGER	SURINAME
BELIZE	GUINEA	PHILIPPINES	UKRAINE
BENIN	HAITI	RUSSIA	UZBEKISTAN
CAMEROON	INDIA	RWANDA	ZIMBABWE
CHINA (PRC)	MAURITIUS	SIERRA LEONE	

## TIER 3

BOLIVIA	ECUADOR	QATAR	UNITED ARAB EMIRATES
BURMA	JAMAICA	SAUDI ARABIA	VENEZUELA
CAMBODIA	KUWAIT	SUDAN	
CUBA	NORTH KOREA	TOGO	

# AFRICA



YEAR	PROSECUTIONS	CONVICTIONS	NEW OR AMENDED LEGISLATION
2003	50	10	3
2004	134	29	7

# EAST ASIA & PACIFIC



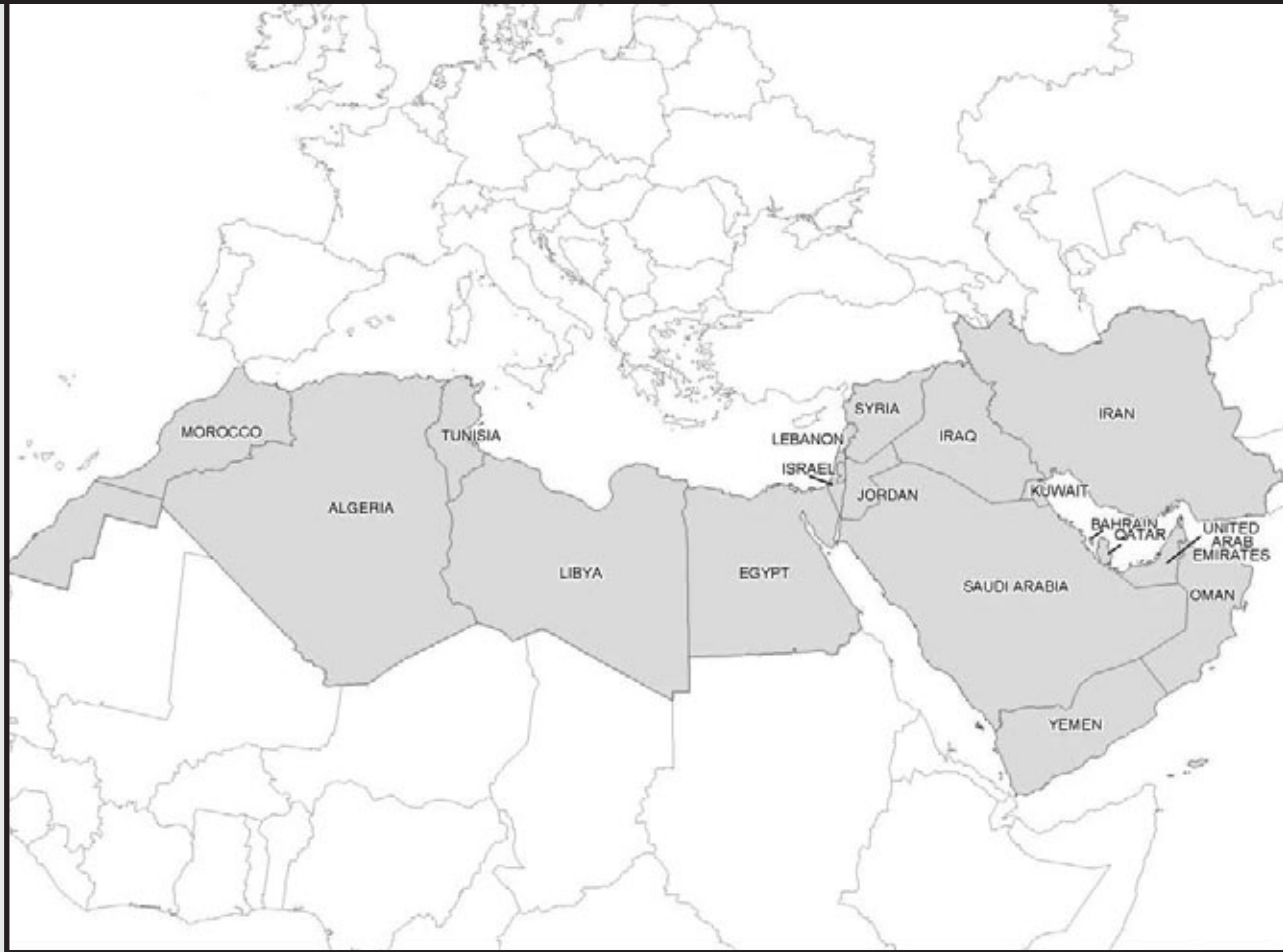
<b>YEAR</b>	<b>PROSECUTIONS</b>	<b>CONVICTIONS</b>	<b>NEW OR AMENDED LEGISLATION</b>
<b>2003</b>	<b>1,727</b>	<b>583</b>	<b>1</b>
<b>2004</b>	<b>438</b>	<b>348</b>	<b>3</b>

# EUROPE & EURASIA



YEAR	PROSECUTIONS	CONVICTIONS	NEW OR AMENDED LEGISLATION
2003	2,437	1,561	14
2004	3,329	1,274	20

# NEAR EAST



<b>YEAR</b>	<b>PROSECUTIONS</b>	<b>CONVICTIONS</b>	<b>NEW OR AMENDED LEGISLATION</b>
<b>2003</b>	<b>1,004</b>	<b>279</b>	<b>4</b>
<b>2004</b>	<b>134</b>	<b>59</b>	<b>1</b>

# SOUTH ASIA



YEAR	PROSECUTIONS	CONVICTIONS	NEW OR AMENDED LEGISLATION
2003	2,599	355	0
2004	2,705	1,260	1



# WESTERN HEMISPHERE



YEAR	PROSECUTIONS	CONVICTIONS	NEW OR AMENDED LEGISLATION
2003	175	27	2
2004	145	56	7

## THE LINK BETWEEN HIV/AIDS AND TRAFFICKING IN PERSONS (TIP)

### Public Health Implications of Trafficking

Besides being a criminal and human rights issue, human trafficking has serious public health effects. Victims of trafficking often endure brutal conditions that result in physical, sexual, and psychological trauma. The health risks and consequences include sexually transmitted diseases, pelvic inflammatory disease, hepatitis, tuberculosis and other communicable diseases; unwanted pregnancy, forced abortion, and abortion-related complications; rape and other physical assault; a host of mental and emotional health problems including nightmares, insomnia, and suicidal tendencies; alcohol and drug abuse and addiction; and even suicide and murder. The health implications of sex trafficking extend not only to its victims, but also to the general public, as well as those who frequent brothels and who can become carriers and/or core transmitters of serious diseases.

### The Link Between HIV/AIDS and TIP

Approximately 42 million people are living with HIV/AIDS worldwide. This global epidemic affects women and children who are trafficked for purposes of prostitution. Globally, women in prostitution and those who have been trafficked for prostitution have a high prevalence of HIV and other STDs. For example:

- In Nepal, HIV prevalence among women in prostitution is 20 percent. In South Africa it is 70.4 percent
- In Cambodia, 28.8 percent of women in prostitution are HIV infected
- In Zambia, where there is a thriving sex trade, there is a 31 percent HIV prevalence in redlight areas
- In India, scientists have noted high levels of prostitution along trade routes in the Northeast, with associated high levels of HIV in those areas.

In addition, the HIV/AIDS epidemic may be spread by human trafficking. Some experts

have linked sex trafficking to the spread and mutation of the AIDS virus. They believe that sex trafficking is aiding the global dispersion of HIV subtypes.

### What Is the United States Doing?

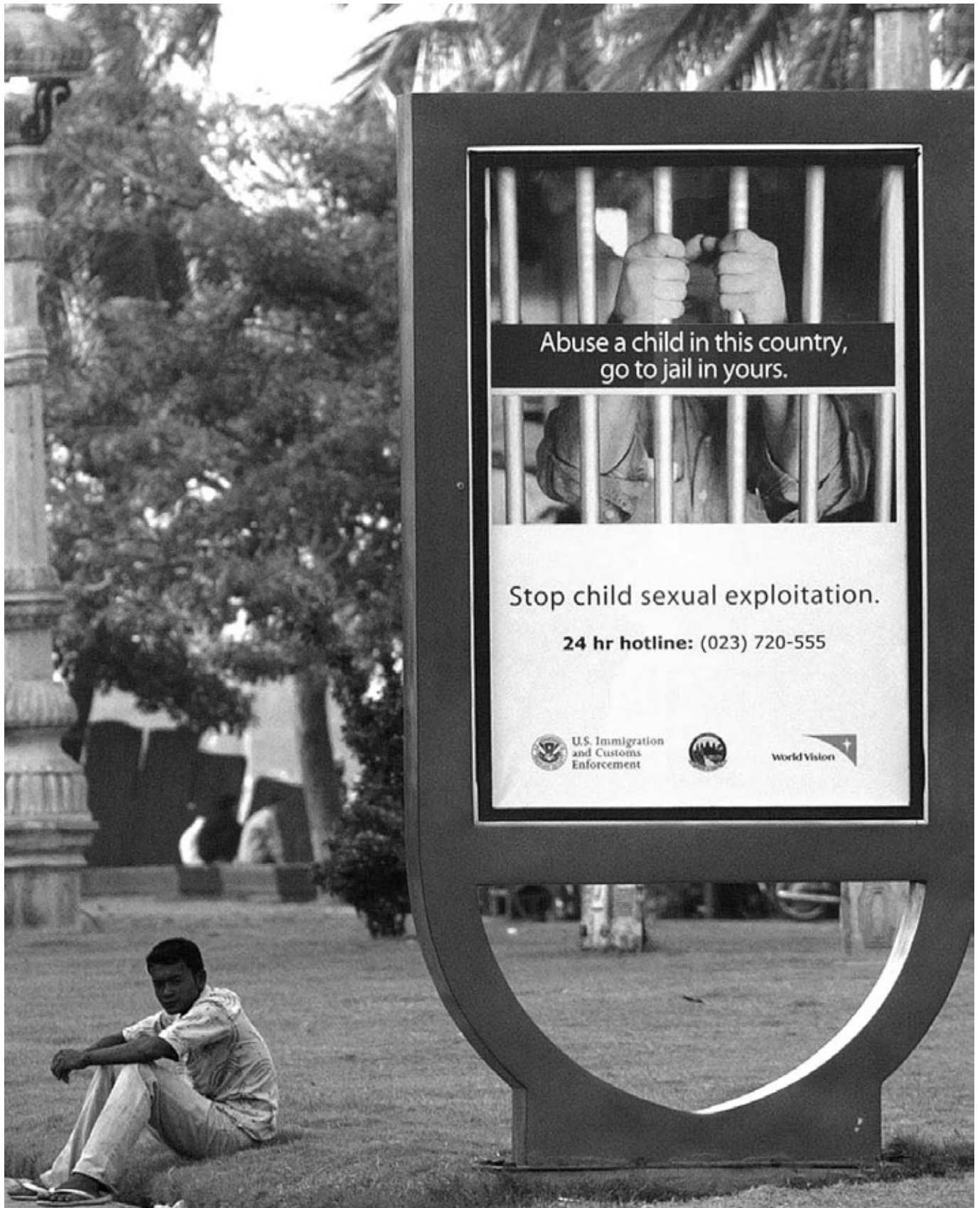
Because the U.S. Government believes there is a link between trafficking in persons and HIV/AIDS as well as other serious communicable diseases, it has developed programs to address both TIP and HIV/AIDS. These include:

- Cooperative efforts with the President's Emergency Program for AIDS Relief. This strategy focuses on prevention, treatment, and care for those infected with or affected by HIV/AIDS. We have worked to add rescue and rehabilitation efforts for victims of sex trafficking to the overall strategy.
- Participation in trainings of health workers and health professionals at national and international HIV/AIDS events to insure that sex trafficking is discussed.
- Hosting the first conference on the public health implications of trafficking in persons, to bring together over 100 doctors, nurses, and medical practitioners to discuss prevention, treatment, and services.
- Meeting with representatives from the American Medical Association, the Christian Medical Association, and other health professional associations to plan programs and curricula to educate health professionals about the health implications of trafficking in persons.

### For the Future: Prevention

Both HIV/AIDS experts and anti-trafficking advocates agree on one thing: rehabilitative treatment of a trafficking victim and/or palliative treatment for HIV/AIDS, while desirable, does not allow us to get ahead of the problem. In addressing the link between human trafficking and HIV/AIDS, it is clear that we will need to step up preventive programs, for only when we prevent trafficking, and prevent the spread of the HIV/AIDS epidemic, will we truly be successful.

# COUNTRY NARRATIVES



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## AFGHANISTAN (TIER 2)

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Afghanistan is a country of origin for women and children trafficked for the purposes of sexual exploitation and labor. Children are trafficked to Iran, Pakistan, and Saudi Arabia for forced begging, labor, and sexual exploitation. Some parents pay smugglers to take their children into Iran and Saudi Arabia, hoping their children will find work and send remittances; once there, the children become subject to coercive arrangements that constitute involuntary servitude. Children are also “loaned” by their parents to perform agricultural and domestic work within Afghanistan in return for wages paid to the parents; these arrangements often develop into involuntary servitude. Women and girls are kidnapped, lured by fraudulent marriage proposals, or sold into forced marriage and commercial sexual exploitation in Pakistan. Women and girls are also trafficked internally as a part of the settlement of disputes or debts as well as for forced marriage and labor and sexual exploitation.

Afghanistan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Afghanistan has a taskforce and national action plan focusing exclusively on child trafficking. It now needs to implement its comprehensive national plan of action against all forms of trafficking. Afghanistan needs to establish a shelter for women victims of trafficking as it has done for child victims. It should also deal with corruption within its police forces, as many perpetrators are not brought to justice. Implementation of these reforms is complicated by the fact that Afghanistan still faces resource limitations and daunting challenges in exerting control over some of its provinces.

### ***Prosecution***

Afghanistan’s law enforcement actions against trafficking are hard to quantify and evaluate, as the government does not compile and keep central data on its prosecution activities. Reports indicate that out of a possible 20 suspected cases of child trafficking, two resulted in convictions, three resulted in acquittals, and six are still being prosecuted. Afghanistan does not have anti-trafficking legislation; however, it can use its other laws to prosecute trafficking and related crimes. The government should implement a comprehensive anti-trafficking law to combat all forms of trafficking. It should also aggressively investigate and prosecute elements within its police force that are complicit in trafficking.

### ***Protection***

Afghanistan improved its victim protection activities in 2004. It continued operating a transit center in Kabul to assist children deported from destination countries. It also used innovative family tracing and reunification systems to facilitate the return and reintegration of children. In addition, Afghanistan has a procedure by which parents/guardians are required to certify their children’s safe return to them – a procedure meant to reduce the re-trafficking of child victims. In 2004, Afghanistan, with the assistance of UNICEF and IOM, started reintegration projects in the Baghlan and Takhar provinces for deported children from Saudi Arabia and Iran. Afghanistan, in collaboration with UNICEF, provided anti-trafficking training for officials in frontline agencies. NGOs provided clothing and temporary shelter to victims.

### ***Prevention***

The Government of Afghanistan improved its efforts to combat trafficking through prevention activities over the reporting period, due largely to improved security in certain provinces, increased access to education, cessation of war and conflict, improved border control, and improvement in people’s standard of living. In 2004, Afghanistan completed a study on child trafficking and approved, translated,

and distributed an action plan to combat this form of trafficking to all provinces. Afghanistan should conduct a similar study for all forms of human trafficking and adopt a plan of action to combat it.

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## ALBANIA (TIER 2)

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Albania is a source country for women and children trafficked for the purposes of sexual exploitation and forced labor, largely to Greece and Italy, where many victims are then further transited to the United Kingdom, France and the Netherlands. Albanian children, especially ethnic Roma and Egyptian, continue to be trafficked externally for forced begging. Regional and international experts consider Albania to have significantly decreased as a transit country for trafficking in Western Europe.

The Government of Albania does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government remained committed to monitoring and preventing trafficking at the country's main ports and produced successful interdictions. However, implementation of Albania's anti-trafficking tools remained inadequate and a critical area of concern. Greater, proactive steps in the areas of protection and reintegration are needed to ensure the safety of victims. The government must apply available laws and programs, in addition to improving prevention for vulnerable groups. Trafficking-related corruption must also be addressed.

### *Prosecution*

In 2004, the Government of Albania continued to arrest, prosecute, and convict traffickers. Its courts prosecuted 132 traffickers and handed down 121 convictions. Commendably, over half of the sentences during the reporting period were over five years in length and 30 traffickers were sentenced to more than ten years' imprisonment. In September 2004, the government adopted legislation that includes broad civil asset forfeiture provisions, requiring the accused trafficker to prove the legitimacy of sources of wealth. Prosecutors, however, had yet to employ the forfeiture provisions. Serious resource constraints and corruption among government officials continued to hamper anti-trafficking efforts. The government continued to investigate police involvement in trafficking; in 2004, four police officers were investigated for offenses related to trafficking. The government did not prosecute or convict any officials for trafficking complicity during the reporting period.

### *Protection*

The government provided some facilities and personnel to assist trafficking victims, and operates its own National Reception Center; NGOs have two additional shelters. The government has begun work on a national referral mechanism involving law enforcement, social services, and NGO partners to improve the initial identification, reception, protection, and reintegration procedures for returnee victims. Police slightly increased the number of ad hoc referrals made to shelters in Albania via IOM and NGOs. Police referred 274 victims to the Vatra Center, a leading NGO in Albania providing shelter and reintegration services to victims. Notably, a number of police directorates opened their own temporary shelters to accommodate trafficking victims. However, regulations necessary for the implementation of witness-protection measures adopted in 2003 have yet to be finalized. In 2004, the Government of Albania established a witness relocation program and adopted special witness protection provisions allowing for endangered witnesses in trafficking cases to testify via remote video link. The program remains unfunded.

### ***Prevention***

In 2004, the government conducted few prevention programs, and continued to rely primarily on NGOs and international organizations to carry out such activities. The Ministry of Education began to incorporate prevention activities into school curricula. In 2004, the government adopted a newly improved Strategic Framework and National Action Plan that outlines a comprehensive and targeted approach to trafficking. However, few aspects of the plan have been funded or initiated. In February 2005, the government also finalized its Child Trafficking Strategy and Action Plan.

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## **ALGERIA (TIER 2)**

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Algeria is primarily a transit country for men, women, and children trafficked from Central and Western Africa en route to Europe for the purposes of sexual and labor exploitation. Once in Algeria, some women find themselves exploited in prostitution, usually by a family member, when their financial situation becomes dire. African and Algerian human smugglers use deception and fraud to entice would-be victims from their countries by falsely promising victims easy passage through Algeria to destinations in Europe. They then abandon their victims after they cross over Algeria's vast and porous border in the south. In addition to instances of trafficking for prostitution cited above, desperate economic circumstances force some men to seek work as laborers in construction and other menial work. There are reportedly an estimated 200,000 illegal immigrants in Algeria, some of whom are believed to be trafficking victims.

The Government of Algeria does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government has expressed willingness to address the problem through regional cooperation with similarly affected countries in the region. It needs to build on this initiative and develop appropriate policy mechanisms to more effectively tackle the problem. There is currently a plan underway to set up an office to combat trafficking, which will include appointing a national anti-trafficking coordinator to oversee and coordinate its anti-trafficking activities. This office should also develop and implement a national plan of action to combat trafficking, a mechanism for differentiating between trafficking victims and illegal immigrants, and a comprehensive anti-trafficking law that punishes traffickers, provides for the protection of victims, and facilitates prevention programs.

### ***Prosecution***

During the reporting period, Algeria has not done much to prosecute traffickers, largely because it does not systematically differentiate between trafficking victims and the thousands of illegal immigrants in the country. Although Algeria does not have specific anti-trafficking legislation, it has various criminal laws that could be applied to combat trafficking. However, there is no evidence the government has used these laws to prosecute traffickers, including those who reportedly subject victims into prostitution. Police and security officers regularly arrest illegal immigrants and deport them, but they do not systematically screen them to determine whether they are trafficking victims and subsequently accord them proper protection services.

### ***Protection***

The government did very little to protect victims of trafficking during the reporting period, largely because its law enforcement officers do not have a procedure in place to positively identify victims.

There is no government-run shelter for the protection of victims, but the NGO International Committee for the Development of People (CISP) provides services for such victims in the Tamanrasset area. The government should increase its cooperation with NGOs and civil society members engaged in the provision of shelter and other services to victims.

### ***Prevention***

Algeria's efforts to prevent trafficking improved over the last year. In 2004, several members of the Algerian Coast Guard attended anti-smuggling and anti-trafficking training in the United States. The government should work with CISP and other NGOs, which have anti-trafficking public campaigns in place, and continue working with sources and destination countries to combat trafficking.

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## **ANGOLA (TIER 2)**

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Angola is a source country for children trafficked for the purposes of sexual exploitation. Angolan girls move back and forth across Angola's border with Namibia to engage in prostitution with truck drivers. There are unconfirmed anecdotal reports of trafficking for the purpose of child commercial sexual exploitation in Angola's cities. Small numbers of children may also be trafficked for forced agricultural labor.

The Government of Angola does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. To further its anti-trafficking efforts, the government should launch a trafficking-specific public education and awareness campaign in trafficking-prone communities and expand programs that provide direct protective assistance to children in prostitution.

### ***Prosecution***

The government's anti-trafficking law enforcement efforts improved during the year. Angola does not have a law that specifically prohibits trafficking in persons. However, constitutional and statutory laws criminalizing forced or bonded labor, prostitution, kidnapping, and illegal entry are used to prosecute trafficking cases. In March 2004, government authorities opened their first specific trafficking investigation into a case of six girls who were lured to farms in Huila province with promises of employment and then sexually exploited. While it is regrettable that there was no conviction or sentence, the case was ultimately settled out of court, with the trafficker making restitution to the victims' families. Statistics were unavailable on other trafficking-related cases investigated and prosecuted by the government during the year. In December 2004, UNICEF conducted a train-the-trainers session on the enforcement of trafficking-related laws and immigration standards at the borders; 28 individuals, mostly Directors of Provincial Border Posts, attended this session. In March 2005, the border post directors in Bunguela province used this training to conduct a week-long training session for 25 immigration officials on combating child trafficking.

### ***Protection***

Government efforts to protect trafficking victims continued during the reporting period. The government funds 20 percent of its anti-trafficking programs, and provides in-kind human resources and facilities. Through its social welfare agencies, the government provided basic assistance to seven trafficking victims in Luanda; an unknown number of victims were assisted in other regions of the

country. In 2004, the government started a program with the Catholic Church near the Namibian border to assist child victims of trafficking with reintegration into the community. The program's initial focus was on providing basic literacy and skills training, such as locksmith skills, tinsmith skills, or carpentry, to give trafficking victims viable future opportunities. The government, assisted by UNICEF, continued implementation of the post-conflict child soldier protection strategy, specifically targeting registered child soldiers. Former child soldiers were provided skills training, psychological services, temporary housing, and assistance with civil registration. To date, 3,750 of the 4,000 registered child soldiers have been assisted by these programs.

### ***Prevention***

During the period, the government made progress in preventing trafficking from occurring. The Immigration Service began enforcing a law requiring documentation for international air travel of children unaccompanied by their parents. Airport immigration officials prevented 78 children from departing Angola for lack of required documentation in 2004. The Ministry of Justice's child registration program registered approximately four million children during its three-year nation-wide campaign that ended in late 2004. The registration of these children limits the number of undocumented and therefore vulnerable children. The Ministry of Assistance and Social Reintegration helped approximately 4,500 separated children reintegrate into their families and communities of origin. The National Commission to Combat Child Labor and Trafficking in Minors began drafting a national plan of action to combat child trafficking. Government statements against children in prostitution and abuse of children's rights appeared frequently in local media.

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## **ARGENTINA (TIER 2)**

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Argentina is primarily a destination country for women and children trafficked for the purposes of sexual and labor exploitation. Most victims are trafficked internally, from rural to urban areas, for exploitation in the commercial sex trade. Some Argentine women and girls are trafficked abroad, mainly for sexual exploitation in Brazil, Paraguay, or Spain. Women and children are trafficked from Paraguay, Bolivia, and Brazil for commercial sexual exploitation, and migrants from neighboring countries are sometimes trafficked to Argentina for other types of forced labor. Traffickers often threaten or inflict physical violence, restrict victims' movements, and forge documents to conceal the nationality and age of victims.

The Government of Argentina does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Officials investigated and prosecuted cases related to commercial sexual exploitation rings, and the government named a national coordinator on trafficking issues. Future government actions should address the slowness of the judicial process and ensure that any official involved in or facilitating trafficking is prosecuted. The government should also implement national policies to protect victims, prevent trafficking, and strengthen efforts to prosecute traffickers and collect data on trafficking crimes and prosecutions.

### ***Prosecution***

Law enforcement investigated and prosecuted some trafficking-related cases, but heavy case loads for prosecutors, Argentina's slow judicial process, and, in some instances, police officer complicity in trafficking activities hampered efforts to combat trafficking during the reporting period. The government lacked a coordinated law enforcement strategy and a comprehensive anti-trafficking law. The government



used other laws to address trafficking-related crimes, with penalties ranging from one to 20 years in prison. During the reporting period, authorities investigated at least two new cases of trafficking for sexual exploitation involving more than four traffickers. Two other investigations of alleged trafficking-related disappearances remained pending, with some suspects in detention. Argentine courts convicted three traffickers who sexually exploited women and girls from Paraguay; defendants received four to 12 years in prison. There were no allegations of national government officials involved in trafficking, but prosecutors launched new investigations of police involved in trafficking women for commercial sexual exploitation, and a case implicating 19 officials in trafficking-related offenses remained pending in the courts.

### ***Protection***

Individual provinces provided some assistance to trafficking victims, but resources were insufficient for comprehensive care and protection. Prosecutors encouraged victims to support prosecutions and referred them to victims of crime centers, but no government services met specific trafficking victim needs and few NGOs worked directly with victims. A bill with provisions to assist and protect trafficking victims remained pending in Congress. The project “Luz de Infancia,” which is aimed at combating commercial sexual exploitation of minors, assisted 18 children. Identified trafficking victims were not detained or forcibly deported, but not all officials understood the difference between trafficking and illegal migration or prostitution that was not trafficking-related. IOM repatriated nine women victims and dependents to their home countries; government agencies consulted IOM about additional cases involving approximately 20 women.

### ***Prevention***

Government prevention efforts during the reporting period were localized and failed to educate the wider public. The Luz de Infancia program in Puerto Iguazu and Buenos Aires municipal programs offered public awareness and education outreach. Buenos Aires authorities ran a telephone hotline, a poster campaign, and education for secondary school and public health officials on identifying and assisting victims of child sexual exploitation. The Foreign Ministry trained consular officers to assist victims. The government organized or participated in workshops and meetings on trafficking throughout the year. In late 2004, it appointed a national anti-trafficking coordinator to improve coordination of government and civil society efforts.

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## **ARMENIA (TIER 2 – WATCH LIST)**

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Armenia is a source and, to a lesser extent, a transit and destination country for women and girls trafficked for sexual exploitation largely to the United Arab Emirates (U.A.E.) and Turkey. Some evidence indicates that Armenian victims were trafficked to other European countries as well. According to UN estimates, up to 1,000 Armenian women work as prostitutes in the U.A.E. and Turkey, most of whom are victims of trafficking.

The Government of Armenia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Armenia is placed on Tier 2 Watch List this year because of its failure to show evidence of increasing efforts to combat trafficking over the past year. Specifically, the government failed to disseminate or implement any elements of its January 2004 National Action Plan. The government should take proactive steps to officially distribute, publicly support, and implement this plan as soon as possible. Notably, trafficking-related

prosecutions and convictions increased; however, reluctance to apply the new anti-trafficking statute produced insufficient penalties. The government adopted an anti-corruption program and created a task force in 2004; however, it failed to take any measures beyond issuing a rhetorical pledge to address trafficking-related complicity.

### ***Prosecution***

Article 132 of the criminal code prohibits trafficking in persons and provides for a maximum penalty of four to eight years' imprisonment. However, the government overwhelmingly applied Article 262 of the criminal code — a lighter pimping charge. Out of 16 convictions in 2004, the government applied the 2003 anti-trafficking statute (Article 132) only once; the remaining 15 convictions under Article 262 produced much weaker penalties. While the government increased the overall number of trafficking-related convictions, the cases produced outcomes ranging from six-month to two-year sentences, suspended sentences, corrective labor and fines. These penalties are not commensurate with Armenian penalties for other grave crimes, such as rape. Indications of official collusion and complicity among government officials hampered the government's efforts to adequately tackle Armenia's trafficking problem. Members of the Procuracy allegedly assisted traffickers and border guards accepted bribes facilitating traffickers' movements across the border. The government failed to investigate or prosecute government officials complicit in trafficking.

### ***Protection***

Armenia's anti-trafficking law enforcement efforts remained anemic over the last year. While Armenia's law provides trafficking victims with protection, the government largely failed to provide this assistance during the reporting period. NGOs and international organizations continued to provide the majority of victim protection and widely reported good cooperation with the government. The government did not issue any formalized or standard operating procedures for police to follow when encountering possible victims of trafficking. In the absence of a formalized referral mechanism, police informally referred victims to local NGOs. Police also referred potential victims of sexual exploitation for medical screening and treatment as necessary. The rights of victims were generally respected. The police often failed, however, to treat victims' identities with confidentiality. Victim assistance programs reported sheltering 15 victims in 2004.

### ***Prevention***

Cooperation between the government and NGOs continued to help raise awareness about trafficking in Armenia. The government sustained its program of providing housing to vulnerable children released from Armenian orphanages. The Department of Migration and Refugees initiated anti-trafficking discussions on several local talk shows. Lack of official recognition of the problem within many sectors of the government, however, contributed to the overall lack of progress. In a recent interview, the Minister of Justice declared that "trafficking does not exist as a phenomenon in Armenia." Informally, the government made a preliminary effort to engage bilaterally with Georgia, but did not develop any pro-active programs to assist Armenian victims in transit or destination countries.

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## **AUSTRALIA (TIER 1)**

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Australia is a destination country for women from Southeast Asia, South Korea, and the People's Republic of China (P.R.C.) who are trafficked for the purposes of sexual exploitation. Some of these

women travel to Australia voluntarily to work in both legal and illegal brothels but are deceived or coerced into debt bondage or sexual servitude.

The Government of Australia fully complies with the minimum standards for the elimination of trafficking. The Commonwealth's Action Plan to Eradicate Trafficking in Persons provided substantial financial and personnel resources to combat the problem both domestically and internationally. Over the last year, the government further refined its anti-trafficking program. In 2004, the government made significant and greater efforts to combat trafficking, including developing further legislation to criminalize aspects of trafficking and increase penalties for trafficking-related offenses, increasing prosecutions, and enhancing victim assistance. The government should consider expanding its protection efforts to cover victims who cooperate with the police but are not part of a viable investigation.

### ***Prosecution***

The Australian Government made progress in its efforts to prosecute trafficking-related offenses. Trafficking cases were prosecuted under various statutes including provisions in the Commonwealth Criminal Code, the Crimes Act, and the Migration Act. During the reporting period, the Australian Federal Police (AFP) investigated 38 trafficking cases that led to the prosecution of 14 traffickers in five cases involving 24 victims. There were no trafficking convictions during the reporting period. The AFP's Transnational Sexual Exploitation and Trafficking Team, a 23-person unit dedicated to investigating trafficking cases, was charged with determining whether a person is a trafficking victim, often after an initial referral from Australia's immigration agency. In addition to improving law enforcement efforts, the government has been developing further legislation to criminalize aspects of trafficking and increase the penalties for trafficking-related offenses. The government also used the Crimes Act to convict Australian citizens and residents who traveled abroad to engage in sex with minors less than 16 years of age. Since 1994, 13 pedophiles have been convicted under this law, which carries a maximum sentence of 17 years.

### ***Protection***

In 2004, the government took significant steps to improve efforts by police and immigration authorities to distinguish trafficking victims from illegal migrants. The Australian Government also made progress in identifying and eliciting the cooperation of trafficking victims in providing criminal evidence for the prosecution of traffickers. The government provided all suspected trafficking victims with short-term temporary shelter, medical care, and counseling. If these victims were determined by police to be able and willing to aid in a criminal investigation, they were given social security benefits, housing, medical treatment, legal assistance, social support, and vocational training. Australia's streamlined police investigation and immigration referral procedures resulted in an increase in the number of suspected trafficking victims referred for visa determinations. During the reporting period, immigration authorities granted 29 bridging visas to trafficking victims. In 2004, the Government also introduced a new witness protection visa exclusively for trafficking victims.

### ***Prevention***

The Australian Government continued to expand its efforts to prevent new incidents of trafficking. The government coordinated closely with neighboring countries to investigate trafficking and funded awareness campaigns in source countries. Australian Government funding helped to establish specialized anti-trafficking law enforcement units and to develop prosecutorial capabilities in Thailand, Laos, Cambodia, and Burma. The government demonstrated regional leadership by providing foreign aid to strengthen the capacity of regional police forces to investigate trafficking cases,

supported legal education programs to assist lawmakers in improving their capacity to prosecute traffickers, and funded reintegration programs for trafficking victims. Within Australia, the government continued its multi-year community awareness project on trafficking. The Australian Government also widely publicized criminal cases against traffickers. Australia continued its cooperation with foreign governments in the local prosecution of Australian pedophiles or their extradition or deportation to Australia so they could be tried for the extra-territorial offense of sexual exploitation of a minor.

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## AUSTRIA (TIER 1)

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Austria is a transit and destination country for women and children trafficked from Central and Eastern Europe and the former Soviet Union, particularly Bulgaria, Romania, Moldova, Belarus, and Ukraine, for the purpose of sexual exploitation. Those victims transiting are bound for other EU countries, especially Italy, France, Spain, and Germany. Trafficking in Romanian children decreased dramatically in 2004, mainly due to cooperation between Austrian and Romanian law enforcement authorities. Trafficking of Bulgarian children for the purposes of forced begging and stealing remains a problem.

The Government of Austria fully complies with the minimum standards for the elimination of trafficking. In November 2004, Austria upgraded its working group on trafficking, renaming it a "Task Force" and giving it official status and a mandate. While convictions decreased, the number of trafficking investigations and cases filed under Austria's amended criminal code increased. The Austrian Government should consider giving greater funding to NGOs that assist larger numbers of trafficking victims each year, and expanding its prevention program to include domestic demand-reduction programs. It should also increase its ability to provide police protection to victims willing to testify and focus more efforts on convicting and sentencing traffickers.

### ***Prosecution***

Austrian authorities filed trafficking cases against 348 suspects in 2004, 106 of whom were charged under Austria's May 2004 article against trafficking. Convictions of traffickers dropped, however, from 27 in 2002 to 11 in 2003 – the most recent conviction statistics available. Each of the 11 convicted served a prison sentence; sentences ranged from six months to three years. The police academy provided police cadets with a one-day training course on trafficking. In January 2005, the Ministry of Justice held a training conference on trafficking for approximately 75 Austrian judges, public prosecutors, police, and officials from the Ministries of Interior and Justice. During the reporting period, there was no evidence that government authorities were complicit in the trafficking of persons. Austrian law enforcement authorities worked closely with police authorities in several source countries where trafficking victims originated. In particular, intense cooperation to stem trafficking in persons continued with Romanian authorities and with the Hungarian border police.

### ***Protection***

The Austrian Government maintained its strong trafficking victim protection efforts, and increased the number of victims reached over the last year. The Interior Ministry and the Ministry of Health and Women funded Austria's primary anti-trafficking NGO, which assisted 167 trafficking victims in 2004, up from 142 victims in 2003. Of those 167 victims, 37 stayed in the NGO's shelter, with the

median stay being 11 to 20 weeks. The government did not keep statistics on the number of temporary residence permits issued to trafficking victims. However, the primary anti-trafficking NGO noted that 14 out of the 17 trafficking victims that requested temporary residence permits received them. Continued residence for trafficking victims is possible in certain cases. Trafficking victims identified by trained police officers, or with the help of an NGO if police suspect trafficking, received full rights under Austrian law and access to the Austrian social system for the duration of the case. Austria's principal shelter provided secure housing for trafficking victims while in Austria. No trafficking victims were under witness protection status in 2004.

### ***Prevention***

In early 2005, Austria initiated a domestic anti-trafficking campaign; the State television broadcaster began airing UN public service announcements to raise trafficking awareness and reach out to trafficking victims. The Foreign Ministry continued to distribute information packets through Austrian embassies in Eastern Europe to potential trafficking victims to inform them of where to go to get help in Austria. The Austrian Government did not include domestic demand-reduction programs as part of its overall prevention efforts. During the reporting period, the Austrian Government worked with the Romanian Government to train victim assistance personnel through an exchange between shelters in Vienna and Bucharest. Austria has no national action plan or public planning document to fight trafficking.

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## **AZERBAIJAN (TIER 2 – WATCH LIST)**

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Azerbaijan is primarily a country of origin and transit for women and children trafficked for the purpose of sexual exploitation. Azerbaijani, Russian, Ukrainian, and Central Asian women and girls were trafficked from or through the country to the United Arab Emirates (U.A.E.), Turkey, Pakistan, and India. Internal trafficking of women and girls appeared to be an increasing problem. There were some reports of men trafficked to neighboring countries (e.g., Turkey and Russia) for forced labor.

The Government of Azerbaijan 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 Azerbaijan is placed on Tier 2 Watch List for a second consecutive year because of its inability to show evidence of increasing efforts to combat trafficking over the reporting period. The government's efforts remained in preliminary stages of implementation. However, government recognition and acknowledgement of the problem increased and progress was made in a few notable areas, particularly in the drafting of anti-trafficking legislation and amendments to the criminal code. In addition, the government increased the number of its trafficking investigations and established an anti-trafficking police unit. The Government of Azerbaijan should ensure full implementation of its national action plan, formalize a victim referral and protection system, provide adequate anti-trafficking training for police, and properly vet officers on the anti trafficking unit.

### ***Prosecution***

Anti-trafficking law enforcement efforts in Azerbaijan remained anemic during the last year. The government drafted anti-trafficking legislation and amendments to the criminal code, but did not officially adopt them during 2004. The government continued its use of trafficking-related charges of slavery, rape, coercion into prostitution and inducing a minor into prostitution to investigate trafficking crimes. The government in 2004 reported 106 trafficking-related investigations, ten of which

resulted in convictions – a decrease from 20 convictions in 2003. Eight perpetrators received one-year prison sentences and two female offenders were reportedly released because they had children. The government created a special anti-trafficking police unit and developed operational guidelines for the unit, though the unit’s members were not vetted according to international standards. Reports of official complicity continued during the reporting period, yet the government failed to investigate or prosecute any new cases of official corruption during the year. In January 2005, a new anti-corruption law adopted by the Government of Azerbaijan came into force; it aims to reduce corruption and increase professionalism, particularly among police and customs officials.

### ***Protection***

During the reporting period, the government did not show evidence of employing a formal referral mechanism or specialized protections for trafficking victims but did informally refer victims to state healthcare facilities, international organizations, and some local NGOs for assistance. The government continued to provide mandatory health screening and treatment to women in prostitution, many of whom the government believes fit the trafficking profile. As previously recommended, the government did not provide these individuals with information on trafficking. The Cabinet of Ministers identified property that will be used to house a shelter for trafficking victims.

### ***Prevention***

In May 2004, the President issued an official decree ordering all government bodies to implement Azerbaijan’s National Action Plan and named the Deputy Minister of Internal Affairs as National Coordinator for Trafficking. International organizations and NGOs conducted the bulk of anti-trafficking prevention activities; however, cooperation and participation from local government officials increased slightly. A local NGO provided some anti-trafficking training to police. For the first time in 2004, Azerbaijani consular officers began to report potential trafficking cases to international organizations. The government targeted prevention efforts at populations vulnerable to being trafficked and funded the construction of permanent housing for internally displaced persons. The government continued its communication with neighboring governments on transnational crime issues, including trafficking in persons.

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## **BAHRAIN (TIER 2 – WATCH LIST)**

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Bahrain is a destination country for women and men who migrate legally from South Asia and the Philippines and — to a lesser extent — from China, Indonesia, the former Soviet Union, Morocco, and Ethiopia, but fall victim to conditions of sexual servitude, debt bondage, and other exploitative conditions that constitute involuntary servitude.

The Government of Bahrain does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Bahrain is placed on Tier 2 Watch List because of the lack of evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year. Although Bahrain has developed a national plan of action and created an inter-ministerial taskforce on trafficking, these efforts were not accompanied by concrete actions to address the substantial trafficking problem it faces. During the reporting period, the government did not prosecute any person on trafficking charges, despite continued reports of foreign workers in conditions of involuntary servitude. A promised government-run shelter for trafficking

victims has not opened and some prominent Bahrainis reportedly continue to illegally sell “free visas” to workers, thereby indirectly facilitating the trafficking of victims. Bahrain should develop and implement appropriate anti-trafficking measures to address these concerns.

### ***Prosecution***

The Government of Bahrain did not improve its prosecution record during the reporting period. Although Bahrain lacks anti-trafficking laws to prosecute traffickers, it has ruled in favor of workers in numerous cases of abuses and non-payment of wages. The Ministry of Labor provides mediation services to resolve labor disputes. In 2004, the Ministry of Labor mediated and resolved 624 complaints and it referred 1,926 complaints to courts, though it is unknown how many, if any, of these cases are trafficking-related. Bahrain reported that it is investigating 43 employers for offenses related to abuse of “free visa” privileges to bring in foreign workers. Press reports indicate that the government arrested and deported foreign women for engaging in prostitution during the year; however, there is no evidence that the government attempted to identify potential trafficking victims among the arrested women. During the reporting period, the government shut down some manpower agencies engaged in trafficking-related offenses. Bahrain’s court system is overburdened with cases; many labor complaints languish in courts.

### ***Protection***

The Government of Bahrain took some steps to protect victims of trafficking over the last year. It registered the Migrant Workers Group (MWG) — an NGO working to protect vulnerable foreign laborers — and gave it permission to open a shelter for trafficking victims. Bahrain’s inter-ministerial taskforce on trafficking announced the establishment of a safe house for victims. The government does not, however, take adequate measures to identify trafficking victims and accord them with sufficient protections. In most cases, victims are detained and deported, though the government encourages them to pursue their cases through their embassies. The government’s telephone hotline to assist victims of abuse continues to encounter operational problems and is staffed by people with inadequate training.

### ***Prevention***

In 2004, the Government of Bahrain took a few positive steps to prevent trafficking. Despite prior agreement with IOM to conduct a trafficking survey, the project did not materialize, as the government did not grant the necessary permission for IOM to operate in the country. The government announced a plan for conducting public awareness campaigns on the issue of labor exploitation and potential trafficking. It continued to meet with local embassies on a monthly basis to address trafficking-related concerns and distributed pamphlets in Arabic, Bengali, English, Singhalese, Tagalog, Thai, and Urdu to foreign workers. In 2004, Bahrain launched a campaign to educate employers on the country’s labor laws and announced plans to tighten the issuance of visitor visas in response to reports of increased abuses of foreign workers.

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## **BANGLADESH (TIER 2)**

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Bangladesh is a country of origin and transit for women and children trafficked for the purposes of sexual exploitation, involuntary domestic servitude, and debt bondage. Bangladeshi women and girls are trafficked to India, Pakistan, Bahrain, Kuwait, and the United Arab Emirates (U.A.E.). A small number of women and girls are trafficked from Burma to India through the country.

Bangladeshi boys are also trafficked to the U.A.E., Qatar, and Kuwait for forced work as camel jockeys and beggars. Women and children from rural areas in Bangladesh are trafficked to urban centers for commercial sexual exploitation and domestic servitude. Young boys are lured into forced servitude in the fishing industry in Dublar Char and other islands in the Bay of Bengal region.

The Government of Bangladesh does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Over the last year, Bangladesh showed commendable progress in all areas of anti-trafficking efforts. Bangladesh established an inter-ministerial anti-trafficking committee to oversee its national efforts to combat trafficking, created a national anti-trafficking police monitoring unit with presence in all 64 districts, prosecuted an increased number of trafficking and trafficking-related corruption cases, rescued over 161 boys from servitude in the fishing industry, devised and launched a multi-faceted anti-trafficking public awareness campaign, and increased its cooperation with NGOs involved in the fight against trafficking. Despite these achievements, Bangladesh continues to face a huge trafficking problem, which is compounded by pervasive poverty, weak government structures, and generalized corruption. Bangladesh should expand its anti-corruption efforts to reduce the witting and unwitting complicity of officials in trafficking.

### ***Prosecution***

Over the reporting period, the Government of Bangladesh made marked improvements in investigating, prosecuting, and punishing traffickers. Through dedicated district-level anti-trafficking magistrates, the government prosecuted 70 cases of trafficking, resulting in 42 convictions — more than double the 17 convictions from the previous year. Twenty-one cases initiated are in the investigation stage. Bangladesh has also charged 11 officials for trafficking-related corruption; those prosecutions are underway. Although an improvement from the previous year, this anti-corruption effort remains weak compared to the large scale of trafficking in Bangladesh. The government appointed a Deputy Attorney General to coordinate the prosecution of trafficking cases throughout the country, and it created an anti-trafficking police cell to compile statistics and data on trafficking cases and victims and to produce witnesses for trial. Although the government rescued over 161 boys trapped in servitude in the fishing industry, none of their traffickers and exploiters was brought to justice.

### ***Protection***

The government primarily relies on NGOs such as the Bangladesh National Women Lawyers Association for shelter, medical care, counseling, repatriation, and reintegration services. However, it also runs safe houses, which can shelter trafficking victims. During 2004, the government returned 123 victims to their guardians; it also turned over 21 victims to NGO-run shelters and 11 to government-run safe homes. The government cooperates with NGOs and foreign governments in the repatriation and reintegration of victims. Various NGOs provide training to government officials on victim assistance and protection techniques. Although Bangladesh does not provide training to its overseas diplomats on detecting and caring for victims of trafficking, it has plans to collaborate with an NGO to provide such training to its diplomats.

### ***Prevention***

During the reporting period, Bangladesh made progress in implementing anti-trafficking preventive measures. Bangladesh's efforts include launching broad and extensive public awareness campaigns through its national television and radio, conducting anti-trafficking training for religious teachers,



and integrating anti-trafficking training material in Bangladesh's Rifles (Border Patrol) training curriculum. In addition, the Ministry of Women and Children's Affairs continued its campaign of "Road Marches" to raise awareness of the dangers of trafficking.

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## BELARUS (TIER 2)

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Belarus is primarily a source country for women and children trafficked to Europe, North America, the Middle East, and Japan for the purposes of sexual exploitation and forced labor. Approximately one-fifth of the victims IOM assisted in 2004 were trafficked for labor exploitation. Organizations reported an increase in men trafficked for forced labor to Russia during the reporting period. Belarus' borders with Russia and Ukraine remained porous, allowing for the easy movement of people.

The Government of Belarus does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In early March 2005, President Lukashenko signed a presidential decree to combat trafficking in persons; the lower house of parliament approved the decree in early April. Belarus continued to increase its law enforcement efforts, but it lacked adequate funding for victim protection and trafficking prevention. To advance anti-trafficking efforts, Belarus should adopt amendments to strengthen anti-trafficking legislation including defining victims' rights. The interagency task force should meet regularly. Also, as a major source country, Belarus should provide the training and funding its overseas personnel need to assist trafficking victims.

### ***Prosecution***

Belarusian anti-trafficking enforcement efforts increased during the reporting period. Law enforcement authorities prosecuted 290 trafficking cases in 2004, up from 191 in 2003. To detect victims and trafficking schemes, the State Border Guards worked with former trafficking victims. Existing 2001 anti-trafficking legislation prohibits trafficking for the purpose of sexual exploitation with sufficiently severe penalties. Prosecutors and judges improved their use of this law in 2004; the government secured the first conviction under it in July. The government deals with trafficking for labor exploitation under a separate article with sentences of up to three years' imprisonment. In total, Belarusian courts convicted 26 individuals for trafficking and recruiting for sexual exploitation. In 2004, the courts imposed penalties for trafficking of three to eight years' imprisonment. In 2004, Belarusian authorities cooperated on trafficking cases with their counterparts from Germany, Austria, Israel, Turkey, the Netherlands, France, the United Kingdom, and Poland. While reports continued of bribes to law enforcement and border officials for ignoring trafficking activities, in 2004 the government made strong statements condemning such inducements. In February 2005, the courts found a Ministry of Culture official guilty of complicity in trafficking for sexual exploitation from January 2001 to April 2003. The court sentenced him to eight years' imprisonment and confiscated his personal property.

### ***Protection***

The Belarusian Government did not directly fund victim assistance during the reporting period, though it gave some in-kind support to NGOs. In July 2004, the Minsk city government provided building space for an EU/UNDP-funded shelter. The government integrated into its law enforcement training academy an IOM-produced anti-trafficking operations manual that provides guidance on victim detection methods and approaches to working with and assisting victims. According to the

Ministry of Interior, it did not arrest, fine, or charge victims with prostitution or immigration violations in 2004; it made 110 direct referrals to IOM during the reporting period. Witness protection of trafficking victims remained inadequate. Overall, Belarusian law and society continued to consider women “victims” only if they were unaware prior to their trafficking ordeal that they would be involved in prostitution; even then, they often suffered as social outcasts.

### ***Prevention***

While the government did not conduct independent anti-trafficking information campaigns in 2004, it actively supported those of international organizations. The government aired anti-trafficking public service announcements produced by international organizations on State television channels free of charge. In January 2005, a State-owned television channel aired the UNDP documentary film, *Ally’s Dream*, which is about Belarusian girls trafficked to Germany and Russia for sexual exploitation. The documentary also ran in selected theaters with strong advertising to students. The government’s Task Force to Combat Trafficking did not convene during the reporting period.

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## **BELGIUM (TIER 1)**

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Belgium is a destination and transit country for trafficked persons. The majority of trafficking victims in Belgium are young women primarily from Sub-Saharan Africa, Central Europe, and Asia. Particularly prominent source countries are Nigeria, Albania, Bulgaria, and China. Victims are destined for Belgium’s larger cities or other European countries, usually for the purposes of sexual exploitation. Male victims are typically trafficked for exploitative labor in restaurants and sweatshops.

The Government of Belgium fully complies with the minimum standards for the elimination of trafficking. The government continued to show a well-coordinated system of protection and law enforcement, leading to increased convictions in 2004. The government took important measures to improve penalties for traffickers and streamline anti-trafficking coordination among relevant governmental entities. Expanding public awareness campaigns to target domestic demand would further strengthen Belgium’s anti-trafficking efforts.

### ***Prosecution***

In 2004, the Government of Belgium continued its proactive and sophisticated approach to anti-trafficking law enforcement. In 2003, Belgium courts convicted 170 suspects on trafficking-related charges, an increase from 130 in 2002. The government continued to post liaison officers in source countries to assist in case development. In April 2004, it issued a directive to magistrates to prioritize cases involving violations of human dignity, violence, and young victims. In an effort to increase sentences for traffickers, the government submitted a draft bill that will strengthen and align Belgium’s penalties with prevailing international practice. In 2004, the Ministry of Justice established an intranet site for use by prosecutors in pursuing traffickers. A special police unit continued to be responsible for anti-trafficking enforcement. In 2004, Belgian law enforcement teams mounted several joint operations with other counterparts in the region.

### ***Protection***

In 2004, Belgium devoted significant resources to victim-assistance programs, and police increased the number of victims referred to three specialized trafficking shelters. The 2004 Custody Act upgraded

victim protection by assigning a custodian to minors who are trafficking victims and offered shelter options ranging from specialized centers to placement with individual families. Relocation services were available to victims under threats by their traffickers. NGOs reported excellent cooperation with law enforcement, and in 2004 the three shelters cared for 893 victims. The government continued to provide victims a 45-day “reflection” period of care, during which they can consider whether to assist in the investigation of their traffickers; subsequent government protection is linked to a victim’s willingness to testify. The government continued to repatriate those who choose not to cooperate. The government generally approved long-term residency and work permits for cooperating victims. In extraordinary cases of proven hardship, victims may qualify for a residence permit on humanitarian grounds.

### ***Prevention***

The government continued to take innovative and proactive measures to monitor and improve its legislative and institutional response to trafficking. In May 2004, the government restructured its anti-trafficking efforts, instituting coordination cells composed of representatives from all relevant ministerial departments. During the reporting period, the government issued a report reviewing measures it took to prevent the recurrence of fraudulent visa issuance by a Belgian Embassy and consulate as happened in the 1990’s. In September 2004, the government co-sponsored an awareness-raising campaign to warn and educate Belgian travelers about child sex tourism. Belgium continued to fund regional and global anti-trafficking prevention campaigns in source countries.

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## **BELIZE (TIER 2 WATCH LIST)**

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Belize is a transit and destination country for men, women, and children trafficked for the purposes of labor and sexual exploitation. Women and children are trafficked to Belize, mainly from Central America, to work in Belize’s growing sex industry. Girls are trafficked internally for sexual exploitation, sometimes with the consent and encouragement of their parents. There are also reports of sexual and labor exploitation of men and women in Belize’s banana, sugarcane, and citrus industries. Some Chinese and Indians are trafficked to Belize for debt bondage. Exact numbers of trafficking victims are unknown, particularly the number of transnational trafficking victims, given Belize’s lengthy and porous borders.

The Government of Belize does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Belize is placed on Tier 2 Watch List for a second consecutive year for its failure to show evidence of increasing efforts to fight trafficking over the last year, particularly in the area of victim protection and prosecution of trafficking-related corruption. The government still struggles to investigate trafficking within Belize’s growing sex trade. To augment its trafficking efforts, the government should increase law enforcement efforts under the anti-trafficking law, make appreciable progress in protecting victims, devote resources to preventing trafficking, and take action against reports that officials are profiting and facilitating trafficking in persons.

### ***Prosecution***

The government made modest anti-trafficking law enforcement gains over the last year through enforcement of the anti-trafficking statute enacted in 2003. Over the reporting period, there were 18 prosecutions and two convictions of traffickers. However, police and prosecutors lack resources to adequately address trafficking-related matters and struggle to recognize and investigate trafficking-related offenses that may be taking place in Belize’s sex trade. Officials maintain that all prostitution

is voluntary, despite some reports to the contrary, and this impedes any further investigation or action. The government has provided some limited training on investigation and prosecution of trafficking cases; additional training is badly needed. There are unconfirmed reports of law enforcement officials' facilitation of trafficking, including some reports of officials patronizing brothels with trafficking victims and also some who are profiting from illegal migration. There were no known investigations or prosecutions of public officials for trafficking complicity over the last year.

### ***Protection***

The government was unable to provide adequate protection to trafficking victims during the reporting period. The anti-trafficking law lays out victim protection policies, but it is impossible for the country to implement those measures because it does not have the capacity or the means to do so. There are very few shelters in the country that have the ability to work with trafficking victims; however, victims are not treated as criminals and services are provided whenever possible. In general, victims are turned over to NGOs that offer protections for women in domestic violence. There is a special residency status for foreign victims, but in reality most foreign victims are deported. Officials maintain that none of the deported women in prostitution are trafficking victims.

### ***Prevention***

The government failed to sustain an anti-trafficking prevention campaign over the last year due to lack of resources and poor public understanding of trafficking in persons. Occasionally, the government will run radio public service announcements and newspaper ads about trafficking and the commercial exploitation of children. With little resources and few NGOs and international organizations, Benin struggles to implement any long-term policies to combat and prevent trafficking. The government recognizes this problem and is dedicated to doing more. The government has an anti-trafficking task force and is in the process of developing a national plan of action.

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## **BENIN (TIER 2 – WATCH LIST)**

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Benin is a source, transit, and destination country for children trafficked for the purposes of forced labor and sexual exploitation. Beninese children are trafficked to Nigeria, Ghana, Gabon, Cote d'Ivoire, and Cameroon for forced labor and prostitution. Beninese children are trafficked within the country for forced labor in construction, commercial enterprises, the handicraft industry, and roadside vending. Children from Niger, Togo, and Burkina Faso are trafficked to Benin for domestic labor and vending. The traditional practice of "vidomegon," whereby poor children are placed with wealthy families, has resulted in some labor and sexual exploitation. Children trafficked outside Benin are trafficked to cocoa plantations in Cote d'Ivoire, rock quarries in Nigeria, and involuntary domestic servitude in Gabon.

The Government of Benin does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Benin is placed on Tier 2 Watch List for its failure to show evidence of increasing efforts in combating trafficking since last year. Anti-trafficking legislation, though now under debate in the National Assembly, has not yet been enacted and endemic corruption inhibits the government's ability to confront traffickers effectively. To increase its anti-trafficking efforts, the government should increase law enforcement efforts, finalize the much-needed national strategy to address trafficking, and enact specific anti-trafficking legislation.

***Prosecution***

Benin continued to lack an adequate law enforcement strategy to combat trafficking over the reporting period. At least one civil society organization reported interventions by low-ranking officials to attempt to secure release of traffickers, which may interfere with judicial proceedings and impede prosecutions. A local village chief who claims to be fighting trafficking reportedly was facilitating the trafficking of children. He was arrested and is currently facing charges for his activities. There is no law specifically prohibiting trafficking; however, there are scattered civil and criminal laws that may be used. Anti-trafficking legislation has been stalled in Benin's parliament for the past three years. Beninese law criminalizes prostitution, kidnapping, forced or bonded labor, and the employment of children under the age of 14; however no data on prosecutions under these laws was provided during the last year. Nonetheless, the Minors' Brigade reported 37 trafficking-related investigations. The government constructed a new building for the Minors' Brigade, which may house up to 160 victims of child trafficking and other abuses. The Minors' Brigade and the Judicial Police received training on how to detect and protect trafficking victims.

***Protection***

Due to the lack of resources in the country, the government's protections for trafficking victims continued to be inadequate in 2004. The government, in collaboration with NGOs and donors, worked to draft a national strategy to protect and aid child trafficking victims. However, the process is in its nascent stages. Generally, the government refers victims to NGOs for temporary housing, food, and medical care, but the process is ad hoc and inconsistent. The government cooperates with Nigeria, Togo, and Gabon to repatriate trafficked children. Benin repatriates approximately 20 children a month to Gabon.

***Prevention***

The majority of anti-trafficking prevention efforts in Benin are undertaken by NGOs, due largely to the paucity of government resources. In 2004, the government initiated sensitization campaigns urging local populations to establish anti-trafficking committees. The government provided some members of the committees with equipment, such as flashlights and bicycles, to aid in the detection of trafficking victims and has provided training and some logistical support for the committees. The campaigns highlighted the dangers of child trafficking and educated the public on legal anti-trafficking provisions.

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## BOLIVIA (TIER 3)

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Bolivia is a source and transit country for men, women, and children trafficked for the purposes of forced labor and sexual exploitation to neighboring South American countries, through Spain to Western Europe, and to Japan and the United States. Children are trafficked internally for sexual exploitation, and forced mining and agricultural labor. Poverty forces thousands of Bolivians to migrate or work in sub-standard conditions, thus placing large numbers at risk of being trafficked. Thousands of children travel from poor rural to urban areas and fall victim to trafficking for the purpose of sexual exploitation. Bolivian workers have been trafficked to sweatshops in Argentina and Brazil, and to Chile for involuntary servitude. Illegal migrants from countries outside the region transit Bolivia; some may be trafficking victims. Unregulated land borders facilitate land-based trafficking between Bolivia and neighboring countries.

The Government of Bolivia does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Bolivia failed to pass key anti-trafficking laws or to enforce existing laws sanctioning trafficking-related crimes. Even in the context of its political crises and resource limitations, the government accomplished little.

### ***Prosecution***

The government made little effort to investigate potential trafficking cases and lacked an anti-trafficking law enforcement strategy during the reporting period. The government prosecuted no trafficking cases in 2004. At the end of 2004, the National Police created an anti-trafficking unit, although it has yet to produce concrete results. Laws prohibiting slavery and trafficking for exploitation exist, but the government was not able to report any instances when these laws were applied during the reporting period. Budgetary limitations and pervasive corruption in public institutions severely limited the government's ability to apply laws related to trafficking.

### ***Protection***

The national government offered no protection services to trafficking victims during the reporting period. The government's scarce resources resulted in severely limited funding for social welfare programs in general. Over 200 municipalities provided various services to minors who were victims of crime but few local governments had the capacity to care for trafficking victims. NGOs attempting to fill the gap provided some care and rehabilitation services, principally to assist child victims. Individual officials occasionally paid personally to send victims home. The government lacked a policy for rescuing victims and officials were not trained to identify them.

### ***Prevention***

The government's trafficking prevention efforts fell short in educating officials and the public. The Vice Ministry of Children's Affairs partnered with the Organization of American States and IOM in late 2004 to conduct public seminars to highlight the urgency of the trafficking problem. Inter-agency efforts to coordinate government actions and public awareness regarding child exploitation included anti-trafficking elements but were largely focused on other child welfare issues. Officials demonstrated a lack of understanding regarding the differences between illegal migration, illegal adoption, and trafficking. Public awareness campaigns focused on eradication of child labor and illegal adoption.

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## **BOSNIA AND HERZEGOVINA (TIER 2)**

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Bosnia and Herzegovina (BiH) is a country of origin, transit, and destination for women and girls trafficked for the purpose of sexual exploitation. Trafficked children, often ethnic Roma, are victims of forced labor. Victims most commonly come from Moldova, Ukraine, Russia, Romania and, increasingly, Serbia and Montenegro. Victims often transit en route to Slovenia, Croatia, and Western Europe. Many of the victims from BiH and Serbia and Montenegro are trafficked throughout the former Yugoslav republics and then back again in a seasonal, rotating pattern.

The Government of BiH does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government continued to strengthen its law enforcement response and anti-corruption efforts in relation to trafficking. The government should

accelerate its efforts to formalize a victim referral mechanism and ensure implementation so that victims are afforded proper protections as soon as possible. The government should also encourage increased identification of victims, facilitate and encourage the aggressive and efficient prosecution of trafficking crimes, and deliver sufficient punishments. BiH should ensure the speedy drafting and adoption of appropriate legislation regarding assistance to domestic victims of trafficking.

### ***Prosecution***

The Government of BiH continued steady application of its anti-trafficking statute in 2004. The police investigated and submitted to prosecutors a total of 47 cases. Of this number, the courts handed down a total of 18 verdicts, 12 of which resulted in convictions. Length of sentences imposed by the courts improved somewhat, but many continued to be one year or less. The BiH criminal code provides for penalties of up to ten years' imprisonment. Four major anti-trafficking strike force investigations resulted in three convictions and one prosecution, which is ongoing. The government increased its capacity to prevent and respond to incidents of corruption and continued to investigate cases of official complicity in trafficking. In October 2004, the government arrested a police officer attempting to traffic two victims at the border with Serbia and Montenegro; he was suspended from duty, indicted, and currently awaits trial. The anti-trafficking strike force expanded a major investigation, begun in 2003, into the involvement of BiH consular officials in visa irregularities; criminal charges have been filed against a consular section chief, and the case is ongoing. In 2004, the State Coordinator's Office provided four training seminars addressing trafficking-related investigation and prosecutions for judges, prosecutors, and police. The State Border Service (SBS) trained its officers on victim identification, interviewing techniques, and referral procedures. In January 2005, the SBS introduced a 24-hour hotline available to the general public to make anonymous reports of all crime and register complaints about unprofessional behavior by border agents.

### ***Protection***

Government of BiH protection measures for victims of trafficking remained inadequate during the reporting period. The government did not formalize victim referral procedures, but development of such procedures was underway. The government developed a new rulebook and bylaws on the protection of foreign victims of trafficking to allow for issuance of humanitarian visas to victims. BiH prosecutors may request protected status for victims, and protected victims may be housed in shelters or in private residences. The government did not implement a systematic screening system. As a result, some victims were not identified and were thus denied proper protections and subject to potential deportation. In practice, however, deportation orders were rarely enforced. Regrettably, some victims fell back into the hands of their traffickers. The government in 2005 provided funding for six NGO-run shelters throughout BiH. The State Coordinator developed and signed memoranda of understanding to unify shelter standards in cooperation with local NGOs, and local police provided security. In 2004, IOM and local NGOs assisted 114 victims, but they reported that shelters were underutilized.

### ***Prevention***

In 2004, the government partnered with the EU police mission and several NGOs and international organizations to implement and plan two public awareness and educational campaigns targeting potential victims, customers, and school children. The government also aired public service announcements and talk shows regarding trafficking on state-owned television stations. The Foreign Ministry continued to conduct training for consular officers to increase recognition of potential victims and, in 2004, began requiring personal interviews for all visa applicants.

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**BRAZIL (TIER 2)**

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Brazil is a source and destination country for men, women, and children trafficked for the purposes of sexual exploitation and forced labor. Women and girls are trafficked internally for sexual exploitation and to neighboring countries in South America, the Caribbean, Europe, Japan, and the Middle East. The ILO estimated in 2002 that 450,000 children, mostly girls, are employed as domestic servants and vulnerable to abuse. Approximately 70,000 Brazilians, mostly women, are engaged in prostitution in foreign countries and many are trafficking victims; their major destinations are countries in Europe, particularly Spain, and South America and Japan. Sex tourists target young Brazilians, particularly in the resort areas and cities of Brazil's northeast. Trafficking for forced agricultural labor remains a major problem, with most of the more than 25,000 victims recruited from small towns in Brazil's northeast. Authorities have uncovered cases of Bolivian men, women, and children trafficked to work in sweatshops; Chinese and Koreans have been trafficked to Brazil for similar exploitation.

The Government of Brazil does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Brazil needs to strengthen law enforcement efforts against traffickers and update anti-trafficking legislation to impose tough sanctions against internal and transnational trafficking of humans of all ages and both genders. Of particular concern are the government's insufficient efforts to confront widespread trafficking for the purpose of forced labor.

***Prosecution***

The government's law enforcement efforts remained inadequate and hampered by antiquated trafficking statutes during the reporting period. The country's existing anti-trafficking law addresses only transnational trafficking of women for sexual exploitation; it lacks strong criminal penalties for labor trafficking, which is a significant problem in Brazil. Brazilian courts handed down only three convictions for transnational trafficking for sexual exploitation in 2004; prison sentences imposed ranged from eight to 30 years. Government teams investigated approximately 250 complaints regarding forced labor and rescued 2,743 victims of forced labor in 2004; employers generally paid fines and compensation to rescued victims and risked losing access to government financial aid programs, but did not face criminal prosecution. The Federal Police worked with counterparts in Spain, Italy, Canada, Portugal, and Switzerland on combating trafficking for the purpose of sexual exploitation, including some child sex tourism cases.

***Protection***

The government geared most of its protective efforts toward domestic victims, particularly children, and provided some funding to NGOs active in victim assistance. Service providers assisted a wide range of victims of exploitation, not just trafficking victims. The Sentinela program provided more than 400 screening centers throughout the country to evaluate and refer at-risk children. Two newly established state-level anti-trafficking offices began screening victims, and referred cases to NGOs and federal police. Brazilians trafficked abroad received significantly less assistance, though the government initiated training for diplomats working in destination countries. Seven reference centers throughout the country worked with victims of trafficking for commercial sexual exploitation and the State of Sao Paulo opened an office at Sao Paulo's international airport to assist repatriated Brazilian trafficking victims.

***Prevention***

Brazil's President has raised the profile of human trafficking as a problem and has declared the fight against trafficking a national priority. The federal government established a Comprehensive Program for the Prevention and Fight Against Trafficking and funded national public information



campaigns to combat child sex tourism and trafficking for the purpose of commercial sexual exploitation. Information campaigns also raise awareness of the dangers of trafficking for sexual exploitation through brochures distributed with newly issued Brazilian passports, radio spots, and poster campaigns at Brazil's major airports. The State Governments of Rio de Janeiro, Sao Paulo, Ceara, and Goias established anti-trafficking offices in 2004 to improve coordination and implementation of public awareness campaigns and cooperation and training for civil society, including businesses and workers in the travel industry. The Ministry of Justice continued training judges, police, social workers, and psychologists on recognizing and combating trafficking.

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## BULGARIA (TIER 2)

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Bulgaria is a transit country and, to a lesser extent, a country of origin and destination for young women and girls trafficked for the purpose of sexual exploitation. Bulgarian citizens are also internally trafficked for sexual exploitation. Victims are primarily trafficked from Ukraine, Romania, Moldova, Russia, and Central Asia through Bulgaria into Western, Southern, and Eastern Europe. Roma children continue to be disproportionately represented among victims.

The Government of Bulgaria does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In 2004, the government adopted a more active role in prevention and protection, stepped up its enforcement efforts, and took important preliminary steps to implement its anti-trafficking legislation, including the adoption of a national strategy and passage of comprehensive victim witness protection legislation. However, the government should take concrete measures to build victim protection capacity by ensuring that the local-level anti-trafficking commissions are established and supported. Moreover, it should ensure the consolidation of comprehensive trafficking data to segregate alien smuggling and human trafficking statistics. In 2004, the Government of Bulgaria commendably expanded an anti-corruption campaign and heightened its focus on high-level corruption; however, it should proactively demonstrate the will to counter all trafficking-related complicity through vigorous prosecutions and convictions.

### *Prosecution*

In 2004, Bulgaria made considerable progress in implementing its 2003 anti-trafficking legislation, with an increase in convictions and indictments for trafficking-related offenses. The government reported seven convictions and 27 indictments for suspected trafficking cases under the new trafficking provisions of the criminal code. During the reporting period, the National Investigation Service developed a methodology for investigating trafficking cases, which was also distributed to police. Further, the government reported almost 900 sentences in 2004 for trafficking-related offenses, including forced prostitution, inducement to prostitution, and people smuggling. While high-level government officials publicly spoke out against trafficking and there is no evidence of government involvement in trafficking on an institutional level, there have been reports of law enforcement officials' involvement in trafficking-related corruption. Notably, the Prosecution Service and the Military Prosecution Service in 2004 made a number of anti-corruption indictments resulting in over 100 convictions for official malfeasance.

### *Protection*

In November 2004, the Government of Bulgaria adopted witness protection legislation that includes coverage for victims of trafficking. This legislation will provide special protection measures for vic-

tims and their families who are cooperating with investigations and prosecutions of traffickers. The Bulgarian government also created a special provision that allows for residency and employment of trafficking victims while they participate in criminal proceedings. The government reported one instance of the use of these protections. The Ministry of Interior reportedly identified and assisted 474 victims of trafficking in 2004.

### ***Prevention***

In February 2005, the Bulgarian Government adopted a National Anti-Trafficking Strategy and dedicated funding to support the work of the National Anti-Trafficking Commission. Notably, the commission subsequently appointed a secretary general to manage the day-to-day implementation of the national strategy. The government continued its strong cooperation with NGOs to conduct prevention and awareness programs for law enforcement personnel, as well as a new program for consular officers posted at Bulgarian embassies abroad. The government sustained its prevention efforts aimed at vulnerable groups, including providing street children with educational and psychological services by placing them in protective custody.

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## **BURKINA FASO (TIER 2)**

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Burkina Faso is a source, transit, and destination country for children trafficked for the purposes of forced labor and sexual exploitation. To a lesser extent, Burkinabe women are trafficked to Europe for prostitution. Burkinabe children are trafficked to Cote d'Ivoire, Benin, Ghana, Nigeria, and Mali. Burkinabe boys are trafficked within the country for exploitation as agricultural laborers, domestics, metal workers, wood workers, and miners. Burkinabe girls are trafficked internally for exploitation as domestic servants, beggars, and prostitutes. Burkina Faso is a transit country for trafficked Malian children bound for other West African countries. Children from Benin and Togo are trafficked into Burkina Faso for forced labor.

The Government of Burkina Faso 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 minimal gains over the past year to combat trafficking, including an agreement with the Government of Mali to cooperate on trans-border child trafficking. A 2003 anti-trafficking law has yet to be used. The government should boost its anti-trafficking law enforcement efforts, and regional cooperation on fighting cross-border trafficking in children. It should also initiate improved prevention campaigns.

### ***Prosecution***

The government made modest gains in the area of law enforcement over the reporting period. However, the 2003 anti-trafficking law on child trafficking, which carries strong penalties, has never been used. In 2004, 41 child traffickers were arrested, 16 convicted, and 15 are currently imprisoned and awaiting trial. Additionally, four child trafficking networks were dismantled. The government forged an agreement with the Government of Mali to address trans-border child trafficking.

### ***Protection***

Due to resource constraints, the government struggles to implement a sufficient protection plan for trafficking victims. Minimal support is provided for Burkinabe children; foreign victims are deported. There is one center in Ouagadougou to aid with the social reintegration of at-risk children. In

collaboration with UNICEF, the government has also established 19 transit centers for trafficked children throughout the country. These centers served over 900 children in 2004. Victims are not treated as criminals and their rights are generally respected. The government is unable, due to lack of resources, to directly fund NGOs; however it does collaborate with NGOs and international organizations for the reintegration of trafficked children. Twenty Burkinabe child trafficking victims were repatriated as a result of the agreement with Mali in 2004.

### ***Prevention***

The government recognizes that trafficking is a problem, and has implemented some degree of prevention efforts in the country. However, lack of resources inhibits its ability to carryout any long-term anti-trafficking prevention campaign. The government supported Vigilance and Surveillance Committees, which are in place in 12 of the 13 regions of the country. The government provided training on how to identify and aid trafficking victims to the committees, which now exist in 39 of the country's 45 provinces.

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## **BURMA (TIER 3)**

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Burma is a source country for women and men trafficked for the purposes of forced labor and sexual exploitation. Burmese men, women, and children (primarily from the country's ethnic minority populations) are trafficked to Thailand, China, Bangladesh, Taiwan, India, Malaysia, Korea, Macau, and Japan for forced labor — including commercial labor — involuntary domestic servitude, and sexual exploitation. To a lesser extent, Burma is a destination for women from the People's Republic of China (P.R.C.) who are trafficked for commercial sexual exploitation. Internal trafficking of women and girls for sexual exploitation occurs from villages to urban centers and other areas, such as truck stops, fishing villages, border towns, and mining and military camps. The junta's policy of using forced labor is a driving factor behind Burma's large trafficking problem.

The Government of Burma does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. While Burma has made improved efforts to combat trafficking for sexual exploitation, significant state-sanctioned use (especially by the military) of forced labor continued. The Burmese armed forces continued to force ethnic minorities to serve as porters during military operations in ethnic areas. There also are continuing reports that some children were forced to join the Burmese Army. Although eight local officials were convicted in January 2005 on charges of forced labor, the Burmese Government supported or tolerated the use of forced labor for large infrastructure projects. The government sentenced three individuals to death for communicating with the ILO on the subject of forced labor. Because of the Burmese Government's failure to end forced labor, the ILO postponed implementation of a plan of action to address such practices. During the reporting period, the government took some steps to combat trafficking for sexual exploitation, including drafting anti-trafficking legislation and improving cooperation with UN agencies, neighboring countries, and NGOs.

### ***Prosecution***

Over the past year, the Burmese Government made progress in addressing trafficking for commercial sexual exploitation, including establishing a police task force to combat trafficking, enhancing cooperation with Burma's neighbors, and beginning to draft anti-trafficking legislation. The Burmese Government made only minimal progress in prosecuting cases involving trafficking for forced labor.

Since July 2002, the government claims it prosecuted 474 cases related to trafficking for sexual exploitation and smuggling; an indeterminate number of these cases actually involved severe forms of trafficking in persons. Authorities also convicted eight local officials for using forced labor in a road construction project, sentencing the offenders to six to eight months' imprisonment. The government created a police anti-trafficking unit in 2004 and stationed the unit's teams in border towns to monitor and interdict trafficking. The Burmese Government is developing an anti-trafficking law, but currently uses kidnapping and prostitution statutes to arrest and prosecute traffickers. Corruption continued to be a major problem. Although local and regional officials were suspected of complicity in trafficking, the Burmese Government reported no prosecutions of corrupt government officials related to trafficking. The Burmese military continued to carry out trafficking abuses including forced portering and other forced labor.

### ***Protection***

During the reporting period, the Burmese Government provided minimal assistance to victims. Burma's protection included a repatriation center on the Thailand-Burma border, but its overall efforts were hampered by a lack of adequate funding. The government continued to refer victims to NGOs and international organizations that provide protection for victims of trafficking. The Burmese Government also coordinated the repatriation of a limited number of victims from Thailand with international NGOs and provided limited counseling and job training for returning victims trafficked for sexual exploitation. The government did not provide assistance to victims trafficked internally for forced labor, nor did it fund international or domestic NGOs that provide protective services to victims. The Ministry of Home Affairs' Anti-Trafficking Unit received training on various aspects of investigating and handling trafficking cases.

### ***Prevention***

The Burmese Government's efforts to prevent trafficking remained inadequate. Governmental measures to prevent trafficking for sexual exploitation include publicizing the dangers in border areas through government-sponsored discussion groups, distribution of printed materials, and media programming. However, these efforts remained under-funded. The government also conducted awareness workshops at the local level on the dangers of trafficking for the purpose of sexual exploitation.

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## **BURUNDI (TIER 2)**

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Burundi is a source country for children trafficked for the purpose of forced child soldiering. The country is emerging from a 12-year civil war in which government and rebel forces used approximately 3,200 children in a variety of capacities, including as cooks, porters, spies, sex slaves, and combatants. There are reports that the government army and two former rebel groups — the CNDD-FDD (Nkurunziza) and the CNDD (Nyangoma) — still have a small number of children in their ranks. While there were unconfirmed reports that these two rebel groups recruited boys in 2004, there were no reports that the army recruited child soldiers. The one rebel faction that remains outside the peace process, the PALOPEHUTU-FNL, continued to recruit and use child soldiers.

The Government of Burundi 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 continued to demobilize large numbers of child soldiers and launched extensive public awareness campaigns to ease their reintegration into local communities. To further its efforts to combat trafficking, the gov-

ernment should continue cooperating fully with the international community to demobilize all remaining child soldiers from its military ranks and reintegrate them into their home communities. It should also continue to educate local communities to encourage acceptance of returning combatants, and take steps to bring to justice those who continue to forcibly conscript and utilize child soldiers.

### ***Prosecution***

Burundi has no law specifically prohibiting trafficking in persons, but laws against kidnapping, slavery, smuggling, and prostitution effectively outlaw trafficking in persons. Trafficking for the purpose of sexual exploitation can be prosecuted under anti-slavery legislation and carries a penalty of up to life imprisonment or death. During the year, the government investigated and prosecuted one case of alleged trafficking of Congolese refugee women to Lebanon. Although the investigation and subsequent court proceedings ultimately determined it to be a case of smuggling for domestic work, the government demonstrated commitment to vigorous anti-trafficking law enforcement by working closely with Lebanese authorities to investigate and bring this case to trial.

### ***Protection***

During the year, the National Structure for Child Soldiers (SNES) continued the implementation of its national plan for ending the recruitment and use of child soldiers. In 2004, the government and each of the six former rebel factions that have joined the peace process pledged to demobilize child soldiers from their ranks and began to do so. The Burundian Minister of Defense signed a decree committing the armed forces to demobilizing all children. As of February 2005, 2,920 child soldiers, including 33 girls, had been officially demobilized from the military, the Guardians of the Peace (GP) militia, and the six former rebel groups. The government, in cooperation with international organizations and NGOs, provided medical, psycho-social, educational, and other material support to demobilized child soldiers and facilitated their reintegration into civilian society. The SNES worked with the army, the GP, and the former rebel groups to compile information on the numbers of child soldiers by location and force affiliation.

### ***Prevention***

The depth and scope of preventative measures increased substantially over the reporting period. In 2004, the SNES, with assistance from UNICEF, the World Bank, and NGOs, conducted numerous public awareness campaigns to combat the recruitment and use of child soldiers. At the national level, the SNES aired media campaigns on public and private radio stations, and held public seminars to raise awareness of the issue of child soldiers among military and government officials, church groups, youth associations, civil society groups, and students. At the local level, it provided comprehensive training to leaders in each of Burundi's communes, who in turn advocated locally against the recruitment of child soldiers and held public seminars on children's rights and reintegrating child soldiers into local communities. The government also supported a program to assist internally displaced children in attending school; these children are particularly vulnerable to conscription as child soldiers. International financial and technical support was a key element to the success of all of these programs.

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## **CAMBODIA (TIER 3)**

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Cambodia is a source, destination, and transit country for men, women, and children trafficked for the purposes of sexual exploitation and forced labor. A significant number of Cambodian women

and children are trafficked to Thailand and Malaysia for labor and commercial sexual exploitation. Cambodian men are primarily trafficked to Thailand for labor exploitation in the construction and agricultural sectors, particularly the fishing industry. Cambodian children are trafficked to Vietnam and Thailand to work as street beggars. Cambodia is a transit and destination point for women from Vietnam who are trafficked for prostitution.

The Government of Cambodia does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Cambodia is placed on Tier 3 for its lack of progress in combating severe forms of trafficking, particularly its failure to convict traffickers and public officials involved in trafficking. During the last year, the Cambodian Government failed to take effective action to ensure that those responsible for the raid on an NGO shelter for trafficking victims were held accountable and brought to justice. The Cambodian Government's failure to act calls into question Cambodia's commitment to combating human trafficking. Cambodia's anti-trafficking efforts remained hampered by systemic corruption and an ineffectual judicial system. The government must take aggressive measures to prosecute and convict traffickers and public officials found to be involved in trafficking, and confront the corruption in its judicial system that hampers prosecutions of traffickers.

### ***Prosecution***

During the reporting period, the Cambodian Government made no significant progress in its anti-trafficking law enforcement efforts. Prosecutions of suspected traffickers dropped significantly, despite a small increase in the number of arrests. The Cambodian Government's response to an attack on an NGO shelter for trafficking victims and removal of suspected trafficking victims was unsatisfactory. Moreover, the government did not adequately investigate or hold accountable those who were responsible for the attack. Cambodia does not have a comprehensive anti-trafficking law but it used existing statutes to prosecute traffickers. Penalties for trafficking for commercial sexual exploitation carry sentences of up to 20 years' imprisonment. The National Assembly has not yet acted on a draft anti-trafficking bill that would provide law enforcement and judicial officials with more powers to arrest and prosecute traffickers. In 2004, the Cambodian police reported 165 arrests but only 24 successful prosecutions. Despite the number of arrests, there were few actual convictions of traffickers. There was no available information on the length of sentences for trafficking-related cases. Systemic corruption and a weak judiciary remain the most serious impediments to the effective prosecution of traffickers. Senior Cambodian Government officials and their family members are reportedly involved in or profit from trafficking activities but there were no trafficking-related prosecutions of corrupt officials.

### ***Protection***

The Cambodian Government continued to refer victims to NGOs and international organizations with victim protection programs. The Ministry of Social Affairs, Veterans and Youth Rehabilitation operated two temporary shelters for victims, but the government relied primarily on foreign and domestic NGOs to provide shelter to victims. The Cambodian Government also supported an NGO that places trafficking victims in long-term shelters. Victims in Cambodia are not treated as criminals and have the right to seek legal action against traffickers, but seldom do.

### ***Prevention***

The government continued its efforts to raise awareness of trafficking by cooperating with numerous NGOs and international organizations. The Ministry of Women's Affairs (MWA) continued to carry out information campaigns, including grassroots meetings in key provinces. The MWA worked with IOM

to expand a nationwide anti-trafficking information and advocacy campaign that included district-level meetings with government officials and the distribution of educational materials and videos. During the reporting period, the Anti-Trafficking Police Unit conducted an outreach program to warn high school students of the dangers of trafficking. The Ministry of Tourism produced pamphlets and advertisements warning tourists of the penalties for engaging in sex with minors, and conducted workshops for hospital-ity staff on how to identify and intervene in cases of trafficking or sexual exploitation of children.

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## CAMEROON (TIER 2 – WATCH LIST)

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Cameroon is a source, transit, and destination country for women and children trafficked for the purposes of sexual exploitation and forced labor. Most trafficking is internal and children are at greatest risk. Traffickers use fraudulent marriage proposals to lure women to Europe, principally France and Switzerland, for exploitation in prostitution. Children are trafficked to the United Kingdom for commercial sexual exploitation. Girls are trafficked internally from Anglophone areas to Francophone cities such as Douala and Yaounde to work in exploitative conditions as domestics, street vendors, or prostitutes. Children are also trafficked for forced labor on cocoa plantations. Children trafficked between Nigeria and Gabon transit Cameroon. Cameroon is a destination country for Nigerian children trafficked and exploited in commercial agriculture, prostitution, and street vending, or in small shops.

The Government of Cameroon does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Cameroon is placed on Tier 2 Watch List for its failure to show evidence of increasing efforts to fight trafficking, particularly in the area of law enforcement. The government lacks an approved national strategy for combating trafficking and has no system for collecting data on trafficking-related or any other type of crime. Without case information, it is difficult to gauge national efforts to combat trafficking and prosecute traffickers. Cameroon should coordinate national efforts, develop a system to collect case data, and educate officials and communities about the signs and dangers of trafficking.

### *Prosecution*

The government was unable to provide information regarding investigations, prosecutions, and convictions specifically related to trafficking during the reporting period. Law enforcement operations lacked central monitoring or coordination. Cameroon had no comprehensive anti-trafficking legislation but penal code provisions prohibit slavery, sexual assault, pimping, and use of persons to secure loans, with sentences ranging from six months to 20 years in prison. The government provided no specialized anti-trafficking training to officials, due in large part to a lack of resources. Corruption is a problem throughout Cameroon but the government made efforts to combat this through anti-corruption agencies in most ministries.

### *Protection*

Over the last year, government assistance was available to identified trafficking victims, both citizens and foreign nationals, and included temporary residency status, shelter, and medical care. The government worked with the ILO to remove 450 children from cocoa plantations and educate another 100 children at risk of forced labor on the plantations as part of a project targeting education and retraining assistance to child cocoa workers and their parents. The government lacked the resources to fund NGO assistance to trafficking victims; child victims were referred to government centers sponsored by the Ministry of Social

Affairs, to local NGO centers, or to shelter in orphanages until they could be reunited with their families. Officials did not treat victims as criminals and families of victims could file civil suits against traffickers.

### ***Prevention***

The government's prevention efforts during the reporting period were inadequate, though it worked well with NGOs and international organizations that funded and implemented some prevention programs. The Ministry of Social Affairs, with UNICEF funding, completed a study in April 2004 on child trafficking in the Adamaoua, Far North, North, and South Provinces. The study pointed to the urgent need for anti-trafficking measures to prevent the development of organized trafficking in the regions surveyed. The Government of Cameroon signed a partnership agreement with ILO in October 2004 to further build trafficking awareness among the public and coordinated with ILO on a program focused on street children vulnerable to trafficking. The Ministry of Education continued to collaborate with the ILO to work with high school students on trafficking prevention.

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## **CANADA (TIER 1)**

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Canada is primarily a destination and transit country for women trafficked for the purposes of labor and sexual exploitation. Women and children are trafficked from Central and South America, Eastern Europe, and Asia for sexual exploitation. To a lesser extent, men, women, and children are trafficked for forced labor. There is internal trafficking of Canadians for the sex trade. The majority of foreign victims transiting Canada are bound for the United States. Numbers are hard to gauge, but in February 2004, the Royal Canadian Mounted Police (RCMP) estimated that 800 persons are trafficked into Canada annually and that an additional 1,500-2,200 persons are trafficked through Canada into the United States. Some estimate that this number is much higher.

The Government of Canada fully complies with the minimum standards for the elimination of trafficking. The Government of Canada has comprehensive anti-trafficking legislation and has dedicated resources to combat trafficking in persons. Over the year, Canada increased efforts to prosecute and conviction traffickers. However, law enforcement efforts in key provinces like British Columbia — through which a significant number of Korean and other female victims are trafficked to the United States — were weak in 2004. Canada struggles to identify trafficking victims inside clandestine migrant smuggling operations. There are growing concerns that South Koreans and others may be abusing the lack of a visa requirement to enter Canada to facilitate the trafficking of men and women, mainly to the United States. To enhance its anti-trafficking efforts, Canada needs to use its anti-trafficking law to vigorously increase investigations, arrests, prosecutions, and convictions of traffickers, especially those who may be abusing visa waivers and entertainment visas.

### ***Prosecution***

The Government of Canada has comprehensive anti-trafficking legislation, but this law has produced few results to date. Nonetheless, Canada recently brought charges against a major trafficker under its law in April 2005 – the first charges ever brought since its enactment. Canada also made progress in prosecuting traffickers under other existing laws. Over the reporting period, there have been 19 convictions. Additionally, there are 12 pending cases and seven open investigations. Canada's federal system and diversity of criminal codes complicate data collection; there are likely additional trafficking-related cases that are not reflected in this report. However, in British



Columbia, a transit zone for trafficking to the United States, there have been few convictions. The government revised its immigration policy to discontinue a blanket employment waiver (begun in 1998) that had permitted adult entertainment establishments to hire foreign women as exotic dancers — a type of program that has been abused and exploited by traffickers in many other countries. Officials acknowledge that some women may have been forced into prostitution. The visa program has not been entirely suspended. According to the Government of Canada’s official tally, 46 “exotic dancer” visas were issued in 2004, none to Romanians. While over 600 women reportedly were granted an “exotic dancer” visa in 2003, only 239 visas were issued. The majority of the visas were issued to Romanians.

Additionally, there continues to be anecdotal reports of large numbers of South Korean women trafficked through Canada to the United States. The lack of a visa requirement to enter Canada, lack of prosecutions, and an inability to determine the scope of the problem has made Canada, particularly British Columbia, an attractive trafficking hub for East Asian traffickers. Airline passenger analysis shows that the number of Koreans returning to Korea on flights from Vancouver Canada is 25 percent less than the number arriving on flights from Korea, but the ties to trafficking are not known. Observers believe that several hundred South Koreans have been trafficked through Canada to the U.S. since 2000, but they state that this estimate is modest.

### ***Protection***

Canada provides reasonable care to Canadian trafficking victims, but some critics claim that support for foreign victims is inadequate. Under Canadian law, undocumented aliens are allowed to claim refugee status, which would permit them to remain in Canada with limited benefits while their cases are adjudicated. In general, the rights of trafficking victims are respected and victims are not incarcerated. The government has pledged \$4 million per year to support initiatives designed to increase the confidence of victims in the criminal justice system. Canada has a variety of other victim assistance programs on the federal and provincial levels to protect and care for victims.

### ***Prevention***

The government of Canada has strong public awareness campaigns aimed to prevent trafficking. The government supports a 17-agency anti-trafficking working group (IWGTIP), which coordinates all policies on trafficking-related matters. The IWGTIP produced an information booklet in 14 languages that warns potential victims in source countries of the dangers of falling prey to traffickers. The government has also hosted numerous conferences and conducted a number of public outreach campaigns aimed to prevent and warn of the dangers of trafficking. The Canadian International Development Agency (CIDA) continues to fund anti-trafficking programs all over the world. The Prime Minister has spoken out strongly on the issue, including in an address before the UN General Assembly last September. Additionally, the U.S. and Canada have pledged to do a joint assessment on trafficking, which will enhance cross-border cooperation on trafficking-related matters. The government has provided training to the RCMP and other government agencies on trafficking-related matters.

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## **CHAD (TIER 2)**

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Chad is a country of origin for children trafficked for the purposes of forced labor and sexual exploitation. Chadian boys are trafficked internally for use as herders in the south; girls are trafficked

for exploitation as prostitutes in the oil-producing area of Doba and into involuntary domestic servitude in urban areas. Most trafficked children are trafficked by their families for economic reasons.

The Government of Chad does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. To further its progress in combating trafficking, the government should launch concrete efforts to rescue and provide care for all exploited children.

### ***Prosecution***

Chad's Penal Code prohibits trafficking in persons and the government made modest efforts to prosecute trafficking crimes over the reporting period. To punish child trafficking, prosecutors also use a labor code article that prohibits the employment of children less than 14 years of age. In 2004, the Ministry of Justice's Child Protection Department presented new legislation on crimes against children, including trafficking and prostitution, which was subsequently passed into law. As a response to parental involvement in the prostitution of young girls, the government increased the penalty for prostitution of a minor by a relative or guardian. The Ministry of Justice trained parliamentarians on the new law in December 2004 and held a public sensitization conference in January 2005. Chadian courts handled three trafficking-related prosecutions during the year, one of which resulted in a conviction that is being appealed to the Supreme Court. A case involving the sale of a ten-year-old girl by her parents is ongoing, and a third was dropped when the prosecutor died.

### ***Protection***

Chad's efforts to protect victims of trafficking were limited over the last year. In an effort to determine the level of government intervention needed to address problems faced by child trafficking victims, the Ministry of Social Action completed and released a nationwide survey of 7,000 at-risk children in 2004. Though the government lacks the resources to provide facilities for victim protection, it made in-kind contributions of land, buildings, and the services of government personnel. When trafficking victims were found, local authorities typically referred them to NGOs or religious organizations for care. The Governor of Moyen Chari personally provided temporary care for child trafficking victims during the year. In 2004, 256 children exploited as forced cattle herders were rescued, rehabilitated, and reintegrated into their families through the efforts of local authorities, religious leaders, and NGOs. The Ministry of Labor and the Mayor of N'Djamena began surveying households in the capital to determine the extent of trafficking of children for involuntary domestic servitude. Local authorities in Kome and the State of Doba began taking steps to address the commercial sexual exploitation of children in communities surrounding oil-producing facilities.

### ***Prevention***

During the reporting period, the central and state governments took a number of measures to prevent trafficking. As part of a "Plan of Communication on the Exploitation of Herder Children," local authorities, Ministry of Labor officials, and UNICEF embarked on a two-week tour of trafficking-prone villages in southern Chad in late 2004. The team held meetings with governors, prefects, traditional and religious leaders, and village associations, discussing the difference between acceptable child work and child exploitation. Explanations of these events were conveyed nationwide through government-run media outlets. The Governor of Moyen Chari issued numerous public statements warning parents of the dangers of using child herders, and in November 2004 and March 2005 he raised public awareness of the child herder issue through radio coverage of public meetings. The Ministry of Social Action sponsored a week-long campaign in May 2004 to sensitize Muslim leaders and parents to the problem of forced child begging. The Ministries of Labor and Justice conducted awareness campaigns on the worst

forms of child labor and launched training seminars targeting religious leaders, traditional chiefs, and parliamentarians. The government has a national action plan to combat child sexual exploitation.

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## CHILE (TIER 2)

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Chile is a source, transit, and destination country for men, women, and children trafficked for the purposes of sexual exploitation and forced labor. Most victims are Chilean minors trafficked internally for sexual exploitation. According to a 2003 study conducted by the Chilean National Department of Children's Affairs (SENAME), at least 3,700 children were victims of commercial sexual exploitation. Traffickers are known to contact victims and their families directly or through advertisements offering jobs as domestic help, models, or product promoters. Chileans have been trafficked to Argentina, Peru, Bolivia, the United States, Europe, and Asia for sexual exploitation. Foreign victims are brought to Chile for sexual exploitation or involuntary domestic servitude from Peru, Argentina, Colombia, and Bolivia, though authorities find it difficult to distinguish trafficking victims from economic migrants.

The Government of Chile 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 resources available to child victims of sexual exploitation and their families, and law enforcement investigated a number of cases involving the sexual exploitation of minors. However, the government considered trafficking a localized problem and had no national strategy to identify trafficking situations or track and coordinate law enforcement efforts. Chile should develop a national plan that addresses trafficking victims of all ages, including forced labor trafficking, and coordinate efforts to train officials, inform the public, and prosecute traffickers.

### *Prosecution*

Authorities took action against some traffickers during the reporting period, but lack of a nationally coordinated enforcement strategy made it difficult to gather relevant data about trafficking-related cases. The trafficking law addresses only transborder activities related to prostitution; other laws can be used to address trafficking crimes within Chile and the government enacted additional laws that targeted sexual exploitation of children. Authorities indicted a senator for sexual misconduct with minors; a prominent businessman and at least 13 associates were indicted on charges related to the prostitution of 25 minors. Some of the 37 investigations initiated in 2003-2004 regarding reports of sexual exploitation of minors, which included child pornography, were related to trafficking. Law enforcement launched at least three additional investigations involving 12 suspects during the reporting period; one resulted in nine convictions for prostitution of minors. There was no evidence that the government promoted or condoned trafficking and government corruption was minimal.

### *Protection*

The Chilean Government provided some protection to victims of trafficking. Most assistance was focused on children. Help for child victims included placement in protective custody with SENAME, counseling, and psychological assistance. Names of child victims were not released to the public and judicial reforms instituted throughout most of the country included provisions for victims to bring legal action against their traffickers and seek restitution. The government worked with the Government of Japan to repatriate a Chilean trafficking victim who had been trafficked for sexual exploitation, and assisted in the repatriation of four Bolivian minors who had been trafficked to Chile.

The government increased funding for programs targeting at-risk children and their families and ran facilities for street children and abused children. The government also provided financial support for civil society activities, although funded NGOs largely worked on broader social programs.

### ***Prevention***

The government lacked a national plan of action to coordinate anti-trafficking activities. Government education campaigns focused on keeping children in school and reducing violence against women and children. Most training for government workers related to sexual abuse and sexual exploitation of minors. The University of Chile worked with IOM to provide anti-trafficking training to government personnel and NGOs in three major cities in August 2004, and 20 regional prosecutors received training during the reporting period.

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## **CHINA (TIER 2 – WATCH LIST)**

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The Peoples' Republic of China is a source, transit, and destination country for men, women, and children trafficked for the purposes of forced labor and sexual exploitation. A significant number of Chinese women and children are trafficked internally for forced marriage and forced labor. Chinese women are at times lured abroad with false promises of legitimate employment and then trafficked for commercial sexual exploitation to destinations throughout Asia, the Middle East, Africa, Europe, and North America, while Chinese men have been trafficked for forced labor to Europe, South America, and the Middle East. A large number of Chinese men and women are smuggled abroad at enormous personal financial cost and, upon arrival in the destination country, are subjected to commercial sexual exploitation or other forms of exploitative labor to repay their debts. They often face exploitative conditions that meet the definition of involuntary servitude. Women from Burma, North Korea, Russia, Vietnam, and Mongolia are trafficked to China for labor and commercial sexual exploitation and forced marriage.

The Government of the People's Republic of China does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. China's placement on Tier 2 Watch List is due to its failure to provide evidence of increasing efforts to combat trafficking, specifically its inadequate protection for trafficking victims, particularly foreign women and P.R.C. women identified from Taiwan. There are reports of the involuntary return of North Koreans from China to North Korea, as these returnees often face serious abuses. The Chinese Government does not, as a matter of policy, fine identified trafficking victims, but it reportedly and unintentionally does fine some victims — particularly P.R.C. women and girls returning from Taiwan — who are among illegal migrants. China needs to identify these trafficking victims, and provide them with protection, rather than levying fines or other punishment on them. The government should also vigorously investigate allegations of coercive labor practices, including alleged situations of involuntary servitude and forced labor.

### ***Prosecution***

The Chinese Government continued its anti-trafficking law enforcement efforts in 2004, actively arresting and prosecuting traffickers. China has a law that specifically outlaws the trafficking or kidnapping of women and coercion into prostitution. Penalties for trafficking carry sentences of up to ten years' imprisonment. "Snakeheads" or traffickers who smuggle victims overseas can be fined, have their property confiscated, be imprisoned for terms up to life, or be executed. China's criminal code imposes the death penalty for traffickers who coerce girls under 14 into prostitution. Over the past year, the

police reportedly investigated 309 trafficking gangs and arrested 5,043 suspected traffickers, referring 3,144 for prosecution. While the Chinese Government did not provide statistics on the number of convictions, media reports indicated that 36 members of a child trafficking ring were given sentences ranging from two years' imprisonment to the death penalty. There do not appear to be adequate efforts to focus law enforcement resources on the problem of forced or coercive labor that meet the definition of involuntary servitude. Several police officials, including those that reportedly profited from trafficking, were convicted of commercial sexual exploitation and issuing visas to facilitate trafficking.

### ***Protection***

During the reporting period, the Chinese Government provided an inadequate level of protection for victims of trafficking. China does not fine repatriated trafficking victims once identified, and generally categorizes them separately from illegal migrants. However, there have been reports that police have levied fines for immigration violations on trafficking victims, particularly women and girls repatriated from Taiwan. The Chinese Government also did not take measures to protect foreign women who were trafficked for commercial sexual exploitation and forced marriages with Chinese men. Over the past year, the Chinese Government funded programs operated by an NGO to reintegrate trafficked women into their local communities and relieve the stigma attached to trafficking victims. The Chinese Government reportedly allocated funds to provincial and local police departments to use in returning trafficking victims to their hometowns. Some government agencies also provided basic living necessities and return assistance. The Ministry of Public Security (MPS) continued to train police officers on how to handle trafficking-related crimes. The MPS reportedly eliminated special anti-trafficking police units and subsumed their duties into general law enforcement units but its national office for trafficking crimes remains in place.

### ***Prevention***

The Chinese Government expanded its efforts to raise awareness of trafficking in 2004. The government cooperated with the Vietnamese Government and UNICEF on a mass communications effort to educate people and local government leaders on trafficking. Through its law enforcement agencies and its school systems, the government continued its awareness campaigns to warn of the potential dangers of trafficking. Posters, videos and pamphlets are distributed throughout the country.

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## **COLOMBIA (TIER 1)**

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Colombia is a major source and transit country for women and girls trafficked for the purpose of sexual exploitation. The Colombian Government estimates that 45,000-50,000 Colombian nationals engage in prostitution overseas; many of them are trafficking victims. Most traffickers are linked to narcotics trafficking or other criminal organizations; trafficking operations include both Colombians and criminals from countries of destination. Young Colombian women and girls are principally trafficked to Spain, Japan, Hong Kong, Panama, Chile, and Ecuador. Some Colombian men are trafficked for forced labor. Internal trafficking of women and children for sexual exploitation from rural to urban areas remains a serious problem. Insurgent and paramilitary groups have forcibly conscripted and exploited as many as 14,000 children in Colombia and from bordering areas of Venezuela, Ecuador, and Panama. Victims transit Colombia from other South American countries, on their way to Europe and the United States.

The Government of Colombia fully complies with the minimum standards for the elimination of

trafficking. Although the Government of Colombia did not provide full data on investigations, prosecutions, convictions, and sentences, the Secretary of State has determined that it has made a good faith effort to do so. The government continues to show political will to address one of the largest national outflows of trafficking victims in the Western Hemisphere. Although courts reported no convictions of traffickers in 2004, the Colombian Government investigated and prosecuted numerous cases, improved laws, and coordinated government agency efforts to target traffickers. The government should move to increase trafficking prosecutions and improve its ability to centrally monitor and collect data on the status of cases brought against traffickers.

### ***Prosecution***

Colombia's comprehensive anti-trafficking law makes adequate provision to punish traffickers and the government continued to work with other countries to disrupt trafficking networks. Although Colombian courts convicted no traffickers in 2004, Colombian law enforcement initiated 20 new cases during the reporting period and captured a Spanish trafficker who was returned to Spain for prosecution. Authorities prosecuted at least 16 cases. Most of the more than 300 cases pending from previous years remained in various stages of investigation. The government made significant efforts to work additional trafficking investigations with Spain, Japan, the Dominican Republic, Jamaica, and Panama. Amendments to the trafficking law increased penalties to 13 to 23 years in prison, with even higher penalties for aggravated circumstances or in cases with victims under 12 years of age. Late in 2004, the government created a unit in the Prosecutor General's Office dedicated entirely to the investigation and prosecution of crimes related to trafficking in persons.

### ***Protection***

The government made a good faith effort to assist Colombians trafficked abroad and child victims at home. Colombian missions abroad referred nine cases to IOM for repatriation assistance. Colombian missions in some countries with large Colombian expatriate communities — such as Japan— worked aggressively to assist trafficking victims and referred repatriated victims to IOM and NGOs for assistance. Victims frequently faced intimidation and threats of reprisal from traffickers. In the face of such threats and inadequate witness protection programs, many victims chose not to assist in prosecutions. The government's Institute of Family Welfare supported programs for some child victims of internal trafficking for sexual exploitation and former child soldiers that provided counseling, educational information, and social support, but resources available proved insufficient to keep pace with the demand for services.

### ***Prevention***

The government's interagency committee led strong national prevention efforts by preparing information campaigns, promoting training, and coordinating information exchange. Immigration officials worked with NGOs at airports to identify and warn potential outbound trafficking victims. The government also made efforts to involve businesses, particularly in the travel industry, in the fight against trafficking. Government entities relied heavily on NGOs and international organizations to educate officials and the public about trafficking.

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## **DEMOCRATIC REPUBLIC OF THE CONGO (TIER 2)**

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Democratic Republic of the Congo is a source country for men, women and children internally trafficked for forced labor and sexual exploitation. The vast majority of the trafficking occurs in

northeastern and eastern Congo, regions that are mostly outside effective transitional government control. Armed groups continued to abduct and forcibly recruit Congolese men, women, and children to serve as laborers, porters, domestics, combatants, and sex slaves. The government estimated that 30,000 children were associated with armed groups within the country. Civilians were forced to provide labor for armed groups and the Congolese military (FARDC). There were confirmed reports of children in prostitution in brothels across the country. During the year, a number of personnel from the UN peacekeeping mission to the Congo (MONUC), were accused of sexually exploiting women and girls.

The Government of the Democratic Republic of the Congo 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 in combating trafficking in 2004, particularly in the area of prosecution and law enforcement. To further its anti-trafficking efforts, the government should continue demobilizing child soldiers and sustain momentum in prosecuting perpetrators of human rights abuses, including trafficking, in the eastern part of the country.

### ***Prosecution***

During the year, the government demonstrated increased commitment and attention to undertaking trafficking-related law enforcement activities. The country's criminal justice system — police, courts, and prisons — was decimated following years of war and remains extremely weak. Although there is not a specific law prohibiting trafficking in persons, existing laws prohibit slavery, forced labor, rape, and prostitution of children under the age of 14. In 2004, the government investigated and/or prosecuted a number of traffickers for recruiting soldiers, operating forced labor camps, and committing rape. In May, FARDC arrested former Mundundu-40 Commander Biyoyo for unauthorized recruitment of soldiers, including minors. Biyoyo, however, was granted provisional release and is thought to have fled the country. The government and MONUC worked to break up known forced labor camps in Ituri. The judicial team in Ituri District collected 31 testimonies of victims that confirmed repeated, systematic and massive human rights violations by Ngiti militia, including slavery and sexual servitude. The government, with MONUC's assistance, arrested Ituri militants accused of such violations. By October 2004, over 50 persons were in government custody awaiting trial; however, 31 escaped with the help of prison guards. Courts in South Kivu reached convictions in 57 of 60 cases of sexual violence over the last year and a half, with sentences ranging between ten months and 20 years imprisonment and included reparations to victims and their families.

### ***Protection***

The Ministry of Defense and the national demobilization commission, CONADER, worked closely with NGOs, international organizations, and civil society entities to demobilize and reintegrate children associated with armed groups. Services provided included identification and separation from adult militia members, discharge, relocation to temporary transition centers, and family reunification or placement in foster homes. The FARDC made significant efforts to demobilize and reintegrate back into their communities children associated with armed groups. An estimated 5,000 children have been released from the FARDC and armed groups since October 2003. However, many former rebel groups only nominally affiliated with the FARDC still contain large numbers of children. Moreover, some rebel groups forcibly recruited and re-recruited previously demobilized child soldiers. The Ministry of Social Affairs chairs CONADER's technical steering group on issues related to child soldiers. The government has no resources to provide relief to other types of trafficking victims.

### ***Prevention***

Prevention efforts remained the weakest facet of the government's anti-trafficking efforts. CONADER participated with a number of other organizations in the development of a national public awareness campaign regarding the use of child soldiers. The government supports such programs, but is not in a position to provide resources or execute them on its own. There is no formal coordination or communication between various government agencies on trafficking in persons.

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## **COSTA RICA (TIER 2)**

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Costa Rica is a country of source, transit, and destination for men, women, and children trafficked for the purposes of labor and sexual exploitation. Women and children from Cuba, the Dominican Republic, China, Colombia, Nicaragua, Peru, Russia, Romania, the Philippines, Ecuador, and Guatemala are trafficked for sexual exploitation. Costa Rica also serves as a transit point for individuals trafficked to the United States, Mexico, Canada, Japan, and Europe for sexual exploitation. Women and children are trafficked within the country for sexual exploitation. Men, women, and children are trafficked internally for forced labor as domestics, agriculture workers, and workers in the fishing industry. Child sex tourism is a major problem in the country.

The Government of Costa Rica does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Costa Rica continues to lack a comprehensive law enforcement strategy, thereby limiting its ability to effectively investigate, arrest, prosecute, and convict traffickers. Costa Rica needs to amend its laws to address trafficking offenses, increase efforts to protect victims, and work regionally to detect trafficking that is occurring as part of transnational illegal migration. Costa Rica also needs to appoint a single coordinating authority on trafficking and task it with drafting a national plan.

### ***Prosecution***

Despite the continued absence of a cogent law enforcement strategy, the government was able to make modest law enforcement gains over the last year. The Judicial Investigative Police (OIJ) created a new investigative unit dedicated solely to trafficking and smuggling. Costa Rica lacks an anti-trafficking law, which greatly inhibits its ability to prosecute and convict traffickers. Scattered criminal statutes may be used against traffickers, and prosecutors use these sporadically. The government secured ten convictions among the different prosecutors' offices for trafficking-related offenses over the last year. Although hundreds of investigations into the commercial sexual exploitation of children have been initiated, few have resulted in successful prosecution because of the government's inefficiency and inability to protect victims. There are several offices in Costa Rica responsible for trafficking offenses, but little coordination among them frustrates law enforcement efforts. There have also been reports of corruption along the borders among immigration officials.

### ***Protection***

The government's efforts to protect trafficking victims remained inadequate over the last year, partly as a result of resource constraints. The government's victim protection policy is ad hoc and unevenly applied; it provides some assistance to Costa Rican victims, but shelter space is very limited and does not accommodate the large number of victims in the country. The government does allow foreign victims to stay in the country to testify against traffickers, but this does not happen often due to



COTE D'IVOIRE

the lack of government assistance for victims. Instead, foreign victims (excluding children) are often deported.

### ***Prevention***

Recognizing that trafficking is a serious problem, senior government officials spoke out on the dangers of trafficking and the need to do more. The government, in collaboration with international organizations, conducted a large-scale information campaign designed to warn tourists of the penalties for sexually exploiting children. The campaign included inserts in immigration documents and posted billboards. The government is in the process of printing a booklet for foreign diplomats that explains trafficking and how to assist trafficking victims. Additionally, there are a number of other prevention efforts under way, including a 911-system to report sexual exploitation of minors. However, border monitoring remains poor and there are reports of complicity of immigration officials who are facilitating the cross-border movement of people, including trafficking victims.

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## **COTE D'IVOIRE (TIER 2)**

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Cote d'Ivoire is a source, transit, and destination country for women and children trafficked for the purposes of forced labor and sexual exploitation. Available information indicates that the overall magnitude of trafficking in Cote d'Ivoire has diminished in the past few years. Ivoirian girls are trafficked within the country for exploitation as domestic servants, street vendors, and prostitutes, and occasionally are lured to Europe where they are forced into commercial sexual exploitation after being deceived by false marriage proposals. Children from Mali, Burkina Faso, Ghana, Togo, and Benin are trafficked to Cote d'Ivoire for agricultural and domestic labor exploitation. Nigerian and Ghanaian women and children, as well as some females from Algeria, Morocco, China, and the Philippines, are trafficked to Abidjan and other large towns for sexual exploitation. Some of these women also transit Cote d'Ivoire destined for Western Europe.

The Government of Cote d'Ivoire does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Since civil war broke out in September 2002, the country has been divided, with the government maintaining control of the south and the ex-rebel New Forces controlling the north. The government's focus is ending the conflict, reunifying the country, and reversing the deterioration of the economy. Despite these challenges, the government demonstrated political will and dedicated some resources to combating trafficking. To further its efforts, the government should continue establishing watch groups to rescue child trafficking victims, pass the comprehensive anti-trafficking law, and investigate commercial sexual exploitation in the cities.

### ***Prosecution***

Despite ongoing conflict, the government made progress in bringing traffickers to justice over the last year. A much-needed comprehensive law against trafficking in persons remained in draft form, though under consideration by the National Assembly. The existing penal code prohibits abduction, receiving a person as a financial security, and forced labor. Many courts in the north have ceased to function as most judges and administrative officials have fled the conflict. In the south, the public prosecutor received eight trafficking cases during the year; five people were convicted. The police also presented five pimps to a judge for prosecution in 2004. In March 2004, the Ministry of Family Affairs and the National Committee Against Trafficking (NCFTCE) trained 22 trainers (security

forces, judges, and social workers) to identify and handle cases of trafficking. The Ministry of Security instructed border officials to arrest those bringing others' children into the country. Buses carrying Ghanaian children suspected of being trafficked were routinely denied entry in the south.

### ***Protection***

Though it relied on NGO-run centers for primary care of most trafficking victims, the government, at all levels, was actively engaged in victim protection activities during the year. In 2004, police repatriated 30 female Nigerian trafficking victims with the help of the Nigerian Embassy in Abidjan. The Governor of Abidjan provided \$10,200 to an NGO to further its shelter, medical, and psychological assistance to 37 foreign trafficking victims, eight of whom were repatriated. The government also assigned a civil servant to help the Abel Community of Grand Bassam establish ten neighborhood watch groups in villages between Abidjan and Ghana. In Bonoua, the mayor and his deputy assigned their assistants to work with these groups; they also provided offices and temporary shelter for 85 child trafficking victims. The government also assisted an NGO in creating ten similar watch groups in the southwest of the country. In 2004, 65 children were rescued and 60,000 people were sensitized to this program.

### ***Prevention***

During the year, the government took limited steps to prevent trafficking. The Ministry of Family employed 20 staff dedicated to working on child trafficking issues. In March 2004, the government finalized its national action plan against trafficking in persons and submitted it to UNICEF and ILO; the major activities have been approved for funding. The NCFTCE adopted a national training plan in October 2004 that addresses the training of judges, defense forces, NGOs, bus drivers, journalists, and radio personalities in the southern part of the country. However, implementation was put on hold due to increased instability. Several ministries continued implementation of a program to keep forced child labor out of the country's cocoa plantations by sensitizing farmers in 64 field schools.

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## **CROATIA (TIER 2)**

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Croatia is a country of transit, and to a lesser extent, source and destination country for women and girls trafficked for the purpose of sexual exploitation. Victims generally originate in Russia, Serbia and Montenegro, Romania, Bosnia and Herzegovina, and other parts of Eastern Europe, and are trafficked into Western Europe.

The Government of Croatia 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, Croatia began to intensify efforts to combat trafficking in persons and took nascent steps to improve its response to trafficking. The government implemented targeted law enforcement training and increased its capacity to identify and assist victims. It adopted a national action plan, appointed an anti-trafficking coordinator, and provided direct funds to implement the plan. The government should now produce tangible enforcement results through increased investigations, prosecutions, and convictions of traffickers. The government, via the national anti-trafficking committee and anti-trafficking coordinator, should capitalize on gains made with NGOs and demonstrate more proactive victim identification, protection, and public awareness efforts. Finally, it should further institutionalize support by adequately staffing anti-trafficking programs and improving coordination.

***Prosecution***

In October 2004, the Government of Croatia enacted legislation that specifically prohibits and punishes trafficking in persons offenses, providing for penalties from one to ten years' imprisonment. When the victim is a minor, the minimum sentence is five years. Penalties are commensurate with that of rape. The government reported 17 investigations and four convictions in 2004, two of which are not subject to appeal; sentences ranged from seven months to nine years. In partnership with IOM, the police continued to actively implement an intensive 'train the trainers' program aimed initially at 26 core police officers throughout Croatia. The program will ultimately reach 1,600 officers and has been selected by the Council of Europe as a model for similar training efforts in the region. In 2004, the government incorporated anti-trafficking training into the police academy curriculum and 283 officers received specialized anti-trafficking training. In addition, the police designated an anti-trafficking officer in every police district in Croatia. In February 2005, the Judicial Academy held a case-study seminar for approximately 15 judges and prosecutors. A general environment of corruption remains a problem in combating trafficking. There were no reports of official complicity in trafficking.

***Protection***

In 2004, the government improved cooperation with NGOs, which resulted in greater and more consistent victim assistance. The government reported helping 19 victims, an increase of eight from the previous year. The Croatian Parliament amended the Law on Foreigners to increase the length of time victims can apply for temporary residency status -- from 90 days to one year -- with a possible one-year extension. The government reported issuing three such permits during the reporting period. In 2004, the government passed a Witness Protection Act that provides protection to witnesses participating in criminal proceedings; however, witness protection mechanisms continue to be underutilized. The Ministry of Interior developed instructions that included guidelines on identification and treatment for law enforcement officials who come into contact with potential trafficking victims, and distributed all instructions and guidelines to officers.

***Prevention***

In 2004, the Government of Croatia increased its support of prevention efforts by funding new anti-trafficking awareness campaigns. The government co-funded with NGOs several prevention programs, a shelter, a hotline, a public awareness campaign, and law enforcement training. The Ministry of Education, in partnership with IOM, trained 272 teachers on how to present trafficking to students. The Ministry of Health and Social Welfare trained 30 physicians on providing specialized medical assistance to trafficking victims. NGOs and IOM are represented on mobile anti-trafficking teams that assist in victim identification and assistance. In November 2004, the Croatian Government launched a public awareness campaign using the popular media and billboards to educate the general public about trafficking and the anti-trafficking hotline. In February 2005, the Foreign Ministry trained 15 consular staff in the region on identification of potential trafficking victims. Border guards monitored Croatia's borders and immigration and emigration patterns for trafficking, and have a formal framework for regional cooperation.

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**CUBA (TIER 3)**


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Cuba is a source country for children trafficked internally for the purposes of sexual exploitation and forced child labor. Trafficking victims from all over Cuba are exploited in major cities and tourist

resorts. There are no reliable estimates available on the extent of trafficking in the country; however, children in prostitution is widely apparent, even to casual observers. These children are sometimes trafficked into prostitution by their families and exploited by foreign tourists. Anecdotal evidence suggests that workers at state-run hotels, travel company employees, taxicab drivers, bar and restaurant workers, and law enforcement personnel are complicit in the commercial sexual exploitation of minors. Cuban forced labor victims include children coerced into working in conditions of involuntary servitude in commercial agriculture.

The Government of Cuba does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. In 2001, Cuban officials outlined an extensive plan to address the prevention and prosecution of trafficking victims on a national scale, but there has been no evidence to show that the plan has been implemented. As in previous years, Cuban officials over the past year dismissed as politically motivated any criticisms of the government's failure to address trafficking in the country. Cuba has no strategy to address its trafficking problem and growing child sex tourism industry. To improve its efforts to combat trafficking in the country, the government needs to publicly acknowledge that trafficking occurs, implement a national plan to prevent teenagers from becoming victims of commercial sexual exploitation, and end its forced labor practices.

### ***Prosecution***

The government has no anti-trafficking law enforcement policy and there was no observed progress in punishing traffickers during the last year. Adult prostitution is not illegal in Cuba, though the prostitution of children and the activities of brothel owners, clients, and pimps are all criminalized and carry penalties of from four to ten years in prison. Occasionally, the government will institute a crackdown against prostitution and related activities; however, these efforts are ad hoc and generally result in the widespread arrest of women in prostitution. Recently, the government released previously unknown statistics covering the period 2000-2004 on convictions for pimping and procuring prostitutes, including 881 trials for procuring prostitutes and 1,377 convictions. However, no data was provided on the investigation, arrest, prosecution, and conviction of any traffickers who are luring children into the trade and profiting from the sexual exploitation of minors. There has been some cooperation with U.S. law enforcement on specific commercial sexual exploitation investigations, but as a matter of policy Cuban authorities do not admit to the existence of a problem.

### ***Protection***

The government does not provide protection services to trafficking victims and there has been no progress in this area during the reporting period. Victims, including children in prostitution, are generally treated as criminals — detained in police sweeps, held for several hours or days, fined, and released. The government, on occasion, rounds up women in prostitution and forces them into rehabilitation centers (as it did prior to the Pope's visit in 1998). Prevention efforts are not serious or sustained, but rather superficial at best. The government describes its use of forced child labor as a "voluntary" arrangement and does not acknowledge that it constitutes trafficking.

### ***Prevention***

The government undertakes no information campaigns to prevent trafficking for sexual exploitation, and does not officially admit that Cuba has a trafficking problem. The government fails to publicize the incidence and dangers of child prostitution; however, it did for the first time publish the U.S. Government's trafficking-related sanctions in the government-run newspaper on June 16, 2004. But since the media is government run, it rarely reports on trafficking or any other social ills. NGOs and international organi-

zations operating in the country are restricted in what they may state publicly on the subject, limiting their ability to aid or encourage the government to undertake any kind of prevention campaign.

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## CYPRUS (TIER 2)

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Cyprus is a destination country for women trafficked from Eastern and Central Europe for the purpose of sexual exploitation. Traffickers who forced women into prostitution continued to fraudulently recruit victims for work as dancers in cabarets and nightclubs on short-term “artiste” visas, for work in pubs and bars on employment visas, or for illegal work on tourist or student visas. There was increasing evidence of Chinese women being trafficked for sexual exploitation in Cyprus.

The Government of Cyprus does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Cyprus made some progress in its anti-trafficking efforts over the past year. The new police anti-trafficking unit produced successful results and showed vigilance in combating the problem. Government recognition of the problem improved, and there was a perceptible shift in awareness among officials, the press, and the public. Nevertheless, the government did little to generate public awareness about the role customers play in contributing to trafficking in Cyprus. The Government of Cyprus should immediately formalize its recently completed National Action Plan and proactively enforce its implementation. Moreover, the government should work to improve cooperation with civil society on victim protection and assistance.

### ***Prosecution***

In 2004, the Government of Cyprus significantly increased its anti-trafficking enforcement efforts, particularly in the area of investigations and arrests. Under its newly created Office of Combating Trafficking in Human Beings, police made 194 arrests in 91 trafficking-related cases. Additionally, police charged 20 persons with trafficking in persons and sexual exploitation. There were no trafficking-related convictions reported during the reporting period. Police conducted regular visits to cabarets and interviewed women in private, away from their places of work. In 2004, the government closed ten cabarets for operating without a license. The Government of Cyprus signed a number of anti-trafficking cooperation agreements with source countries during the reporting period.

### ***Protection***

The Government of Cyprus’ efforts in the area of protection improved in 2004. The Welfare Department of the Ministry of Labor routinely ensured that victims received temporary shelter, received legal and financial assistance, and issued residence and employment permits in cases where victims cooperated in an investigation. The police identified 66 victims willing to testify against their traffickers, 47 of whom requested police protection. In 2004, the government set aside several rooms for trafficking victims in government-subsidized housing and solicited bids for the operation and construction of a permanent shelter. Notably, the government has stopped issuance of new cabaret licenses and now prohibits hiring replacements for women on artiste visas who are identified as victims and removed from cabarets. Although the government established a screening and referral process, it has yet to fully standardize it by completing its proposed handbook for handling victims.

### ***Prevention***

In March 2005, the Ministry of Interior held a major press conference to publicize the release and

routine distribution of a revised information pamphlet for all newly arriving female foreign workers. This pamphlet contains anti-trafficking information in an effort to prevent the exploitation of artists. Although the anti-trafficking unit held a number of press conferences and appeared in popular media to promote its anti-trafficking activities, the government did not conduct any large-scale demand-oriented awareness campaigns. Police reported receiving an estimated 20 trafficking-related calls per week via their crime prevention hotline.

#### **AREA ADMINISTERED BY TURKISH CYPRIOTS**

The Republic of Cyprus exercises control over the southern two-thirds of the island. The northern part of Cyprus is governed by a Turkish Cypriot administration that has declared itself the “Turkish Republic of Northern Cyprus” (TRNC); it is not recognized by the United States or any other country, except Turkey. The area administered by Turkish Cypriots is a destination for women trafficked from Eastern and Central Europe for the purpose of sexual exploitation. There are indications that it is also used as a transit point for persons trafficked into forced labor into the EU. In 2004, Turkish Cypriot authorities demonstrated an increased recognition of the trafficking problem. Police reportedly investigated all complaints made by victims, and they continued their policy of holding the passports and airplane tickets of nightclub employees to prevent exploitation by employers. In 2004, 22 individuals were arrested on the grounds of living off the proceeds of prostitution, and of those, 18 cases are pending trial, while 4 were convicted. In February 2005, a social worker began interviewing newly arrived nightclub employees to verify whether their employment is voluntary or not. The police and other officials conducted regular inspections of nightclubs and bars. In 2004, 1,033 visas were issued to women working in bars and nightclubs. Notably, in 2004 the police reportedly repatriated 191 women who wished to terminate their nightclub contracts — a possible sign of trafficking. Turkish Cypriot authorities should take immediate action to strengthen prosecution efforts and stiffen penalties for perpetrators.

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### **CZECH REPUBLIC (TIER 1)**

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The Czech Republic is a source, transit, and destination country for women and children trafficked from Ukraine, Russia, Belarus, Moldova, Lithuania, Romania, Bulgaria, Slovakia, China, and Vietnam into and through the Czech Republic mainly for the purpose of sexual exploitation. Czech victims and those transiting the country are trafficked to Western Europe and the United States, sometimes via third countries. Internal trafficking occurs from low employment areas to Prague and regions bordering Germany and Austria. Ethnic Roma women are at the highest risk for internal trafficking, and almost always are trafficked by a relative or someone known to them previously.

The Government of the Czech Republic fully complies with the minimum standards for the elimination of trafficking. In 2004, the Czech Government strengthened its anti-trafficking legislation and turned its pilot victim assistance program into a nationwide government-funded program. While enforcement statistics improved during the reporting period, sentences imposed on traffickers remained low.

#### ***Prosecution***

The Czech police increased its capacity to investigate and convict traffickers over the reporting period, although the overall numbers of cases prosecuted pursuant to anti-trafficking legislation remained low and sentences imposed remained weak. Amendments to the Czech Penal Code went into effect in November 2004, making all forms of trafficking illegal, including labor exploitation and internal traffick-

ing. Maximum trafficking penalties were increased from 12 to 15 years, with a minimum penalty of two years. In 2004, Czech authorities investigated 30 individuals and prosecuted 19 under the trafficking statutes. The courts convicted 12 traffickers under those statutes, an increase from five in 2003. Of the 12 convicted, three received unconditional prison sentences of three to five years, and nine received conditional or suspended sentences. Police training curricula included segments on trafficking, and a new internal website for police provided trafficking awareness information. While no government officials were indicted or convicted for complicity in trafficking, allegations continued about the involvement of individual border police officers facilitating illegal border crossings. Czech law enforcement conducted joint anti-trafficking investigations with Germany, Slovakia, Austria, Poland, and Ukraine in 2004.

### ***Protection***

The Czech Government continued to improve trafficking protection and assistance over the last year. In November 2004, the Model of Support and Protection of Victims of Trafficking in Persons was expanded to a permanent, government-funded program that is open to all foreign and Czech victims. This program involves close cooperation between the government and NGOs, and allows the victims a 30-day reflection period to receive assistance and consider whether to assist in prosecuting their traffickers. From January 2004 to January 2005, 14 trafficking victims — including one forced labor victim — took part in the program. Many victims chose to apply for asylum, which allows them legal status in the Czech Republic until their cases are decided — a process involving months to years. The government houses victims and potential victims applying for asylum with other at-risk groups in guarded asylum centers to prevent unwanted contact with traffickers. The government funded several NGOs and international organizations for sheltering and care of victims; two of the Czech Republic's principal organizations provided shelter to 68 trafficking victims in 2004.

### ***Prevention***

The Ministry of Interior is currently collaborating with IOM to produce a demand-reduction campaign targeting clients of commercial sex outlets along the Czech-German border area. A government-funded NGO conducted awareness campaigns among potential trafficking victims at schools and asylum centers. The Ministry of Foreign Affairs continued to provide trafficking information to applicants for Czech visas from identified trafficking source countries. The Crime Prevention Department continued awareness programs at schools. In addition to the Czech National Action Plan on trafficking adopted in 2003, the government in July 2004 adopted a plan to combat commercial sexual abuse of children.

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## **DENMARK (TIER 1)**

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Denmark is primarily a destination and transit country for women and children trafficked from Central and Eastern Europe, the Baltic states, and the former Soviet Union (particularly Ukraine, Moldova, and Russia) for the purpose of sexual exploitation. Victims are transported through Denmark to other European countries. An international organization identified ethnic Roma children from Romania as having likely been trafficked to Denmark for involuntary servitude in the form of forced begging and petty crimes. Police reported an increased number of Nigerian women in prostitution in Denmark, some of whom are believed to have been trafficked.

The Government of Denmark fully complies with the minimum standards for the elimination of trafficking. The government made significant strides in enforcement during the reporting period,

achieving convictions in two major trafficking cases under Denmark's 2002 anti-trafficking legislation. Additionally, law enforcement officials hired a full-time social worker to act as a liaison between the police and NGOs in trafficking investigations. The Danish Government should consider expanding its prevention efforts to include domestic demand-reduction programs.

### ***Prosecution***

Denmark advanced law enforcement efforts against trafficking in two major prosecutions during the reporting period. Danish courts convicted eight individuals of trafficking, compared to none in 2003. Sentences ranged from one to three and a half years. In February 2005, police arrested three individuals for trafficking women from the Baltic countries to Denmark for the purpose of sexual exploitation; the investigation is ongoing. Denmark's 2002 anti-trafficking law criminalizes trafficking for both sexual and non-sexual exploitation. Danish law penalizes trafficking in persons (i.e., recruiting, transporting, transferring, harboring, receiving) with up to eight years in prison; it also penalizes the deprivation of liberty under a separate section with up to 12 years' imprisonment if aggravated circumstances are identified. The 54 police districts now each have a designated contact person for trafficking investigations. There is no evidence of government involvement in or tolerance of trafficking. The Danish police regularly conduct joint trafficking investigations with law enforcement authorities from other countries; in 2004, Danish law enforcement officials joined a Nordic law enforcement operation targeting traffickers of Nigerian women.

### ***Protection***

The Danish Government enhanced communications and relations between police and NGOs in 2004 by hiring a full-time social worker at the police's organized crime unit. In 2004, NGOs continued to receive government funds to provide victim services. During the reporting period, the lead government-funded NGO provided assistance to 29 trafficking victims. All police districts received guidance about how to identify cases of trafficking, how to address these cases, and how to provide aid to victims. Danish authorities did not jail or fine trafficking victims. The government offered victims a 15-day stay in Denmark to receive healthcare, counseling, and shelter (including guaranteed security) prior to repatriation; victims are barred from re-entry for one year following repatriation. To encourage best practices and develop contacts, the government in 2004 funded five anti-trafficking study tours for Danish NGOs to Sweden, Norway, the Netherlands, Italy, and the Czech Republic.

### ***Prevention***

The Danish Government increased its prevention efforts and continued to implement its National Action Plan to Combat Trafficking, which is publicly available in Danish and English on the Internet. Since October 2004, the government's inter-ministerial working group on trafficking held regular meetings with NGO involvement. In spring 2005, a Danish research center under the Ministry of Social Affairs and Gender Equality created an informational pamphlet explaining trafficking victims' legal rights in several languages. The government continued to fund Save the Children Denmark, which combats child sex tourism. Denmark's organized crime unit developed national databases designed to enhance information sharing on trafficking cases between police departments throughout Denmark.

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## **DOMINICAN REPUBLIC (TIER 2 – WATCH LIST)**

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The Dominican Republic is a source, transit, and destination country for men, women, and children traf-



ficked for the purposes of sexual exploitation and forced labor. Dominican women and children are trafficked to destinations in Latin America and Europe, including Spain, Germany, Italy, the Netherlands, Belgium, Switzerland, Greece, the Netherlands Antilles, Argentina, Costa Rica, and Brazil. There are indications that Peruvian women have been trafficked through the Dominican Republic to Italy. Additionally, Haitians are trafficked into the Dominican Republic for forced labor and sexual exploitation. There are reports of an estimated 2,000 Haitian children trafficked into the Dominican Republic annually to work on the street (such as shoe shining), to work in agriculture, or to be exploited in the sex trade. The ILO estimates that 48,000 children are engaged in child labor nationwide.

The Government of the Dominican Republic does not fully comply with the minimum standards for the elimination of trafficking; however, is making significant efforts to do so. The Dominican Republic is placed on Tier 2 Watch List for its failure to provide evidence of increasing efforts to address trafficking over the past year. Trafficking-related law enforcement efforts generally remained weak, though the current government made modest efforts to combat trafficking in some areas, including the successful prosecution of a high-level official complicit in trafficking-related offenses. The government, which took office last year, has newly appointed individuals in place to combat trafficking and has pledged to do more.

### ***Prosecution***

The Dominican Republic's anti-trafficking law enforcement efforts remained limited during the reporting period. Existing anti-trafficking units remain poorly deployed and coordination between agencies is ineffective. The government has not provided comprehensive anti-trafficking law enforcement data, but did report that only two new trafficking arrests were made over the last year. The government was finally able to convict and sentence to 18 months in prison Congressman Guillermo Radhames Ramos Garcia on charges of alien smuggling and trafficking-related offenses while a consul in Haiti, following a two-year legal battle. The Attorney General and other prosecutors have also made strong public statements about the need to prosecute and investigate trafficking cases, but this has yet to translate into a substantial number of active cases. A few commercial establishments involved in sexually exploiting children have been closed. Efforts to address trafficking-related corruption have improved modestly, as evidenced by the conviction of the Congressmen noted above. The government has yet to prosecute accused child trafficker Maria Martinez Nunez, who has been imprisoned awaiting trial since 2002. Official corruption still remains endemic and continues to impede anti-trafficking efforts. Law enforcement efforts are also hampered by a lack of resources, personnel, and trafficking awareness. Potential trafficking cases are rarely fully prosecuted or brought to conclusion.

### ***Protection***

The Dominican Government's efforts to protect victims of trafficking remained inadequate over the last year, hampered by a lack of resources. There are no shelters in the country specifically aimed to assist trafficking victims. Limited services are available to trafficking victims through NGOs. The government has made efforts to work with these NGOs to refer and assist trafficking victims, but efforts are uneven and should be increased. In general, the government lacks a comprehensive victim protection policy, which also affects the government's ability to identify traffickers. Control of the Haitian border remains weak, and the government continues to deny birth certificates to Haitians born in the Dominican Republic, which leaves them more vulnerable to traffickers and also leaves them without access to certain services in the Dominican Republic. The process for the identification and responsible repatriation of Haitian trafficking victims living illegally in the Dominican Republic needs to be improved.

***Prevention***

The government recognizes that trafficking is a problem, but has failed to implement sustainable prevention campaigns, in part because of its resource constraints. There have been campaigns in the country warning about the dangers of trafficking and the government has increased efforts to train officials on trafficking-related matters. There have been several public awareness campaigns, including several town-hall meetings in Boca Chica, a known site of child trafficking. High government officials continue to speak out about the dangers of trafficking and have committed to do more.

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## EAST TIMOR (TIER 2)

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East Timor is a destination country for women trafficked for the purpose of sexual exploitation. The majority of trafficking victims in East Timor are women from Thailand, Indonesia, and the People's Republic of China (P.R.C.) who had been trafficked for commercial sexual exploitation.

The Government of East Timor does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government shows the political will to address the problem but lacks the resources to combat trafficking effectively. While the East Timorese Government actively engages with NGOs and regional and international bodies, it continues to have difficulty distinguishing trafficking victims from illegal migrants. Government action should concentrate on adopting a strong and comprehensive anti-trafficking law, arresting and prosecuting traffickers, and improving victim protection measures. The government and the United Nations should also continue to address credible reports that UN peacekeepers are clients of brothels that have trafficked women.

***Prosecution***

The Government of East Timor's law enforcement efforts against trafficking were modest during the reporting period. The government has not developed the capacity to compile full information on trafficking-related arrests, prosecutions, and convictions. East Timorese authorities conducted sporadic investigations and raids but did not prosecute any trafficking-related cases over the last year. The Immigration and Asylum Act of 2003 criminalizes trafficking for commercial sexual exploitation and for non-sexual purposes but penalties are less severe than penalties for rape and forcible sexual assault. The Ministry of Justice is finalizing a new penal code that will criminalize the activities of pimps and brothel owners/operators. There is a lack of coordination between prosecutors and the police, and law enforcement officials generally lack training.

***Protection***

Due to a lack of resources, the East Timorese Government provided only sporadic protection and assistance to trafficking victims during the reporting period. Some trafficking victims were repatriated with the help of the government, their embassies, and international organizations. While the government assisted a few victims in finding shelter and protection from NGOs it appears that some victims may have been charged and deported for prostitution and/or immigration violations. The government did not fund foreign and domestic NGOs that provided shelter and access to services for victims.

***Prevention***

There have been no anti-trafficking campaigns conducted in East Timor, in part because East Timor

has not been a country of origin for trafficking victims. While the government continued to recognize that trafficking is a problem, it did not place a priority on trafficking prevention programs. The government has been considering a national action plan.

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### ECUADOR (TIER 3)

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Ecuador is a source, transit, and destination country for persons trafficked for the purposes of sexual exploitation and forced labor. Many victims are children trafficked for sexual exploitation; in 2003, the ILO estimated that over 5,000 minors in Ecuador were being exploited in prostitution. Poverty drives some poor rural families to send children to work on banana plantations or in small-scale mines and to urban areas where traffickers exploit them. Ecuadorians are trafficked to Western Europe, particularly Spain and Italy, and to other countries in Latin America. Colombians cross the border into Ecuador to engage in prostitution and many are believed to have been trafficked. Ecuador's lax border controls make it a point of origin and transit for illegal migrants; the use of alien smuggling operations by migrants increases their vulnerability to being trafficked.

The Government of Ecuador does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. President Gutierrez issued a decree in August 2004 that recognized the trafficking problem, established an interinstitutional committee, and assigned the Minister of Government responsibility to head efforts to combat trafficking, but no discernable progress was made during the reporting period in identifying victims and prosecuting those who exploit them. The government should develop, publicize, and implement a comprehensive anti-trafficking policy; strengthen laws to prohibit trafficking for the purpose of sexual exploitation of minors; and formulate a law enforcement strategy for identifying victims and prosecuting traffickers.

#### ***Prosecution***

The Government of Ecuador failed to make significant law enforcement efforts against trafficking over the last year. DINAPEN, the national police agency charged with protecting children, received anti-trafficking training and conducted raids of bars, nightclubs, and brothels suspected of exploiting children, but DINAPEN officers failed to confirm whether children removed from premises had been sexually exploited. The National Congress passed few laws during the reporting period, and changes to the penal code that include provisions against trafficking and to raise the age of consent remained pending in Congress at the end of the reporting period. The constitution specifically prohibits slavery and trafficking in all forms, but no traffickers were prosecuted or convicted. Law enforcement focused considerable efforts on dismantling alien smuggling operations, but did not apply the same effort toward identifying and rescuing migrant trafficking victims. There was no confirmed evidence of government involvement in or tolerance of trafficking, but corruption is a pervasive problem.

#### ***Protection***

The national government had only limited ability to support social programs and did not fund programs to assist trafficking victims during the reporting period. No minors engaging in prostitution were detained. Minors picked up in raids were typically returned to their families and only referred to NGOs when returning home was not possible. Due to resource constraints, the government afforded little protection to witnesses of crimes, including trafficking victims, and no assistance to repatriated trafficking victims.

### ***Prevention***

The Government of Ecuador lacked policies or programs to prevent trafficking. The interinstitutional committee on trafficking started drafting a national plan to address trafficking, child sexual exploitation, and child labor, but the draft plan was incomplete and not ready to implement. The government continued work with donors and international organizations like the ILO on programs to keep children in school and assist those at risk of child labor, but it undertook no prevention measures focused on trafficking.

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## **EGYPT (TIER 2)**

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Egypt is a transit country for women and girls trafficked from Eastern Europe and Russia into Israel for sexual exploitation. Some victims, primarily from sub-Saharan Africa, may also transit Egypt en route to Europe. Various sources indicate that unspecified numbers of women, particularly from Moldova, Ukraine, and Uzbekistan, are smuggled or trafficked through the Sinai desert into Israel. Some women who seek economic opportunity in Israel willingly chose to make this journey. Others are deceived or compelled to make the journey. Bedouin smugglers appear to play a key role in their travel. Once in Israel, they are sexually exploited in prostitution. According to the Government of Egypt, 154 persons, including 93 women who entered Egypt in 2004 on tourist visas, remain unaccounted for. Some Egyptian males are smuggled into Europe and are reportedly subjected to involuntary servitude.

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. Following the October 2004 terrorist attacks in the Sinai, the government increased its security vigilance in the region. The government signed a “pledge document” with Bedouin tribal leaders in the Sinai, which, among other things, elicits their cooperation to report on trafficking-related activities. The government should appoint a national coordinator to oversee its overall anti-trafficking efforts; conduct an assessment of the trafficking situation and develop a national plan of action to combat it; adopt and implement comprehensive anti-trafficking legislation; train its law enforcement personnel to identify trafficking crimes, prosecute more traffickers, and care for victims; and develop effective protection and prevention programs.

### ***Prosecution***

During the reporting period, the Government of Egypt made modest efforts to prosecute trafficking cases. Egypt does not have specific anti-trafficking legislation; nonetheless, it uses other criminal codes to punish traffickers. In 2004, a criminal court in the Sinai sentenced one person to three and a half years in prison for attempting to traffic five Russian and Moldavian women into Israel. Press reports indicate that in September 2004, 13 Eastern European women were rescued after a gun battle between security forces and Bedouin traffickers. In early 2005, the Ministry of Interior established an Office of Organized Crime within the Ministry, to serve as a coordinating body for narcotics and human trafficking. The government should enhance its law enforcement collaborations with source, destination, and other transit countries in order to identify and dismantle any trafficking networks and prosecute the criminals behind them.

### ***Protection***

The Government of Egypt does not have a trafficking victim protection program. However, in instances where victims are identified, the government turns them over to their embassies for assistance. Repatriation of trafficking victims continues to be conducted on an ad hoc basis. Egypt

should consider collaborating with IOM to repatriate victims. It should also develop and implement a uniform protection policy.

### ***Prevention***

The Egyptian Government does not have an anti-trafficking prevention program. However, its consular and immigration officials, at home and abroad, are instructed to be on alert for instances of illegal migration and fraudulent travel. As previously mentioned, the government signed a “pledge document” with tribal leaders in the Sinai, to elicit their cooperation in monitoring trafficking routes. Egypt should develop and implement a public awareness campaign to sensitize the general public, vulnerable groups, and government officials.

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## **EL SALVADOR (TIER 2)**

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El Salvador is a source, transit, and destination country for women and children trafficked for the purpose of sexual exploitation. El Salvador is also a source country for forced labor. There are no firm estimates on the size and scope of trafficking in El Salvador. However, there are reports of Salvadorans trafficked to the United States, Canada, Mexico, and other countries in Central America. Salvadoran women and children are trafficked internally for prostitution from the rural and eastern part of the country to urban areas. The vast majority of foreign victims are women and children from Nicaragua and Honduras. There have been past reports of Salvadorans being trafficked to the United States for agricultural labor exploitation.

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. In October 2004, El Salvador passed new anti-trafficking legislation to make trafficking in persons and conspiracy to traffic a felony. That same month, the Border Patrol of the National Civilian Police (PNC) created a special anti-trafficking unit dedicated to investigating trafficking cases. This new unit has stepped up efforts to rescue victims and arrest traffickers. To further its efforts to combat trafficking, the government should establish mechanisms to provide victim protection and services, including assistance for foreign victims. Additionally, increased regional cooperation would enable the government to further investigate trafficking cases that are occurring as part of cross-border migration.

### ***Prosecution***

Aided by a new anti-trafficking law, the Government of El Salvador increased its efforts to investigate, arrest, and convict traffickers during the reporting period. From October 2004 to February 2005, the newly created Police Anti-trafficking Unit arrested 15 traffickers and charged them under the new, more stringent, anti-trafficking law. Prior to the October passage of the new anti-trafficking law in 2004, the government brought cases under existing statutes against 19 traffickers. However, only three convictions were obtained among the 34 trafficking-related arrests. The passage of the new anti-trafficking law gives the government better tools to go after traffickers, and the Attorney General’s office should use it to more aggressively to investigate, prosecute, and convict brothel owners, especially those involved in the commercial sexual exploitation of children.

### ***Protection***

The government provides reasonable protections for Salvadorans, particularly children, but foreign traf-

ficking victims remained relatively excluded from these protections during the reporting period. The government is in the process of amending its immigration laws to comply with treaty obligations respecting the protection of foreign trafficking victims. At the present time, though, illegal adult immigrants, some of whom may be victims of trafficking, face quick deportation as a matter of policy. Despite limited resources, the government's child welfare agency (ISNA) does provide protection, counseling, shelter, and legal assistance to at-risk Salvadoran children, including underage trafficking victims. The newly created anti-trafficking Police unit rescued and turned over to ISNA's care 19 minors between October 2004 and February 2005. The government plans to open a temporary shelter for trafficking victims, but efforts have been slow. Finally, the government is exploring legislation to create a witness protection program that would foster better victim participation in the prosecution of traffickers.

### ***Prevention***

Resource constraints hampered the government's efforts to produce a sustainable anti-trafficking prevention effort over the last year, but the government has in the past aggressively used the media to warn the public about trafficking. The government sponsors programs to promote the participation of women in social, economic, cultural, and educational venues. The government is also supporting after-school activities for children to bind them to their communities and prevent them from falling prey to traffickers, gangs, drugs, and violence.

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## **EQUATORIAL GUINEA (TIER 2)**

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Equatorial Guinea is a transit and destination country for women and children trafficked for the purposes of sexual exploitation, involuntary domestic servitude, and other forced labor. Women and children are trafficked to Equatorial Guinea from West and Central Africa, principally Cameroon, Nigeria, and Benin. Women are trafficked for commercial sexual exploitation in Malabo, where demand is high due to the booming oil sector. Cameroonian and Beninese children are trafficked to Malabo for exploitation as street and market hawkers; Nigerian boys are trafficked to Rio Muni (the mainland) for exploitation as agricultural workers.

The Government of Equatorial Guinea 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 government has made a number of efforts that attest to its commitment to address Equatorial Guinea's small but significant trafficking problem. Most notably, the government passed a comprehensive trafficking law, committed \$3-4 million in funding for UNICEF anti-trafficking projects, began drafting a national plan of action, and started law enforcement efforts to rescue child trafficking victims in Malabo.

### ***Prosecution***

The Government of Equatorial Guinea made significant progress in addressing trafficking through law enforcement measures during the reporting period. The government in September 2004 enacted a comprehensive anti-trafficking law, which was drafted by an inter-ministerial commission on trafficking that had been created in July 2004. The government did not provide comprehensive law enforcement statistics on anti-trafficking activities. However, during the year, the government enforced its law against forced labor and convicted a Beninese woman for holding a 14 year-old Beninese girl in involuntary servitude. The Ministry of Interior in early 2005 embarked on a campaign to rescue foreign children forced to sell products in the Malabo market and on the streets. A

draft national plan of action, which will provide implementation guidelines for the new law, plans to empower dedicated police officers, “fiscals de menores,” to fight child trafficking. There are reports of low-level law enforcement officials’ facilitation of trafficking at the country’s entry points, though there are no known investigations or prosecutions of official complicity in trafficking.

### ***Protection***

The government continued an inadequate level of protection and aid for victims of trafficking over the last year, though it made plans for an improved and systematic approach to victim care. A technical working group that drafted the national plan of action is preparing specific measures for protection of victims, including referrals to existing shelters run by the Catholic Church and possible government-established shelters. Equatoguinean officials recognize the government’s responsibility for caring for the victims of trafficking, whether foreign or indigenous. The government has committed \$3-4 million in funding for UNICEF projects that will protect child trafficking victims and other children in distress.

### ***Prevention***

Equatoguinean government efforts to raise public awareness about trafficking increased significantly over the last year. The government-run radio station in late 2004 conducted a campaign to publicize the new anti-trafficking law and raise awareness of the trafficking issue in general. In June, the government observed the International Day of the African Child by staging the National Forum on the Rights of the Child and Trafficking of Minors, covered by national television and radio. The government in mid-2004 created the country’s Inter-Institutional Commission on Illegal Smuggling of Migrants and Trafficking of Persons, headed by the Second Vice Prime Minister, which coordinates the government’s anti-trafficking efforts.

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## **ESTONIA (TIER 2)**

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Estonia is primarily a source and transit country for a small number of women and children trafficked internally and abroad — to surrounding Nordic and EU countries for the purpose of sexual exploitation. New information shows that Estonian victims include both ethnic Estonians and those that are Russian-speaking natives from the country’s northeast. Victims transiting through Estonia are mainly from neighboring countries, such as Russia and Latvia.

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. The deputy under secretaries of four principal ministries met regularly during the reporting period to coordinate Estonia’s efforts to combat trafficking in persons. In 2004, police raided and closed 28 of an estimated 45 brothels in Estonia. Still, the number of trafficking victims assisted remained low, as did the sentences imposed on convicted traffickers.

### ***Prosecution***

Estonia’s enforcement record improved over the reporting period, from no convictions in 2003 to nine trafficking-related convictions during the reporting period. While this is a significant improvement, only two of the nine convicted are currently serving time in prison. Trafficking in persons is prohibited in Estonia under related criminal articles on enslavement and abduction with maximum penalties of 12 years’ imprisonment. In February 2005, the Government of Estonia prosecuted its first anti-trafficking

case under the enslavement statute, convicting four traffickers and sentencing two of those to four years' imprisonment each and two to sentences of only two years and four months of probation. The courts convicted five remaining persons involved in the case under other statutes such as forcing minors into prostitution and pimping, and sentenced them to conditional probation. Estonian law enforcement investigated an additional ten trafficking-related cases during the reporting period. The Estonian Government incorporated trafficking-specific training at the Police Academy, the Border Guard School, and the Public Service Academy in 2004. Law enforcement officials attended prevention, recognition, and prosecution training events, at which some trained social workers and police to work together.

### ***Protection***

During the reporting period, the Estonian Government continued to increase its funding of crime victim assistance programs that apply to trafficking victims. Each Estonian county has been assigned a Victim Assistant who is able to provide trafficking and other victims access to the public assistance system. Victim Assistants are paired with police and provided space in police prefectures to better assist victims. During the reporting period, one trafficking victim received shelter and three received counseling. Law enforcement officials did not provide clear information on how they deal with foreign trafficking victims, particularly from Russia. In accordance with a Baltic States agreement on witness protection, Estonia provided witness protection to a trafficking victim of a neighboring country in 2004. The Ministry of Foreign Affairs organized consular officer training in April 2004 specifically tailored to teach consuls how to assist trafficking victims.

### ***Prevention***

In its efforts to raise public awareness about trafficking in persons, the Estonian Government in spring 2004 sponsored two essay competitions for young people to write on the issues of prostitution and trafficking. The Ministry of Social Affairs and the Nordic Council of Ministers initiated in May 2004 a public awareness project called, "Drugs, Prostitution, and Trafficking from a Gender Perspective," which demonstrated the correlation of these issues. The government completed its first draft of a national action plan against trafficking in December 2004. In January 2005, the government appointed the Ministry of Justice to lead and coordinate Estonia's anti-trafficking efforts. Estonia's National Roundtable on Trafficking continued to meet, though it was supplanted to some extent by a high-level interagency group comprised of the Ministries of Justice, Interior, Foreign Affairs, and Social Affairs that met on several occasions at the deputy under secretary level.

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## **ETHIOPIA (TIER 2)**

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Ethiopia is a source country for men, women, and children trafficked for forced labor and sexual exploitation. Young Ethiopian women are trafficked to Djibouti and the Middle East, particularly Lebanon, the United Arab Emirates, and Saudi Arabia, for involuntary domestic labor. A small percentage are trafficked for sexual exploitation, with some women reportedly trafficked onward from Lebanon to Europe. Small numbers of men are trafficked to Saudi Arabia and the Gulf states for exploitation as low-skilled laborers. Both children and adults are trafficked internally from rural to urban areas for domestic labor and, to a lesser extent, for commercial sexual exploitation and forced labor, such as street vending.

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. To further its efforts to combat traffick-



ing, the government should put in place laws that prohibit all forms of trafficking, begin compiling comprehensive law enforcement statistics, and launch a nationwide public awareness campaign.

### ***Prosecution***

The government made progress in furthering its anti-trafficking law enforcement efforts over the reporting period. Ethiopia's criminal code narrowly defines trafficking as inducing women or children to engage in prostitution, and cannot be invoked against traffickers for forced labor. Labor traffickers are often charged with enslavement, but this does not cover deceptive or fraudulent work claims made to voluntary migrants. A penal code revision containing provisions that address these loopholes was debated and passed by the Parliament in early 2005. The new provisions will become law in May 2005. During the year, police apprehended 31 traffickers; 30 cases remain under investigation. Prosecutions are pending in 48 prior cases, and Ethiopia reached its first conviction in March 2004, sentencing a man to six months' imprisonment for trafficking two children. In December 2004, police arrested 19 people attempting to traffic more than 200 Ethiopians through Somalia to Saudi Arabia. The victims were returned to their homes and the case is under investigation. The Ministry of Justice introduced new statistical methods to track the outcome of arrests; comprehensive statistics have not yet been produced.

### ***Protection***

Protective services for victims greatly increased over the last year. Staff of Ethiopia's consulate in Beirut increased from two to six persons, all primarily devoted to supporting Ethiopians trafficked to Lebanon. In 2004, the government opened a consulate in Dubai for the same purpose. During the year, the Child Protection Units in each of Addis Ababa's ten police stations monitored for situations of trafficking in persons. Police officers and counselors stationed at the Central Bus Terminal — a known transit point for children trafficked from rural areas — rescued 210 child trafficking victims in 2004. Police officials transferred these children to local NGOs for care; 197 were reunited with their families. The Ministry of Labor provided bus transportation to home villages to 27 trafficked women returning from Yemen.

### ***Prevention***

Ethiopia's anti-trafficking prevention efforts improved during the reporting period. In 2004, the government formed an inter-agency anti-trafficking task force that began developing a national plan for combating trafficking. The task force also formed three subcommittees for legal issues, data collection, and public awareness that analyzed existing studies on the issue and publicized relevant messages through local media. The Ministry of Education, in coordination with IOM, organized group discussions on the topic of trafficking in 200 secondary schools. The government continued its supervision of five legal labor migration firms that are required to provide pre-departure counseling on the trafficking-related risks of overseas employment. During the year, immigration officials began fully enforcing the requirement that workers traveling to the Middle East present a Ministry of Labor-certified work contract before departing.

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## **FINLAND (TIER 2)**

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Finland is a destination and transit country for women and girls trafficked primarily from Russia for the purpose of sexual exploitation. A smaller number of victims are trafficked from other former Soviet states including Estonia, Ukraine, Belarus, Latvia, Lithuania, and Georgia. Finnish authorities in 2004 reported Asian women trafficked to and through Finland by Chinese crime syndicates,

facilitated by the advent of direct air routes with several major Asian cities. Finland is used as a transit point to other EU countries.

The Government of Finland does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government's awareness of trafficking increased greatly in 2004, and Finland laid the groundwork for success with its new National Action Plan to combat trafficking. Unveiled on March 31, 2005, it incorporates comprehensive support services and protection for trafficking victims. To further its anti-trafficking efforts, Finland should convict and penalize traffickers under the August 2004 anti-trafficking law and consider new legislation to clearly define trafficking victims' rights.

### ***Prosecution***

Finland's efforts to improve its law enforcement response to trafficking increased in 2004. Finland enacted legislation in August 2004 criminalizing trafficking in persons. The law covers internal and external trafficking for the purposes of sexual exploitation and forced labor. It carries a maximum penalty of ten years and allows the Finnish police to use electronic surveillance techniques during investigations. While the Finnish courts had no trafficking prosecutions or convictions under the new anti-trafficking law, the police reported three investigations underway. The Finnish police maintained liaison officers in Estonia, Latvia, Lithuania, and Russia that assisted in trafficking investigations as needed. In 2004, the government extradited a Finnish national to Latvia who was convicted and sentenced to prison for trafficking.

### ***Protection***

While Finland continued to lack adequate trafficking victim assistance and protection during the reporting period, the Finnish Government's March 2005 National Action Plan to combat trafficking in persons takes a victim-centered approach; it creates a national assistance coordinator for trafficking victims and guarantees assistance to include temporary residence for victims, a witness protection program for victims and their families, legal and psychological counseling, health and education services, and the right to be employed and earn income while in Finland. The Finnish Government continued to offer in 2004 only limited assistance to trafficking victims. In certain instances potential victims received temporary residency permits in exchange for cooperation with law enforcement, but no system of referring victims to government or NGO shelters existed during the reporting period. Generally, in 2004, Finnish authorities continued to release Baltic nationals without assistance and to deport victims who are Russian nationals. In early 2005, prior to the Plan's public release, the government took action in a suspected case of trafficking involving a busload of several dozen women seeking entry into the Schengen area via Finland. Government agencies sheltered the women at a reception area while authorities interviewed the women and investigated the case.

### ***Prevention***

The Finnish Government improved its trafficking prevention efforts during the reporting period. Finland announced its National Action Plan on trafficking; formal adoption is expected with no objections. Finland officially established its inter-ministerial anti-trafficking working group, and it met regularly. Finland provided a major grant to IOM in 2004 for a counter-trafficking project in Kosovo and Macedonia — one of the largest single grants to a nongovernmental organization ever made by Finland. Through a regional demand-reduction campaign, the government continued to distribute leaflets and posters in airports, harbors, and other ports-of-entry to raise trafficking awareness on the part of Finnish nationals going to red-light districts in other countries, such as Estonia. The government continued to

conduct trafficking awareness campaigns in Finnish secondary schools. In 2004, the government co-hosted two major anti-trafficking conferences for NATO and the OSCE that generated increased media coverage of trafficking.

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## FRANCE (TIER 1)

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France is a destination country for women trafficked for the purposes of sexual exploitation and involuntary domestic servitude, primarily from Eastern and Central Europe and Africa. The number of Chinese women trafficked to France for sexual exploitation increased in 2004. The government estimates that there are 10,000 to 12,000 trafficking victims in France, 3,000-8,000 of whom are children forced into prostitution and labor. Nigerian trafficking networks continued to expand their activities in France. Trafficking of Brazilian women and girls for sexual exploitation to French Guiana — a French possession — remained a serious problem.

The Government of France fully complies with the minimum standards for the elimination of trafficking. Although the government did not provide full data on investigations, prosecutions, convictions, and sentences, the Secretary of State has determined that it has made a good faith effort to do so. The government took important steps to prevent child sex tourism and continued to fund support services for victims. The government must ensure that implementation of the 2003 Domestic Security Law does not result in re-victimizing, punishing, and deporting trafficking victims by improving the screening of foreign prostitutes so that trafficking victims are properly identified and protected from their traffickers.

### *Prosecution*

In 2004 the government continued implementation of the 2003 Domestic Security Law that called for arresting, jailing, and fining trafficking victims as a means of discouraging the operation of trafficking networks and to gain information to pursue cases against traffickers. However, in practice, the law has yet to prove itself an effective addition to French anti-trafficking efforts. It harms trafficking victims and allows for the deportation of foreign victims, regardless of possible threats they face in the country to which they return. Some NGOs voiced concern that the 24-hour period that victims are detained was inadequate to encourage them to assist in investigations and prosecutions. In 2004, the government arrested 3,290 suspected prostitutes and reported that the majority were released; some were administered fines. According to the Justice Ministry, authorities arrested 940 individuals for pimping in 2004, a 33 percent increase over the number in 2003. In 2004, the Government of France continued its bilateral police cooperation on trafficking and took a leadership role in a commission that brings together 13 European countries in an effort to encourage regional cooperation among police, NGOs, and international organizations. There was no indication of trafficking-related complicity among French Government officials.

### *Protection*

The government and city of Paris continued to fund comprehensive services for trafficking victims through the Accompaniment Places of Welcome (ALC), a private association that provided long-term shelter services for victims in metropolitan France and Corsica. An ALC network of 33 shelters across France agreed to provide space for trafficking victims. In 2004, the long-term shelter reported assisting 44 victims across France. All shelters provide judicial, administrative, health, and psychiatric assistance; help in finding a job or training; repatriation assistance; and food and lodg-

ing. The government continued to offer victims three to nine months' temporary residency based on police assessment of needs and victim cooperation. If cooperation led to a conviction, the victim became eligible for permanent residency status. French authorities estimated that 200 trafficking victims were granted temporary residency in 2004.

### ***Prevention***

In 2004, the government continued its efforts to prevent French citizens from engaging in child sex tourism abroad. In September 2004, an inter-ministerial commission, which included NGOs and tourism firms, produced a report containing recommendations on the prevention of child sex tourism. The government continued to fund the NGO-run anti-child-sex-tourism campaign on all Air France flights, warning French tourists against engaging in sex with minors and alerting them that engaging in child sex tourism is a violation of French law. The fight against sexual tourism involving children was a mandatory training component for students enrolled in French tourism schools. During the reporting period, the government developed and produced a public awareness campaign aimed at reducing domestic demand. One component of the campaign included a poster emphasizing that those who engage prostitutes may also be exploiting trafficked victims.

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## **GABON (TIER 2)**

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Gabon is a destination country for children trafficked from Benin, Nigeria, Togo, and Guinea for the purposes of forced labor. Girls are employed in forced domestic servitude, market vending, and roadside restaurants. Boys are forcibly employed in small workshops and as street vendors. Most trafficked children are employed in Libreville, but some are also found in smaller towns in the interior. Victims are typically trafficked into the country by boat and deposited on one of the many deserted beaches where the likelihood of detection is small.

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. For the first time, the government publicly recognized its responsibility to care for foreign trafficking victims found within its borders. As a result, it took unprecedented action to combat child trafficking, evident in the passage of comprehensive anti-trafficking legislation and arrests of alleged traffickers. Gabon is an emerging leader in the fight against human trafficking on the African sub-continent. To strengthen its current efforts to address trafficking, the government should continue to proactively investigate allegations of trafficking in persons, prosecute to conviction alleged traffickers, and equip the stalled inter-ministerial anti-trafficking committee to coordinate the government's activities.

### ***Prosecution***

Law enforcement efforts increased considerably during the year, though no convictions for trafficking offenses were reported. In September 2004, Gabon's anti-trafficking law was ratified by the National Assembly, signed by President Bongo, and promulgated. The law protects children under 18 against all forms of trafficking and provides for prison sentences of five to 15 years and stiff fines. Forced labor, slavery, abduction, and pimping are outlawed by the penal code. During the reporting period, the government actively investigated trafficking cases. In a January 2005 market sweep, the Gendarmes arrested 22 alleged child traffickers, the first trafficking in persons arrests in Gabon. Evidence in eight cases was determined strong enough to require the accused to stand trial and the suspects have been

indicted and remain in custody awaiting prosecution. Four people were arrested in March 2005 on similar charges. In 2004, the National Police and Gendarmes began implementing strict visa and passport policies at the airport, resulting in the denial of entry to many children attempting to enter Gabon by air without the proper visa. The government initiated the creation of a regional law enforcement information-sharing hub on trafficking in persons and allocated to it office space, furniture, and several staff.

### ***Protection***

Gabon's trafficking victim protection services improved during the reporting period. The government fully funds the Agondje reception center for trafficking victims, which provides educational, medical, and psychological services. Children reside in the center until their repatriation is arranged and families are notified. Over 100 victims transited the center in 2004; most returned to their home country within six months. Security forces screened victims based on age; those 16 and under were placed in the government's center and older victims were transferred to a religious charity. The government regularly coordinated with the Nigerian Embassy to house and feed Nigerian victims. During the year, a 16-year-old trafficking victim identified herself to police in a remote part of Gabon; police coordinated her air travel to Libreville and placement in the center. In addition, the government provided office space and paid all operating expenses for the joint UNICEF-government trafficking hotline. The 24-hour hotline received 50 calls each day; an estimated ten per week were trafficking-related and police and UNICEF officials rescued an average of one or two child trafficking victims each week.

### ***Prevention***

The government made appreciable progress in preventing trafficking in 2004. The president publicly led the fight against trafficking, making it a top issue in a number of cabinet meetings. Employees of the Ministry of Justice, through a group of women jurists, organized "town hall" meetings in each Libreville district to publicize Gabon's new anti-trafficking law. Both government and neighborhood leaders participated in these meetings. The government-controlled media — radio, television, and newspapers — extensively covered anti-trafficking stories, including the broadcasting of interviews with high-ranking officials. The Ministry of Education worked with UNICEF to prominently place anti-trafficking posters in government-run schools and other public venues.

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## **THE GAMBIA (TIER 2 – WATCH LIST)**

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The Gambia is a source, transit, and destination country for women and children trafficked for the purposes of sexual exploitation and forced domestic and commercial labor. Sex tourists from European countries such as the United Kingdom, the Netherlands, Sweden, Norway, and Belgium exploit Gambian children. Children are trafficked from other countries in the region, mainly Senegal, Sierra Leone, Liberia, Ghana, and Nigeria, and internally from rural to urban areas, for forced work, including sexual exploitation, begging, street vending, and involuntary domestic servitude. Women are trafficked into The Gambia across its land borders and exploited in prostitution or involuntary domestic servitude. Ghanaian children are also trafficked to The Gambia for forced labor in the fishing industry. Children engage in prostitution in bars, hotels, and brothels with the knowledge of business proprietors and managers.

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. The Gambia is placed on Tier 2

Watch List due to the government's lack of appreciable efforts to identify trafficking situations and prosecute traffickers. The government has made little progress in educating the Gambian public about the dangers of trafficking, particularly the country's internal trafficking problem. The government should develop and implement a national strategy to use available resources to educate its citizens about trafficking, prosecute traffickers, and assist trafficking victims.

### ***Prosecution***

The Gambia continued to lack a comprehensive law prohibiting trafficking and law enforcement mechanisms remained inadequate to address the trafficking problem over the reporting period. Draft anti-trafficking legislation remained pending; existing criminal provisions dealt principally with kidnapping, abduction, child sex tourism, and sexual exploitation of children. Authorities closed their investigation of an early 2004 case involving Ghanaian child victims after claiming they lacked sufficient evidence to prosecute. No information was available to confirm whether police actively investigated complaints of sexual exploitation of minors in prostitution or forced labor over the last year; no new cases or prosecutions were reported. Law enforcement lacked training and resources, and the government had no strategy to collect data. There was no evidence that government authorities or individual members of government forces were involved in, facilitated, or condoned trafficking.

### ***Protection***

Over the last year, the government lacked resources and was unable to provide adequate protection and assistance specifically for trafficking victims. It ran no shelters for trafficking victims and the country had no victim protection in law or practice. The government obtained funding to build a shelter, which, once built, will likely be used for trafficking victims and others in need. Updated information on the February 2004 trafficking case involving dozens of Ghanaian child victims indicated that authorities reunited eight victims with their families and returned 12 to their country of origin.

### ***Prevention***

The government in 2004 conducted some anti-trafficking campaigns that focused on preventing child sex tourism. Leaflets distributed at Banjul's international airport warned foreign visitors against sexually exploiting Gambian children. The government encouraged businesses to train their staffs and sign on to a code of conduct to combat child sex tourism. Other prevention efforts focused on programs to send girls to school and government participation in regional meetings on trafficking. The pending Children's Bill that would specifically outlaw trafficking of children was featured in the Head of State's speech at the National Assembly's opening in March 2005.

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## **GEORGIA (TIER 2)**

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Georgia is a source and transit country for women and men trafficked for the purposes of sexual exploitation and forced labor. Victims are trafficked through Georgia from Ukraine, Russia, and other former Soviet republics to destinations such as Turkey, United Arab Emirates, Greece, Western Europe, and the United States. Evidence suggests there is some internal trafficking within Georgia, though only one case has been confirmed in the last two years.

The Government of Georgia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government took steps to

implement several of its commitments, yet some important pledges remain unfulfilled. The government established and adequately supported a new police anti-trafficking unit, replacing the previous administration's dysfunctional anti-trafficking unit under the Ministry of Interior. In addition, the government revised and publicly endorsed a comprehensive National Action Plan, appointed a primary point of contact for trafficking, and established an interagency commission. The government identified few victims for protection and assistance. The government should take proactive steps to fully implement its action plan, implement and formalize a victim referral mechanism with NGO assistance, ensure increased victim identification, and continue special law enforcement training programs. In addition, the government should ensure that up-to-date, comprehensive law enforcement statistics are collected and disseminated, perhaps via the interagency commission on trafficking.

### ***Prosecution***

In January 2005, the government established and adequately funded a new anti-trafficking unit with a staff of 49 operating in Tbilisi and throughout Georgia. In its first few months the unit investigated 13 cases and arrested 30 traffickers. In one case, the unit arrested some members of an international ring operating in Georgia, Turkey, and Azerbaijan and shared information with law enforcement counterparts in Azerbaijan and Turkey to identify and arrest the Azeri and Turkish traffickers. In 2004, three traffickers were convicted and sentenced to eight to 12 years' imprisonment. The Ministry of Justice has also drafted a new law in collaboration with a legal NGO to address deficiencies in the current legislation, particularly to release victims from criminal liability and assure the right to refuse to give evidence or testimony. Furthermore, the government increased its recognition of trafficking-related corruption and took some action against complicit officials. In August 2004 and February 2005, the government arrested and charged three passport officials with facilitating trafficking.

### ***Protection***

Georgia continued to offer an inadequate level of protection for victims of trafficking during the reporting period. The government maintains no shelters for trafficking victims; however a domestic violence NGO provided temporary shelter for some victims. Although the government failed to create a formalized system for referring trafficking victims to the NGO shelter, police made a number of informal referrals to NGOs and international organizations over the last year. The government established and successfully implemented a policy to protect the identity of trafficking victims. In one case early in the reporting period, police investigators verbally mistreated victims during initial interrogations. The Police Academy has since instituted formal trafficking awareness and sensitivity training for all new officers. Since January 2005, the new anti-trafficking unit successfully identified 15 victims and informally referred them to temporary shelter and other resources.

### ***Prevention***

In 2004, the government initiated some anti-trafficking public awareness efforts and continued to participate in prevention programs including the airing of public service announcements with NGOs and international organizations. Senior government officials spoke out about trafficking and the government's new action plan. Although the government has not yet allocated specific funds to implement the new action plan, several ministries redirected funds from their budgets to underwrite anti-trafficking efforts. The government upgraded and enhanced the security features of Georgian passports to render passport fraud more difficult. After the discovery of four trafficking victims recruited from a specific area, the anti-trafficking unit proactively disseminated information in the neighborhood and in local colleges and schools to educate and prevent possible further victims.

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**GERMANY (TIER 1)**

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Germany is a transit and destination country for persons, primarily women, trafficked mainly from Central and Eastern Europe for the purpose of sexual exploitation. Russia alone accounted for one-quarter of the 1,235 identified victims reported in 2003, the latest year for which statistics are available. For the first time, Germany's statistics included German nationals who numbered 127.

The Government of Germany fully complies with the minimum standards for the elimination of trafficking. Germany improved victim assistance and launched information campaigns against child sex tourism and demand for trafficking victims. Changes to the German Penal Code enacted in February 2005 broadened the definition of exploitation and toughened penalties for those convicted of trafficking-related offenses; there has been insufficient time to gauge the full effects of these legislative reforms.

***Prosecution***

Although the German Government increased funding of anti-trafficking investigative efforts, a significant number of sentences imposed on traffickers remained light. Trafficking investigations rose from 289 in 2002 to 431 in 2003, the latest year for which law enforcement data are available. Of the 145 adults convicted in 2003, only 51 received a non-suspended prison sentence. Changes to the German Penal Code in February 2005 implemented UN and EU guidelines. These amendments criminalized forced labor trafficking, and aiding and abetting trafficking. The Federal Office for Criminal Investigation conducted special training programs for police officers in 2004 in anticipation of the new anti-trafficking legislation, and the Federal Justice Ministry provided trafficking awareness training for judges and prosecutors. The government closed legislative loopholes concerning sexual abuse and rape of children and increased the maximum penalty for aggravated sexual abuse of children from ten years to 15 years in prison. While Germany can prosecute German child sex tourists under its extraterritorial child sexual exploitation laws, the government did not separately track data on those crimes. The German Government and an international NGO concluded a cooperative agreement in February 2004 to strengthen its pursuit of child sex tourism cases. Germany's parliament initiated investigations in 2004 into visa irregularities at the German embassies and overall German visa issuance policy and practices from the late 1990s to 2004.

***Protection***

Germany improved its victim assistance efforts in 2004 by amending immigration and victims' rights legislation. Following a four-week "reflection period," trafficking victims who agree to testify against their traffickers may now obtain a temporary residence permit. The Victims' Rights Reform Law, enacted in September 2004, expanded the rights of crime victims in criminal proceedings, including trafficking victims. The legislation entitles victims to interpreters and allows third parties to be present during police questioning. State governments funded approximately 25 counseling centers to provide assistance and facilitate protection for trafficking victims. In 2003, 1,108 non-German trafficking victims were granted a four-week reflection period and received assistance from specialized NGOs, with another 227 receiving shelter and extended assistance beyond that period. The number of German states with formal agreements among law enforcement and NGOs to improve victim service delivery increased from seven to eight of Germany's 16 states.

***Prevention***

During the reporting period, Germany devoted substantial resources to raising anti-trafficking aware-



ness both within Germany and overseas. The German international aid agency launched new initiatives abroad to assist returnees, to raise awareness among potential victims, and to combat child sex tourism. The Lutheran church, in coordination with the German Family Ministry, held a workshop on demand reduction and distributed leaflets on the responsibility of everyone to fight trafficking. The Family Ministry and an NGO in 2004 produced a film spot against child sex tourism entitled *Words*, which was shown in approximately 200 cinemas and on television. German embassies and consulates continued anti-trafficking outreach activities, such as the distribution of brochures warning about the risks of trafficking in 13 languages.

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## GHANA (TIER 2)

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Ghana is a source, transit, and destination country for women and children trafficked for the purposes of sexual exploitation and forced domestic and commercial labor. Ghanaian children are trafficked internally for forced labor in fishing villages and cocoa plantations, and to urban areas in the south to work in exploitative conditions as domestic servants, street vendors, and porters. Ghanaian children are also trafficked to Cote d'Ivoire, Togo, Nigeria, and The Gambia for exploitation as laborers or domestic servants. Recruiters typically target poor children who are removed from the home community with their parents' consent. Ghanaian women and girls are trafficked to Western Europe — principally Germany, Italy, and the Netherlands — for sexual exploitation. Some young Ghanaian women are trafficked for involuntary domestic servitude in the Middle East. Nigerian females moved to Western Europe for sexual exploitation transit Ghana, as do Burkinabe victims on their way to Cote d'Ivoire. Foreign victims include children brought to Ghana from Cote d'Ivoire, Togo, Benin, and Nigeria for forced labor, involuntary domestic servitude, and sexual exploitation.

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. Ghana continued educating the public and providing assistance to trafficked children and their families, but law enforcement efforts were disjointed and hampered by the lack of a comprehensive national trafficking law. The government should proactively seek the passage and implementation of trafficking legislation planned since 2002, support law enforcement training and resources, and improve victim support services.

### *Prosecution*

The government did not make significant progress in identifying and prosecuting trafficking cases. Anti-trafficking legislation proposed since 2002 did not reach parliament. Laws prohibiting slavery, prostitution, use of underage labor, and manufacture of fraudulent documents exist, but officials did not keep data on internal cases related to trafficking, and could not determine how many of the approximately 250 reported cases of abduction, child stealing, and child abuse involved trafficking. Only Accra district kept conviction data on such cases, and authorities could not confirm which of the six cases prosecuted in the district involved trafficking. Officials investigated six cases through Interpol involving 18 children and eight adults; four of the cases remained pending at year's end and none resulted in a conviction. A prominent Ghanaian official was indicted by a U.S. court in 2002 for trafficking a Ghanaian woman to the United States for forced domestic servitude; a U.S. request for the official's extradition remained pending with Ghanaian authorities. Immigration officers received some training and police sent anti-trafficking notices to border checkpoints, but the government lacked the resources to adequately train law enforcement officials attempting to combat

trafficking. Ghana coordinates with its neighbors, but some officials and NGOs noted gaps in cross-border coordination with neighboring countries.

### ***Protection***

The Government of Ghana provided modest resources for child victims and reunited child victims with their families during the reporting period, but victim needs outstripped resources. The government worked with the IOM to assist 544 child victims rescued from Volta Region fishing villages, and one government-run facility in Accra provided temporary shelter for 35 victims during the reporting period. The government provided some counseling and worked with IOM to offer start-up assistance for resettlement of repatriated children in their home communities. Few officials were trained in recognizing trafficking and providing assistance to victims.

### ***Prevention***

Though resources were scarce, the Government of Ghana remains a leader in Africa for its continued innovative efforts to educate the public. Agencies like the Women and Juvenile Unit of the Ghana Police Service, the Ghana Child Labor Unit, and the Department of Social Welfare held community meetings, distributed handbills in local languages, targeted selected schools for direct outreach, met with parents in source communities, launched a joint program with ILO-IPEC to train parents of former child victims in marketable skills, and tested use of a puppet show to reach illiterate members of the public. In the Upper East Region, the Bawku municipal government coordinated with community watch groups and security services to track child traffickers. Despite these initiatives, many families remain unaware of the exploitation and abuse children risk when lured by promises of work or study away from home.

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## **GREECE (TIER 2 – WATCH LIST)**

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Greece is a destination country for women, men, and children trafficked for the purposes of sexual exploitation and forced labor. Most victims come from Eastern Europe and the Balkans, some transit to other EU countries. Although the number of identified Roma and Albanian child victims decreased, they continued to be trafficked for commercial sexual exploitation and forced labor. Various sources noted a possible new trend of African women trafficked for the purposes of sexual exploitation.

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. Greece is placed on Tier 2 Watch List for a second consecutive year for its failure to show evidence of increasing efforts to combat trafficking, particularly in the area of victim protection and assistance. The government failed to complete an agreement with Albania on child protection and its results on increasing the number of convicted traffickers were inadequate during the reporting period. The government, however, demonstrated commitment to address trafficking by appointing a new coordinator, implementing a new action plan, and allocating significant resources for victim assistance. The government must develop an effective screening and referral process to prevent the involuntary detention and deportation of victims and consider the important role NGOs could play in this process. As previously suggested, a large-scale targeted demand reduction campaign would strengthen domestic anti-trafficking efforts.

### ***Prosecution***

In 2004, the Greek Government showed limited progress in the enforcement of its anti-trafficking

laws. The government conducted a number of anti-trafficking raids, charged 352 perpetrators, and successfully dismantled several criminal rings operating in Greece. During 2004, the government appointed two special anti-trafficking prosecutors and reported 94 prosecutions under the 2002 anti-trafficking law. Conviction rates, however, remained disproportionately low – the government reported a few convictions during the year. Notably, the courts handed down significant sentences in many of those cases and convicted the first traffickers under the government’s 2002 law. Some local police continued to participate in and facilitate trafficking. In 2004, the government took some punitive action against police complicity in trafficking.

### ***Protection***

The government made some progress in protecting victims of trafficking in 2004. The government took important preliminary steps to improve protection by allowing foreign victims the opportunity to obtain residence and work permits- at least 24 permits were issued in 2004. However, potential trafficking victims without legal status continued to be inappropriately arrested and deported; many potential victims possessing legal status were not screened or recognized as having been trafficked. The government allowed only limited NGO access to potential victims in detention facilities. Notably, in 2004, Greece provided over three million Euros to NGOs to provide assistance to trafficked victims, opened three new government shelters and contributed to the operation of four NGO shelters. As of February 2005, the new Athens shelter had not received any referrals, however victims continued to be assisted in NGO shelters. Police were issued instructions to reinforce techniques of identification and assistance, but lack of a adequate referral mechanism continued to result in widely inconsistent, ad hoc referrals. The government also failed to conclude the long-awaited protocol with Albania on the return of child victims. In 2004, the government identified 181 victims of trafficking; 46 of the 181 victims received state and NGO assistance and protection. A special prosecutor issued an order to suspend deportation for 25 victims. NGOs reported that a lack of victim witness protection resulted in harm to some victims while trials were pending.

### ***Prevention***

In 2004, the Greek Government launched a national victim’s hotline and in 2005 co-sponsored anti-trafficking trainings on implementation of its trafficking law. In November 2004, the government sponsored a conference that brought together law enforcement officers from throughout Greece and Eastern Europe to share best practices. It continued to fund anti-trafficking awareness campaigns via NGOs in 2004, some aspects of which targeted clients. As part of its preparations for the 2004 Olympic games, the government readied for a possible increased in trafficking through extensive police patrols, training, and established a legal aid program. Further, the government provided resources to NGOs to conduct street assessments, which led to the identification and repatriation of six trafficked children.

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## **GUATEMALA (TIER 2)**

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Guatemala is a source, transit, and destination country for women and children from Guatemala and other Central American countries trafficked internally and to the United States for the purposes of sexual and labor exploitation. Estimates of the total number of victims are difficult to assess; however, the Government of Guatemala acknowledges that trafficking is a significant and growing problem in the country as well as in the region. Past estimates by reliable sources cite large numbers of minors engaged in underage prostitution (2,000 in Guatemala City alone) throughout the country, with particular concern

in the border area between Guatemala and Mexico. There are also anecdotal reports of forced labor trafficking in the country involving children used in begging rings in Guatemala City. Guatemala is a significant transit country for illegal migration, and many of these individuals may be trafficking victims.

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. Over the reporting period, Guatemala has stepped up its efforts to rescue minors from commercial sexual exploitation in bars, brothels, and other establishments where traffickers are known to operate. On February 22, 2004, the Governments of Guatemala and Mexico formally initiated implementation of the Memorandum of Understanding (MOU) they signed last year to address the cross-border trafficking issues that currently plague that region. Efforts should be increased to rescue minors that are trafficked for sexual exploitation along the border region and also to prevent such minors from being trafficked into other countries where Guatemalan minors are being found, including Mexico, Belize, and El Salvador.

### ***Prosecution***

The Government of Guatemala has mobilized prosecutors and police to implement a new aggressive policy to arrest and prosecute traffickers. Both the National Civilian Police (PNC) and the Attorney General's Office have set up specialized units aimed at combating trafficking throughout the country. Guatemalan authorities, assisted by an NGO, have conducted hundreds of raids of bars, brothels, and other establishments where traffickers are known to be operating. The raids have resulted in 40 arrests and six convictions, an increase in overall law enforcement action seen in the previous reporting period. Additionally, the Guatemalan Congress recently passed legislation that improves the legal framework in the country to increase penalties for traffickers. While progress clearly has been made, long-term sustainable steps should be undertaken to arrest and prosecute traffickers under the new law. Strong efforts should also be taken to fight trafficking-related corruption, including instances of law enforcement officials facilitating cross-border movement and reports of law enforcement officials patronizing brothels. Cross-border cooperation with Belize and Mexico to investigate and arrest traffickers should also be improved.

### ***Protection***

The government continued to refer identified child trafficking victims to NGO shelters and such efforts were expanded during the reporting period. The Secretariat of Social Welfare currently runs one temporary shelter and pledged last year to open a new one in Coatepeque in San Marcos province. Efforts should be made to open this shelter quickly so victims may be assisted. The government still struggles to identify and assist adult trafficking victims, hampering its ability to complete criminal investigations of traffickers. It remains the case that all undocumented foreigners, including trafficking victims, are subject to deportation and given 72 hours to depart; the reality, though, is that many stay in Guatemala. Resource constraints have hampered the Government of Guatemala's ability to assist and repatriate individuals deported from Mexico, many of whom are not Guatemalan, and may be trafficking victims.

### ***Prevention***

The Government of Guatemala continues to struggle (due in large part to lack of resources) to conduct a long-term sustainable prevention campaign. However, the government has undertaken some limited campaigns aimed at warning individuals of the risks of trafficking. Serious and sustainable efforts should be undertaken to implement the MOU signed with Mexico to work on the broad multitude of trafficking problems along the joint border.

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**GUINEA (TIER 2 – WATCH LIST)**

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Guinea is a source, transit, and destination country for women and children trafficked for the purposes of sexual exploitation and forced labor. Guinean girls are trafficked internally for forced labor as domestic servants and boys for shoe shining and street vending. Some children are also trafficked for forced labor in agriculture and diamond mining camps. Women and girls are trafficked to Cote d'Ivoire, Benin, Senegal, Nigeria, South Africa, Spain, and Greece for sexual exploitation. On a smaller scale, men are trafficked for forced labor in agriculture. Guinea is a destination country for forced child labor from Mali, Guinea-Bissau, Sierra Leone, and Senegal.

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. Guinea is placed on Tier 2 Watch List for its failure to show increasing efforts to combat trafficking in persons over the past year. To enhance its trafficking efforts, Guinea needs to work regionally to detect and prevent trafficking from occurring along its borders, increase law enforcement efforts, and implement its national plan to address trafficking in the country, which should include prevention and outreach campaigns.

***Prosecution***

The Government of Guinea showed only minimal law enforcement efforts over the past year. It did not produce any trafficking-related prosecutions or convictions and it continued to lack a clear law enforcement strategy to address trafficking in the country. Efforts to adopt more stringent legal reforms on trafficking-related matters are pending. Currently, Guinean law prohibits forced labor and the exploitation of vulnerable persons for unpaid or underpaid labor. Trafficking in persons carries a penalty of five to ten years' imprisonment and the confiscation of any money or property received for trafficking activities. While law enforcement efforts under these and other laws remained weak, the police dismantled a trafficking ring in 2004 that resulted in the arrest and deportation of 100 individuals. Limited training was also provided to 15 police officers on trafficking-related matters. In an effort to track individuals and hotels suspected of trafficking, the government undertook an effort to register all small hotels. The government is currently negotiating terms of agreements with neighboring countries to facilitate the return of trafficking victims. Corruption remains a problem and impedes cross-border trafficking investigations, yet the government reported no investigations or prosecutions of corrupt officials.

***Protection***

The government, hampered by resource constraints, did not provide adequate protection for victims of trafficking during the reporting period. Victims are usually transferred to NGOs and missionary groups for care and assistance. In a few cases, however, the government was able to provide limited assistance to victims of trafficking, mainly in the form of rescue and referrals to NGOs. The government, in collaboration with an NGO, assisted in the rescue of over 600 children from cocoa and coffee fields.

***Prevention***

The government's prevention efforts remained ad hoc and lacked clear focus during the last year, in large part due to its paucity of resources. Nonetheless, the government did carry out some limited prevention campaigns. The government appointed an official to serve as the anti-trafficking coordinator and drafted a national plan of action on trafficking, which remains largely unimplemented. During the reporting period, the government broadcast a program related to trafficking in women and children and the rights of the child on a state-run television station.

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## GUYANA (TIER 2)

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Guyana is a country of origin, transit, and destination for young women and children trafficked primarily for the purpose of sexual exploitation. Much of the trafficking takes place in remote areas of the country's interior, or involves Amerindian girls from the interior trafficked to coastal areas to engage in prostitution and involuntary domestic servitude. Girls promised employment as domestics, waitresses, and bar attendants are trafficked into prostitution; young Amerindian men are exploited under forced labor conditions in timber camps. Guyanese girls and young women are trafficked for sexual exploitation to Suriname and other countries in the region such as Barbados, Trinidad & Tobago, and Venezuela. Most foreign victims come from bordering regions of Brazil, and may be trafficked through Guyana to Suriname.

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. Guyana showed appreciable progress over the last year, particularly through its enactment of anti-trafficking legislation, improvements in government coordination, and aggressive public awareness campaigns. Guyana should work with NGOs to improve services for victims; it should also more aggressively investigate and prosecute traffickers.

### *Prosecution*

Government law enforcement actions against traffickers remained inadequate despite some progress during the reporting period. The government worked with NGOs and international organizations to draft a comprehensive anti-trafficking law that the National Assembly passed in December 2004. Trafficking convictions now carry sentences ranging from three years to life imprisonment and include confiscation of assets related to trafficking activity. In 2004, authorities arrested and released on bail one suspected trafficker pending indictment; no traffickers were prosecuted or convicted. The government pursued several investigations involving more than a dozen trafficking victims in 2004. Guyanese and Barbadian law enforcement officials worked together on a trafficking case; cooperation with authorities in Suriname resulted in the arrest of a Surinamese public official for trafficking Guyanese nationals for sexual exploitation. There was no direct evidence of official government involvement in or tolerance of trafficking.

### *Protection*

The Government of Guyana made good faith efforts to assist trafficking victims over the last year, though protection of victims remained inadequate. Police initially jailed and fined four victims under immigration laws. The Ministry of Labor, Human Services, and Social Security secured their release after determining the four were victims and not traffickers, and arranged for their repatriation. As a result of this case, the Commissioner of Police and Ministry officials stated that they would coordinate more closely and ensure that victims are referred to the Ministry for assistance. For two Guyanese victims rescued from a remote mining community, the government provided medical attention, housing, and funds to return them to their home communities. Few local NGOs worked directly with trafficking victims and none reported receiving government financial support for anti-trafficking programs during the reporting period.

### *Prevention*

The Government of Guyana made significant progress in public education and awareness during 2004. Senior government officials acknowledged human trafficking as a serious problem. The President appointed a cabinet-level official to coordinate national anti-trafficking efforts. The government launched a National Plan of Action, developed with the participation of local NGOs, that included a

nationwide public awareness campaign with town hall meetings reaching over 3,000 citizens in Guyana's ten regions and anti-trafficking public service messages aired during widely viewed cricket match broadcasts. The government sought international and NGO support for training officials and community leaders due to its inability to financially support such programs.

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## HAITI (TIER 2 – WATCH LIST)

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Haiti is a source, transit, and destination country for men, women, and children trafficked for the purposes of sexual exploitation and forced labor. The majority of trafficking in Haiti involves the internal movement of children for forced domestic labor, referred to as “restaveks.” The “restavek” tradition is widespread in Haiti, and fraught with abuse. It involves situations in which poor mothers give custody of their children to more affluent families, in the hope that they will receive an education and economic opportunities. However, the reality is more often a situation of severe mistreatment, abuse, and long hours of uncompensated hard labor. The Government of Haiti estimates there are 90,000-120,000 children in coercive labor conditions as restaveks, but UNICEF estimates the number is much higher — between 250,000 and 300,000. There is also significant cross-border trafficking between Haiti and the Dominican Republic. Notably, women and girls are trafficked into Haiti for prostitution; Haitians are trafficked to the Dominican Republic for forced labor. Observers estimate 2,500-3,000 Haitian children are trafficked annually into the Dominican Republic. On a smaller scale, Haiti is also a source and transit country for illegal migration, much of it bound for the U.S. and Canada, and some of these illegal migrants may be forced into labor to repay smuggling debts.

The Interim Government of Haiti does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Haiti is placed on Tier 2 Watch List for its failure to show evidence of increasing efforts to combat trafficking in persons over the past year. Since the political crisis in Haiti, the interim government has attempted to address trafficking in the country. However, there is much more that needs to be done and the new government (elections will be held this year) should be committed to addressing these issues, including the large-scale exploitation of restavek children. In the short-term, the interim government should explore ways to enact comprehensive legislative reforms to protect children in the country from trafficking and other abuses, seek out opportunities to cooperate with the Government of the Dominican Republic on cross-border trafficking, and find ways to direct resources to the Brigade for the Protection of Minors (BPM) and the Social Welfare Ministry (IBESR) so they may rescue and protect victims.

### *Prosecution*

The political crisis in Haiti left the country without a truly functioning judicial system, and efforts to prosecute and convict traffickers remained weak during the reporting period. Nonetheless, the Ministry of Justice sent an advisory to judges and prosecutors reminding them of their obligations to enforce existing laws governing minors. Additionally, the BPM has made efforts to investigate trafficking-related matters, but investigations have not resulted in prosecutions or convictions. Legislative reforms and passage of the anti-trafficking law will increase the government's ability to arrest and convict traffickers, but law enforcement efforts will likely remain hampered by a lack of resources, personnel, and equipment. Haiti lacks the capacity to sufficiently monitor its borders and official corruption is endemic and continues to impede anti-trafficking efforts.

***Protection***

The Government of Haiti did not have the resources to adequately protect victims during the last year, and it struggled to protect Haitians who are dropped off at the Haitian border by Dominican officials. IBESR is able to provide some limited care to victims, and it did manage to reopen one shelter in Carrefour during the reporting period. Most other assistance is provided by NGOs and international organizations.

***Prevention***

The government lacked the resources and capacity to carry out prevention campaigns. However, the Interim President of Haiti, Boniface Alexandre, has publicly denounced the restavek practice and called on the interim government to do more. The interim government designated the Ministry of Social Affairs and Labor to coordinate anti-trafficking efforts and there was an increase in the budget in 2005 for trafficking and others matters related to the protection of children. In general, prevention campaigns are carried out by NGOs and international organizations.

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## HONDURAS (TIER 2)

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Honduras is a source and transit country for women and children trafficked for the purpose of sexual exploitation. Many victims are Honduran children trafficked from rural areas to urban and tourist centers such as San Pedro Sula, the North Caribbean coast, and the Bay Islands. NGOs and observers estimate that large numbers of minors are being commercially exploited in Honduras and in many other countries throughout the region. Observers have documented more than 1,000 minors (mostly Hondurans) that were victims of trafficking for the purpose of commercial sexual exploitation in 2003. Honduran women and children are trafficked to the United States, Canada, Guatemala, and most other countries in Central America. Foreign victims trafficked into Honduras for commercial sexual exploitation come from Mexico, Guatemala, Belize, and El Salvador. Honduras is also a transit country for illegal migration originating outside the region, including China, and there are unconfirmed reports that some are forced into debt bondage to pay off their smuggling fees.

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. The government undertook more serious and sustained efforts to prosecute traffickers and rescue minors from commercial exploitation over the last year. Draft amendments to the criminal code that would increase penalties for convicted traffickers are currently pending in the Honduran Congress. Honduras needs to work more vigorously to prevent Honduran women and girls, many of whom are trafficking victims, from ending up in brothels abroad, including working with the Governments of Mexico, Guatemala, and Belize.

***Prosecution***

Honduras continued to lack an anti-trafficking law enforcement strategy and a comprehensive anti-trafficking law during the reporting period, though this did not keep authorities from conducting some raids of establishments where traffickers are known to operate. Honduran courts handed down several trafficking-related convictions over the last year. Additionally, the government reported several trafficking-related arrests and also the closure of seven establishments where trafficking was taking place. However, more serious and sustained efforts need to be made to arrest traffickers who operate underage brothels with impunity. Additionally, the Government of Honduras should take



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more extensive steps to interview and assist adult and foreign victims so they may work with law enforcement officials to prosecute traffickers.

### ***Protection***

The Honduran Government continued to lack a plan to assist trafficking victims, although it referred victims of trafficking to NGOs that offer support services for victims. Additionally, the government has assisted in the repatriation of Honduran victims from Mexico and the United States. Honduran officials have participated in some trafficking-related training to help them better identify victims and prosecute trafficking cases. However, government policy generally remains ad hoc. Greater resources should be directed to shelter and victim services in the country. More efforts should also be made to aid foreign trafficking victims who are currently subject to summary deportation without assistance.

### ***Prevention***

Honduras continued to lack a comprehensive prevention plan during the reporting period. Additionally, a working group of government agencies, international organizations, and NGOs developed a national plan against the commercial sexual exploitation of children and women, and also drafted legislation to strengthen the law against such crime, which is awaiting review by the Supreme Court of Honduras. The government hosted two seminars on the prevention of the commercial exploitation of minors in August 2004 and has plans to hold additional seminars. Honduras needs to increase its border monitoring efforts to interdict traffickers and rescue their victims. Honduras also needs to increase its efforts to prevent women and children from going abroad into situations where they may be trafficked for the purpose of sexual exploitation.

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## **HONG KONG (TIER 1)**

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Hong Kong is a transit and destination territory for men and women trafficked for the purposes of sexual exploitation and forced labor. Hong Kong is primarily a transit point for illegal migrants, some of whom are subjected to conditions of debt bondage, sexual exploitation, and/or forced labor upon arrival in the destination country. To a lesser extent, Hong Kong is a destination for women from the People's Republic of China (P.R.C.) and Southeast Asia trafficked for prostitution.

The Government of Hong Kong complies fully with the minimum standards for the elimination of trafficking. The government continued to implement strong anti-trafficking measures. Through heightened awareness and improved documentation, Hong Kong authorities have improved their ability to identify possible trafficking victims among the large numbers of illegal immigrants. The government maintains effective border and immigration controls, carries out information campaigns to increase awareness of possible trafficking activities, has comprehensive criminal ordinances designed to punish traffickers, and provides access to protective services for trafficking victims.

### ***Prosecution***

Hong Kong has no specific anti-trafficking law, but a range of criminal ordinances are used to prosecute traffickers. Hong Kong authorities reported three trafficking-related cases in 2004, resulting in one conviction. The government has devoted greater resources to monitoring potential trafficking and is taking steps to improve its data-collection capabilities. The government has started to maintain case documentation on the number of illegal migrants who may be trafficking victims. In particular, the Hong Kong

Security Bureau has instructed field offices to identify and carefully document cases in which trafficking is suspected. Law enforcement officers are deployed to monitor borders, airports, flights, and shipping.

### ***Protection***

Hong Kong provides a range of services to trafficking victims through the Social Welfare Department and local NGOs. Regardless of legal status or offenses charged, victims have access to temporary lodging in women's refugee centers, basic necessities, legal and medical services, and a victim support center. Trafficking victims who testify against their traffickers are granted immunity and are repatriated without being charged with an offense. Hong Kong provides foreign domestic workers with access to support services in labor suits. Law enforcement officers and social workers are provided training in the handling of witnesses and victims.

### ***Prevention***

Hong Kong continued its robust prevention programs during the reporting period. The government carried out information campaigns to increase awareness of possible trafficking activities. The government also distributed multi-lingual pamphlets to inform foreign domestic workers of their rights and provided a hotline for foreign domestic workers to call for information about available services and assistance. Authorities regularly shared information on local trafficking and smuggling patterns with the P.R.C. and foreign law enforcement entities.

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## **HUNGARY (TIER 2)**

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Hungary is a transit, source, and destination country, primarily for women and girls trafficked from Russia, Romania, Ukraine, Moldova, Bulgaria, and the Balkans to Europe and North America for the purpose of sexual exploitation. Hungarian victims trafficked to New Zealand and Canada reportedly increased in 2004. Traffickers often target adult female orphans recently released from State institutions, rural young women, and, to a lesser extent, ethnic Roma women. Internal trafficking occurs from areas of high unemployment in eastern Hungary to western Hungary. According to NGOs and media, Hungary may have thousands of women coerced by traffickers into sexual exploitation as a part of a large illegal commercial sex industry.

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 Hungarian Government continued to improve its anti-trafficking policies and law enforcement in 2004, establishing an effective inter-ministerial, anti-trafficking working group as well as an International Trafficking Unit under the National Police. In early 2005, Hungary opened a shelter for trafficking victims. However, the government provided few funds for victim protection and trafficking prevention campaigns, and authorities continued to detain, jail, or deport trafficking victims who were often prosecuted as prostitutes.

### ***Prosecution***

The government showed progress in its law enforcement efforts during the reporting period. Trafficking is criminalized in Hungary with sufficiently severe penalties. In 2004, Hungarian courts initiated 21 trafficking prosecutions and convicted 38 traffickers pursuant to prosecutions initiated in previous years. The government did not report on sentences imposed in 2004. Hungarian law enforcement specialists developed specialized training for police on trafficking investigations and

victims' needs. In 2004, authorities identified and arrested a Hungarian police officer involved in an international trafficking ring. The Hungarian International Trafficking Unit, established in July 2004, assisted several international trafficking investigations with law enforcement agencies from Denmark, Italy, Sweden, Norway, Germany, and Austria. Hungarian authorities arrested and extradited four Romanian nationals involved in trafficking in 2004.

### ***Protection***

The Government of Hungary did not provide adequate resources to assist trafficking victims over the last year; however, in early 2005, it donated the use of a facility to establish a trafficking shelter and prostitute rehabilitation center. Police have already referred three potential victims to the shelter. Victims who cooperate with police and prosecutors are entitled to assistance such as temporary residency status and shelter, although in 2004 the government did not track how many trafficking victims received this status. Hungarian authorities frequently continued to detain, jail, or deport trafficking victims in 2004; victims were often prosecuted as prostitutes. The Victim Protection Office of the Ministry of Interior, which had 51 offices throughout Hungary to assist victims of crimes, assisted 18 trafficking victims during the last two years with limited financial support and one or two days of housing. In February 2005, the Ministry of Interior organized a seminar on crime victim protection for government officials; the seminar covered protection for trafficking victims. Hungarian consular officials continued to receive training on how to identify and assist trafficking victims.

### ***Prevention***

In 2004, the government established an anti-trafficking working group. Its work raised the level of trafficking awareness throughout the government and improved coordination of Hungary's anti-trafficking efforts. While the government conducted no independent anti-trafficking information campaigns, it continued to sponsor trafficking awareness programs for secondary school students. Universities offered anti-trafficking programs; in 2004, these programs reached approximately 200 students studying teaching and social work. At the Hungarian Ministry of Interior's Crime Prevention Academy, the government trained officials from trafficking source countries in counter-trafficking techniques.

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## **INDIA (TIER 2 – WATCH LIST)**

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India is a source, transit, and destination country for women, men, and children trafficked for the purposes of sexual and labor exploitation. Indian men and women are trafficked into situations of involuntary servitude in countries in the Middle East and children may be forced to work as beggars or camel jockeys. Bangladeshi women and children are trafficked to India or trafficked through India en route to Pakistan and the Middle East for purposes of sexual exploitation, domestic servitude, and forced labor. Nepalese women and girls are trafficked to India for sexual exploitation, domestic servitude, and forced labor. India is also a growing destination for sex tourists from Europe, the United States, and other Western countries. Internal trafficking of women, men, and children for the purposes of sexual exploitation, domestic servitude, bonded labor, and indentured servitude is widespread. Numerous studies show that the vast majority of females in the Indian commercial sex industry are currently victims of sexual servitude or were originally trafficked into the sex trade. India is also home to millions of victims of forced or bonded labor.

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 quality and magnitude of the government's anti-trafficking response, particularly in the law enforcement area, are seriously insufficient relative to India's huge trafficking in persons problem. Some important improvements were observed in the efforts of the new government that came into power in June 2004. The Congress-led government has made efforts to consolidate and coordinate central government anti-trafficking efforts through the empowerment of the Secretary for Women and Child Development, who serves as the government's "nodal officer" for anti-trafficking programs and policies. Modest but uneven improvements in anti-trafficking law enforcement efforts were seen in some localities, most notably the cities of Mumbai and Chennai and the states of Maharashtra and Tamil Nadu. The use of fast-track courts was the key to greater prosecutions and convictions in Tamil Nadu while sustaining a high number of trafficking convictions in New Delhi. The March 2005 order by the Home Minister of Maharashtra state to close down "dance bars" — many of which served as prostitution and trafficking outlets — may check a new trend of traffickers favoring this more sophisticated and concealed format for selling victims trafficked for the purpose of sexual exploitation over more blatant brothel-based trafficking.

India is placed on Tier 2 Watch List for a second consecutive year for its inability to show evidence of increased efforts to address trafficking in persons, particularly its lack of progress in forming a national law enforcement response to inter-state and transnational trafficking crimes. The government also lacked a meaningful response to the significant problem of trafficking-related complicity of law enforcement officials. The central government needs to designate and empower a national law enforcement entity to carry out investigations and law enforcement operations against trafficking crimes with nation-wide jurisdiction. This major deficiency was highlighted by state-level law enforcement officials who, at a 2004 conference, pointed to the difficulty in investigating trafficking crimes across state lines and coordinating with other states' police forces in accounting for the low level of trafficking-related prosecutions and convictions in India.

### ***Prosecution***

Overall, Indian anti-trafficking law enforcement efforts remained weak, though notable progress was seen in particular localities. Comprehensive statistics on trafficking-related investigations, prosecutions, convictions, and sentences were not available, though statistics obtained from several key cities and states showed 195 prosecutions and 82 convictions obtained for offenses related to trafficking for sexual exploitation in 2004. An estimated 2,058 prosecutions and 1,051 convictions for child labor offenses were obtained in 2004 throughout India.

India has adequate laws to address trafficking for sexual exploitation of adults and children. The Immoral Trafficking Prevention Act (ITPA) criminalizes the offenses of selling, procuring, and exploiting any person for commercial sex as well as profiting from prostitution. However, Section 8 of the ITPA also criminalizes the act of solicitation for prostitution, which has been used in the past to arrest and punish women and girls who are victims of trafficking. The Inter-Ministerial Committee on Trafficking in Persons has drafted revisions to the ITPA, in consultation with civil society groups, and has submitted these revisions to Parliament for consideration. The revisions would eliminate Section 8, thereby affording victims of trafficking greater protections.

The Juvenile Justice Act of 1986, amended in 2001, provides modest criminal penalties for sexual offenses committed against minors, including the prostitution of children, but provides strong protections

for child victims of trafficking through the oversight of Child Welfare Committees in each state and mandatory care provided in state-approved protection homes.

Indian laws against trafficking for labor purposes, however, are inadequate as they do not offer sufficient criminal penalties for those who are responsible for forced or bonded labor, child labor, and domestic servitude. The Child Labor Act of 1986 has adequate provisions for the freeing and rehabilitation of children found in forced labor conditions, but carries provisions for criminal sentences of a maximum of only three years. Moreover, the enforcement mechanism for this Act appears insufficient – giving the mandate to local Magistrates who are overburdened and ill-trained to carry out the law’s requirements. Similarly, the Abolition of Bonded Labor Act of 1976 provides adequate protections for victims of bonded labor but carries only a maximum sentence of three years’ imprisonment. Few prison sentences have been handed down under this Act. Moreover, the enforcement of this Act is left in the hands of local magistrates who are over-worked and ill-trained to enforce the Act fully and who are charged with the competing mandate of collecting state taxes from the businesses that employ bonded laborers.

Endemic corruption among law enforcement officials impedes Indian efforts to effectively combat trafficking in persons crimes. Many low-level border guards accept bribes or turn a blind eye to cross-border trafficking. Some police officers have been implicated in tipping off brothels to impending raids and profiting from the proceeds of brothels that enslave trafficking victims. As noted, efforts to curb this trafficking-related corruption have been minimal, usually amounting to officers’ transfers or, at best, forced retirement. During the reporting period only two cases of ongoing prosecutions of law enforcement officers for complicity in trafficking were noted. There are also, however, committed police in Chennai, Mumbai, and New Delhi who have worked actively with NGOs to target traffickers and to safeguard victims after their rescue.

In 2004, courts in Mumbai prosecuted 53 persons for trafficking-related offenses, handing down 11 convictions. While this is an increase over 2003, the level of prosecution remains inadequate relative to Mumbai’s role as the largest center for sex trafficking in India. Mumbai lacks special “fast-track” courts for trafficking crimes; consequently, trafficking prosecutions can take as long as eight years, often resulting in acquittals due to lost evidence and unavailable witnesses.

### ***Protection***

The central government continues to show inadequate and uneven efforts to protect victims of trafficking, challenged by the decentralized nature of Indian Government social support programs and limited resources. The Department of Women and Child Development (DWCD) – the central government’s nodal anti-trafficking office – improved coordination of support services delivery through greater coordination with states’ departments of women and child development and civil society organizations. Government-run shelters in some localities, like Mumbai, improved significantly over the last year. Other areas lack government-provided shelters dedicated for trafficking victims. During the reporting period, efforts by state governments to develop formal referral systems — through which police regularly refer victims of trafficking to qualified NGO service providers — improved in some areas, but remained woefully inadequate in other localities. In New Delhi, an innovative program was launched, requiring police to provide trafficking victims with counseling from a qualified NGO within 24 hours. This assured level of protection has led to greater victim cooperation with police in investigating and prosecuting traffickers.

In Mumbai, the state-run “Deonar” home for underage trafficking victims has improved its collaboration with U.S. Government-funded NGOs and, as a result, improved the level of care provided to victims it shelters. Police in Mumbai have adopted policies that show greater care for trafficking victims; the police commissioner has instructed police not to arrest women involved in prostitution for solicitation under India’s anti-trafficking and anti-prostitution law — a punishment that often re-victimized trafficking victims in the past.

### ***Prevention***

In 2004, the new central government made significant progress in improving a coordinated approach to preventing trafficking in persons. A newly installed Secretary for Women and Child Development was designated the nodal officer to coordinate and oversee all anti-trafficking programs and policies. Since her appointment in mid-2004, the Secretary has reinvigorated the National Central Advisory Committee on Trafficking Persons, including civil society organizations and state-level agencies in frank and productive consultations. Under the Secretary’s leadership, the Committee has introduced much-needed revisions to the ITPA and has begun drafting changes to the 1998 national plan of action on trafficking. Through the Committee, the government coordinated more closely with NGOs, on which it relies for the bulk of anti-trafficking prevention activity in India. The Secretary and her staff have traveled widely, training hundreds of state and police officials in over 20 training sessions.

In late 2004, India’s National Human Rights Commission released a lengthy two-year assessment of the trafficking situation in India, including recommended actions for the government to take in preventing future trafficking. The Human Rights Commission also undertook a study of the sex tourism phenomenon in Goa, a popular international tourist destination. The National Commission for Women joined with the Maharashtra State Commission for Women in holding a workshop on sex tourism in that state.

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## **INDONESIA (TIER 2)**

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Indonesia is a source and transit country for men, women, and children trafficked internationally for the purposes of sexual exploitation and forced labor, while the country also faces a significant internal trafficking problem. Indonesian victims are trafficked to Malaysia, Saudi Arabia, Kuwait, United Arab Emirates, Hong Kong, Taiwan, Japan, South Korea, Singapore, and Australia. To a much lesser extent, Indonesia is a destination for women from the People’s Republic of China (P.R.C.), Thailand, Taiwan, Uzbekistan, the Netherlands, Poland, Russia, Venezuela, Spain, and Ukraine who are trafficked for sexual exploitation. Within Indonesia, there is extensive internal trafficking primarily from rural to urban areas for commercial sexual exploitation and for other forced labor such as involuntary domestic servitude.

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. In 2004, the Indonesian Government showed clear progress in applying greater law enforcement efforts to fighting trafficking and assisting Indonesian victims abroad, including migrant workers who had been trafficked. The government significantly increased its convictions of traffickers and adopted standard operating procedures for the protection of victims. In some Indonesian provinces, local governments drafted and enacted new laws and budgeted resources for anti-trafficking programs. Following the tsunami

that devastated Aceh province, the Indonesian Government rapidly responded with appropriate measures to reduce the potential for trafficking of children from the region. While local governments gave greater priority to trafficking, translating national commitment to local action remained a problem. The Indonesian Government can take significant action by passing a strong and comprehensive anti-trafficking law; addressing internal trafficking; recognizing and taking steps to eliminate debt bondage for migrant workers; and arresting and prosecuting officials involved in trafficking.

### ***Prosecution***

The Indonesian Government increased its law enforcement efforts against trafficking during the reporting period. Indonesia does not have a comprehensive anti-trafficking law, but a draft bill is currently pending before Parliament. Although Indonesian law criminalizes trafficking, it lacks a comprehensive definition of the crime. In 2004, the government reported 141 trafficking-related investigations, 51 prosecutions, and 45 convictions. The number of convictions reflected an 80 percent increase over the previous year's performance. Although law enforcement efforts increased, convictions for trafficking-related offenses often carried light sentences, with an average sentence of just over three years' imprisonment. The Indonesian Government cooperated with the Malaysian Government in arresting and prosecuting a major network that trafficked Indonesians into Malaysia for commercial sexual exploitation. Corruption and a weak judiciary remain serious impediments to the effective prosecution of traffickers. The government has recognized that action must be taken against officials involved in trafficking, but has provided little information concerning actions it has taken against corrupt officials who may be complicit in trafficking.

### ***Protection***

In 2004, the Indonesian Government improved its efforts to provide protection to trafficking victims despite limited resources. National and local victim assistance efforts increased, but remained small in comparison to the scope of the problem. Assistance for internal trafficking victims was minimal. The Indonesian Government continued to operate shelters for Indonesian victims of involuntary servitude and commercial sexual exploitation at its embassies and consulates in Singapore, Malaysia, Saudi Arabia, and Kuwait. The government also operates crisis centers inside the country and cooperates with domestic NGOs and civil society organizations that provide services for victims. The Indonesian Government continued to provide training to officials and law enforcement officers in the handling of witnesses and victims. The Women's Ministry also finalized standard operating procedures used to assist trafficking victims in 2004. Although Indonesia's national action plan calls for proper treatment of trafficking victims, implementation varies widely at the local level.

### ***Prevention***

The Indonesian Government made commendable efforts to promote public awareness of trafficking in 2004. The government increasingly used its National Anti-Trafficking Ambassador, a well-known television personality, to raise awareness of trafficking and of the need for more anti-trafficking efforts. Although the government has a limited ability to fund prevention programs, it welcomed international assistance and continued to work with NGOs on anti-trafficking and education initiatives. Most education campaigns focused on warning potential victims about trafficking. Some public education material in the campaign to stop child sex tourism in Batam and Bali contained messages for potential clients of prostitutes. Government-sponsored public awareness campaigns often featured senior officials and included television, radio, and print media.

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## IRAN (TIER 2)

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Iran is a source, transit, and destination country for women and girls trafficked for the purposes of sexual and labor exploitation. Women and girls are trafficked to Pakistan, Turkey, and Europe for sexual exploitation. Boys from Bangladesh, Pakistan, and Afghanistan are trafficked through Iran to Gulf states, where they are ultimately forced to work as camel jockeys, beggars, or laborers. Afghan women and girls are trafficked to Iran for sexual exploitation, and for sexual and labor exploitation in the context of forced marriage. Internal trafficking of women and girls for sexual exploitation and children for forced labor also takes place. The internal trafficking of women and children is fueled by an increasing number of vulnerable groups, such as runaway women, street children, and drug addicts.

The U.S. Department of State's lack of access to Iran prohibits the collection of full and accurate data on the country's trafficking problem and its government's anti-trafficking efforts.

As best as can be determined from the limited information available, the Government of Iran does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In 2004, Iran conducted a study on trafficking of women from border provinces to the Persian Gulf, passed a law against human trafficking, and signed separate Memoranda of Understanding (MOU) with Afghanistan, Turkey, IOM, and ILO. The government should develop and implement a comprehensive anti-trafficking national plan of action and appoint a national coordinator to oversee its overall anti-trafficking efforts. Iran should also take steps to enhance protection measures for trafficking victims, including ensuring that those who are punished for trafficking are not victims.

### ***Prosecution***

Iran made progress in its prosecution efforts during the reporting period. It passed a law against human trafficking. This new law, in conjunction with the prohibition against the trafficking of children, is expected to enhance Iran's overall abilities to combat most forms of human trafficking. In addition, Iran arrested and convicted a woman and her accomplice husband for trafficking young girls and women to work in a brothel in the northern city of Qazvin. It also arrested and convicted 20 members of a human trafficking ring in the city of Bileh Savar. The Iranian Border Force (IBF) arrested over 253 Pakistanis smuggled into Iran, some of them likely trafficking victims. This action showed a lack of adequate screening of illegal immigrants to identify trafficking victims.

### ***Protection***

Iran's protection measures for trafficking victims are weak. It is unclear whether the government distinguishes trafficking victims to provide them protection. The State Welfare Organization for Social Affairs reportedly assists victims and those at risk of trafficking through mobile and fixed social emergency centers. These centers provide counseling, legal services, and health care. The State Welfare Organization also manages temporary shelters for "troubled women" and facilities for young runaway girls. These facilities are available to trafficking victims as well.

### ***Prevention***

During the reporting period, Iran increased its anti-trafficking prevention efforts. It improved its monitoring of the border with Afghanistan and Pakistan and held a conference on human trafficking. Iran also signed separate MOUs with IOM and ILO to enhance the capacity of its institutions and,



among other things, to combat trafficking. Furthermore, Iran is reportedly planning to launch, in collaboration with IOM, public awareness campaigns against the trafficking of women and girls. The State Welfare Organization allocates modest funds to support 41 countrywide centers for street children that deliver care to thousands of children at risk for exploitation.

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## ISRAEL (TIER 2)

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Israel is a destination country for women trafficked for the purpose of sexual exploitation and men and women trafficked for the purpose of labor exploitation. Women from European and former Soviet countries are trafficked to Israel, often through Egypt, and sold to brothel operators, after which they are forced to work off debts through involuntary sexual servitude. Most trafficking victims for sexual exploitation originate from Uzbekistan, Moldova, Russia, Kazakhstan, and Ukraine — with Uzbekistan increasingly becoming the principal source country. In a new trend, traffickers in Ukraine reportedly have begun exploiting an Israeli law that allows all Jews to immigrate to Israel by providing victims with false Jewish identity documents. Most victims of trafficking for the purpose of labor exploitation come from China. Foreign workers from Romania, the Philippines, Thailand, Turkey, Jordan, and former Soviet countries also come to Israel. No reliable evidence exists to indicate how many workers are trafficked. Some trafficked foreign workers suffer from non-payment of wages, threat, coercion, physical and sexual abuse, debt bondage, and restrictions on freedom of movement, including the withholding of their passports.

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. Trafficked workers are often categorized as illegal foreigners, unless — in rare cases — they seek legal action against their traffickers. Israel still lacks a national task force and an official coordinator for the government's anti-trafficking efforts, as the government failed to fund such a position. A de-facto coordinator has continued to work on trafficking in persons by coordinating information and anti-trafficking initiatives between various government agencies and NGOs. The government lacks a law against trafficking for the purpose of labor exploitation, although such a law was drafted in 2003 and awaits approval. The government has not established either a procedure for the systematic identification and referral of trafficking victims to places where they can seek care, or a coordinated and transparent system for the humane repatriation of victims. In 2004, Israel changed the Parliamentary Inquiry Committee on Trafficking in Persons into a Permanent Committee on Trafficking in Persons. This Committee drafted laws to enable closure of brothels, provide national health insurance to trafficking victims, grant witness protection for non-Israeli citizens and residents, and postpone the deportation of trafficking victims.

### ***Prosecution***

Israel showed improvement in its law enforcement response to trafficking during the reporting period. In 2004, the government investigated 602 cases relating to trafficking for sexual exploitation, an increase from the 460 investigations it conducted in 2003; arrested 103 suspects; and handed down 28 convictions, as compared to 13 convictions in 2003. In its response to labor trafficking, the government prosecuted at least two employers for offenses such as withholding of passports and forgery. Israel has no laws against labor trafficking, but can and does use other laws in its criminal code to prosecute labor traffickers for related offenses. The Knesset is considering an anti-labor

trafficking law. In 2004, courts rendered on average stiffer penalties against traffickers, but the judicial process is overburdened with cases, and delays are common. Israel charged a former labor inspector with accepting a bribe, among other charges. The government also indicted a police officer who solicited sexual favors from a trafficking victim and threatened her with arrest and deportation. It also investigated another officer who allegedly extorted payment from a trafficking victim. Reports also indicate that two police officers were criminally charged following complaints against them by foreign workers. Israeli police expanded their anti-trafficking collaborative efforts with the Governments of Ukraine, Bulgaria, and Russia. In addition, the police conducted an unprecedented joint anti-trafficking operation with the Government of Belarus. These efforts resulted in the arrest and indictment in Russia of a trafficking ringleader and his collaborators. An Israeli request for extradition of those indicted is still pending in the Russian Supreme Court. The government should investigate allegations that some manpower agencies facilitate trafficking into Israel.

### ***Protection***

Israel's efforts to care for victims of trafficking remained inadequate during the last year, particularly concerning victims of trafficking for the purpose of labor exploitation. In 2004, Israel expanded the capacity of its only shelter to 50 beds; the shelter assisted 108 trafficking victims of sexual exploitation. With some exceptions, only trafficking victims for sexual exploitation who agree to testify against their traffickers are accorded protection in the shelter. Such victims are now granted visa extensions; work permits; and legal, medical, and psychological services during their stay in Israel. Most trafficking victims in prostitution who are arrested are subsequently deported, as the police do not use a systematic screening procedure to differentiate trafficking victims from violators of immigration laws. In 2004, Israel detained 904 foreign women on charges of engaging in prostitution and deported 796 of them. Those who are victims of trafficking for the purpose of labor exploitation do not receive the same level of protection as do victims of trafficking for sexual exploitation. Most labor trafficking victims who are detained are deported as illegal foreign workers.

The Ramon Unit of the Border Police in 2004 interdicted and rescued 43 women who were attempting to cross the border from Egypt, 36 of whom were being trafficked into Israel for sexual exploitation. Israel also waived court fees for civil suits filed by trafficking victims, published brochures on the rights of foreign workers in English and Hebrew, issued a revised version of a brochure on detainee's rights in 14 languages, conducted two trafficking-related workshops for inspectors, and negotiated with IOM to monitor the employment of foreign workers in Israel. Given the large number of trafficking victims for commercial sexual exploitation, Israel needs to greatly expand the capacity of its only shelter. It also needs to accord to labor trafficking victims protection services similar to those accorded to victims of trafficking for the purpose of sexual exploitation.

### ***Prevention***

The Israeli Government undertook new steps in the area of prevention. The government provided three training sessions for a total of 90 police officers on how to recognize, investigate, and prepare trafficking cases for prosecution. It also conducted anti-trafficking information campaigns in source countries of victims trafficked for the purpose of sexual exploitation by distributing brochures in Russia, Ukraine, Belarus, Kazakhstan, Uzbekistan, and Moldova. In a marked improvement of its efforts to deter and prevent trafficking for labor exploitation, the Israeli Government appointed an attorney to investigate labor law infractions, hired an ombudsman for foreign workers rights, and raised the fines for collecting illegal recruitment fees.

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**ITALY (TIER 1)**

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Italy is a destination and a transit country for women and children trafficked for the purposes of sexual and labor exploitation. Estimates provided by PARSEC a social research institute in Italy indicated 2,000 to 3,000 new trafficking victims in 2004. Victims originated largely from Nigeria, Romania, Moldova, Ukraine, and Albania. Other areas of origin included Russia, Bulgaria, Africa, China, and South America. Although children were primarily trafficked for the purpose of sexual exploitation, there have been reports in the past of children trafficked for sweatshop labor in Italy's Chinese immigrant community.

The Government of Italy fully complies with the minimum standards for the elimination of trafficking. Although the government did not provide full data on investigations, prosecutions, convictions and sentences, the Secretary of State has determined that it has made a good faith effort to do so. In 2004, the government led Europe in the number of trafficking victims protected through special visas and state assistance programs; many of the victims helped were successfully integrated into Italian society. The government's significant role in prevention is commendable; however, it should implement focused demand reduction campaigns to more effectively tackle the demand for trafficking victims within Italy. The government should be more vigilant in screening illegal migrants to determine whether or not they are trafficking victims. The government must provide comprehensive, national level enforcement statistics to demonstrate appreciable progress.

***Prosecution***

The government failed to provide updated, centralized law enforcement statistics for 2004; thus, whether or not there was improvement in its anti-trafficking efforts is unknown. Available statistics from 2003 show 328 arrests, an increase from 209 in 2002. Between 2002 and 2003, the government reported 41 lower court convictions. In 2004, Italian authorities successfully cooperated with law enforcement counterparts in Brazil and Cambodia to shut down child sex tourism involving Italian citizens. There continued to be some isolated reports of local and border officials accepting bribes and facilitating trafficking; however the government took measures to mitigate this by rotating officers off patrols for controlling prostitution.

***Protection***

In 2004, the Italian Government continued and expanded its strong efforts to provide comprehensive protection and reintegration aid to trafficking victims. The Ministry of Equal Opportunity spent over four million Euros on 69 projects to assist 8,600 women victims in 2004, an increase from the 6,086 assisted in 2003. Under Article 18 of Italy's anti-trafficking law, 1,940 victims, including 118 minors, entered social protection programs in 2004, a nine percent increase from 2003. NGOs, with government funding, provided literacy courses for 440 victims and vocational training for 431; they helped 389 victims find temporary employment and another 944 find permanent jobs. IOM and others considered the government's Article 18 to be a model for other EU countries. The government continued to implement tough immigration laws in response to a significant influx of illegal immigrants. As a result, there were continued reports of authorities inadvertently deporting potential victims before they could be adequately screened and identified as having been trafficked. In 2004, the government funded voluntary repatriation and six month reintegration assistance for 66 victims.

***Prevention***

In 2004, the government funded a number of public awareness initiatives that included brochures,

posters, bumper stickers, and popular media ads. One television ad highlighted demand by targeting domestic customers in order to emphasize the link between trafficking and prostitution. Italian authorities successfully conducted joint border patrols and training with Slovenia and Albania, reportedly decreasing trafficking flows across the Adriatic Sea. Italy continued to provide bilateral and multilateral assistance for programs in source countries; in 2004, the government funded outreach campaigns in Bosnia and Herzegovina, Bulgaria, Croatia, and Hungary.

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### JAMAICA (TIER 3)

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Jamaica is a source country for children trafficked internally for the purpose of sexual exploitation. A 2001 ILO report cited that more than 100 minors, both boys and girls, are involved in Jamaica's sex trade. Precise numbers of trafficking victims are difficult to establish due to the underground and under-acknowledged nature of trafficking in the country. Victims often travel from rural areas to urban and tourist centers where they are trafficked into prostitution sometimes with the encouragement or complicity of their families. Jamaica is a transit country for illegal migrants moving to the U.S. and Canada; some may be trafficking victims. Jamaicans are also trafficked into forced labor in the United States.

The Government of Jamaica does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Jamaican officials failed to undertake any significant efforts to arrest and prosecute traffickers who target children. The government in March 2004 passed the Child Care and Protection Act and has conducted an associated nationwide campaign related to some aspects of the law. However, some of the Act's provisions have not yet been implemented. Additionally, there was no discernable action taken against traffickers who sexually exploit children. Jamaica needs to increase its efforts to create mechanisms to report crimes, ensure the safety of victims, and effectively prosecute and convict traffickers. Additionally, actions should be taken against corrupt officials who are facilitating the unauthorized international movement of persons.

#### *Prosecution*

Jamaica's law enforcement efforts during the reporting period were weak and did not target traffickers. The government's law enforcement strategy against child sex trafficking was based upon the 2004 Child Care and Protection Act, which does not address the problem in sufficient depth. There have been no substantial law enforcement steps taken to identify and investigate trafficking cases under the Act, although the Act has been invoked numerous times to prosecute and convict cases of child abuse and other violations of children's rights. However, there were no reported trafficking-specific investigations, arrests, prosecutions, or convictions over the past year. There has been some limited training for police on the rights of the child as provided for under the Child Care and Protection Act and the IOM provided anti-trafficking training to Jamaican officials. The government also worked with the IOM to enhance its ability to detect transnational trafficking and implemented an island-wide passenger entry and exit system.

#### *Protection*

The government's efforts to protect victims of trafficking during the last year remained ad hoc, and there is no formal policy for protecting child trafficking victims. Social services provide care to the needy and vulnerable, including children removed from trafficking situations. The government's Child

Development Agency, which oversees facilities for at-risk children, and the Bureau of Women's Affairs each maintain a network of shelters that may be used for trafficking victims. The government also helps to negotiate funding for NGOs that support children who are vulnerable to trafficking. The new Child Care Protection Act has a mechanism for the reporting of abuses against children; however, this Children's Registry has not yet been implemented. Efforts should be increased to ensure that the legislation is used forcefully to protect children who are being sexually exploited in the country.

### ***Prevention***

The Child Development Agency, created in 2004 as an executive agency, and the Bureau of Women's Affairs are actively involved to promote the rights of women and children in the country, though neither has specific anti-trafficking prevention programs. In general, government officials recognize that children in poverty are vulnerable to trafficking and have expressed a commitment to do more, but government commitment is hampered by resource constraints and a lack of political will. A campaign was carried out to inform the public on the new Child Care and Protection Act, which included provisions to protect trafficking victims and prosecute offenders.

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## **JAPAN (TIER 2)**

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Japan is a destination country for a large number of Asian, Latin American, and Eastern European women and children who are trafficked for the purpose of sexual exploitation. There have also been cases of Asian and Latin American men trafficked to Japan for criminal, labor and/or commercial sexual purposes. Japanese organized crime groups (yakuza) that operate internationally are involved in trafficking.

The Government of Japan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government has made an impressive start in providing assistance to trafficking victims, including implementation of a national action plan with modest, additional resources for government-run shelters and private shelters. The government made substantial efforts to improve the legal framework by drafting penal code revisions which specifically criminalize trafficking and increase penalties for trafficking-related offenses. During the reporting period, the government undertook major reforms to significantly tighten the issuance of entertainer visas to women from the Philippines, a process used by traffickers to enslave thousands of Philippine women in Japan each year. Japan continued to provide support for international anti-trafficking programs and conferences. The foundations that the Government of Japan has laid in the past few months offer promises of results that would place Japan in a leadership role in fighting trafficking.

### ***Prosecution***

Japan increased its law enforcement efforts against trafficking during the reporting period. The government uses the penal code and a variety of labor, immigration, and child welfare/protection statutes to prosecute trafficking-related offenses. While Japan's current laws provide for up to ten-year prison terms and steep fines, actual penalties thus far have been much less severe. The government has drafted revisions to the penal code that specifically criminalize trafficking and increase penalties for trafficking-related offenses. Japan's National Police Agency (NPA) reported 58 arrests and 48 prosecutions in 2004, reflecting a significant increase over the previous year's performance. The NPA improved its handling of trafficking cases and provided guidelines on victim

identification and treatment to local police forces. The NPA also took concrete steps to increase cooperation with foreign law enforcement agencies on trafficking cases.

### ***Protection***

In 2004, the government improved its efforts to protect victims of trafficking. Twenty-two trafficking victims were provided government protection from January through October 2004, a dramatic increase over the previous year. The government implemented a national action plan that provides additional resources for victim protection in government-run shelters and private shelters.

Trafficking victims are no longer treated as criminals, and a short grace period allows the government time to develop its cases against traffickers. Japanese authorities referred trafficking victims to government-run prefectural domestic violence shelters and NGO facilities. While the government's prefectural shelters are now open to foreign trafficking victims, few victims use the shelters for fear that they would be sent to an immigration detention center and then deported. The prefectural governments of Tokyo and Kanagawa continued to provide modest funding to NGOs operating shelters for trafficking victims in those prefectures.

### ***Prevention***

The government continued its efforts to raise public awareness of violence against women and trafficking. The NPA produced a training video on trafficking and distributed it to all police offices to improve their awareness of trafficking. The government also took major steps to significantly tighten the issuance of entertainer visas to women from the Philippines, a major source of trafficking victims. The government continued to provide support for international anti-trafficking programs to alleviate poverty, raise awareness of the dangers of trafficking, and promote alternative economic opportunities for women. The government, however, has yet to make a significant effort to lessen the domestic demand for trafficking victims.

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## **KAZAKHSTAN (TIER 2)**

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Kazakhstan is a source, transit, and destination country for people trafficked for the purposes of sexual exploitation and forced labor. Kazakhstani men, women, and children are trafficked to the United Arab Emirates (U.A.E.), Turkey, Israel, South Korea, Greece, Cyprus, Russia, Syria, and Western Europe. Persons from other countries in Central Asia, particularly Uzbekistan, are trafficked through or to Kazakhstan primarily for forced labor in construction and agriculture. Internal trafficking occurs from rural to urban areas for the purposes of both sexual and labor exploitation. Small trafficking rings, employment and travel agencies, and marriage brokers are often involved in trafficking individuals out of Kazakhstan.

The Government of Kazakhstan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Kazakhstan's interagency National Working Group on Trafficking in Persons met regularly and made progress in implementing the National Action Plan adopted in February 2004. The government incorporated anti-trafficking curricula at high schools and universities, and local governments and NGOs throughout Kazakhstan concluded formal agreements of cooperation. The government should adopt amendments it has drafted to strengthen its anti-trafficking legislation, support legislative and prosecutorial initiatives to increase convictions and penalties, and considerably increase funds for trafficking victim assistance and prevention programs.

***Prosecution***

The Government of Kazakhstan increased its convictions of traffickers during the reporting period, although prosecution numbers remain low relative to the size of the problem. The Kazakhstani Criminal Code covers trafficking for the purposes of sexual or other exploitation both internally and abroad. The government has drafted a set of amendments to strengthen anti-trafficking legislation by more clearly defining trafficking, increasing penalties, and improving protection of victims. Law enforcement conducted 27 trafficking-related investigations during the last year. The courts prosecuted 14 cases and convicted 12 traffickers. However, only five of these traffickers are currently serving prison time; the rest received suspended sentences. Among other training events, the Ministry of Internal Affairs held a conference on trafficking in December 2004 for law enforcement from all parts of the country. In 2004, Kazakhstan cooperated on trafficking investigations with Uzbekistan, Russia, and the U.A.E. Evidence exists of some government officials' complicity in trafficking. During the reporting period, the government investigated two higher-level officials suspected of aiding trafficking rings.

***Protection***

Kazakhstan increased its efforts to protect trafficking victims in 2004; however, protection and assistance to victims remained inadequate mainly due to lack of government resources. The government grants temporary residency to identified trafficking victims to ensure safe repatriation or participation in criminal proceeding against their traffickers, though this residency is not specifically guaranteed by law. Local law enforcement officials have a mechanism to refer victims to crisis centers and shelters based on formal agreements with NGOs. The government provided a small amount of funding to the Union of Crisis Centers in 2004, whose member NGOs run nationwide trafficking hotlines and shelters to assist all types of victims, including trafficking victims. In the city of Ust-Kamenogorsk, the local government provided room, board, and protection for trafficking victims, in conjunction with a local NGO. Shelters reported effective coordination with local law enforcement to increase patrols and respond quickly to calls. The Ministry of Foreign Affairs assisted in the repatriation of 36 Kazakhstani citizens from abroad, up from 24 in 2003.

***Prevention***

Public information about trafficking and education campaigns sponsored by the government has led to greater awareness of the risks of traveling abroad for employment. The government incorporated an anti-trafficking component into curricula at high schools, vocational schools, and universities, and required private and state television and radio stations to broadcast anti-trafficking public service announcements. The government covered the costs of disseminating information packets to media outlets with information on assistance hotlines and government efforts to combat trafficking. Law enforcement agencies continued to undertake unannounced inspections and investigations of travel and employment agencies. Kazakhstan's National Action Plan is publicly available and lays out a multi-year strategy to combat trafficking.

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**KENYA (TIER 2)**


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Kenya is a source, transit, and destination country for men, women, and children trafficked for the purposes of forced labor and sexual exploitation. Kenyan children are internally trafficked for forced domestic servitude, street vending, agricultural labor, and sexual exploitation. Children are also trafficked to Kenya's coastal area, where they are sexually exploited in a nascent coastal sex

tourism industry catering to foreigners. Kenyan women are trafficked to the Middle East, other African nations, and Western Europe for forced domestic labor and sexual exploitation. Burundian and Rwandan children are trafficked to Kenya for sexual exploitation and unpaid domestic labor. Asian nationals, mainly Chinese women, are reportedly trafficked through Nairobi to Europe. Southeast Asian nationals are coerced into accepting circumstances of bonded and unpaid labor in Kenya's construction and garment industries.

The Government of Kenya does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. To advance its anti-trafficking efforts, the government should prosecute suspected traffickers and increase protective services for children found in situations of prostitution.

### ***Prosecution***

The government noticeably expanded its anti-trafficking law enforcement efforts over the reporting period. The constitution prohibits slavery and the penal code outlaws forced detention of women for prostitution, abduction, and labor as well as sexual exploitation of children. Investigations into over 20 cases of trafficking are ongoing, including one involving suspected trafficking of Kenyan children to Tanzania. In mid-2004, the Kenyan Police Service (KPS) launched a ten-person Human Trafficking Unit (HTU) to undertake investigations. The HTU began investigating an alleged child trafficking ring operating between Kenya and the U.K., and it sent investigators to the U.K. to interview suspects. In May 2004, the Department of Immigration detained, interrogated, and deported a South Korean national on the basis of enhanced border controls adopted in part to combat human trafficking. The HTU conducted surveys of individuals and establishments suspected of involvement in trafficking, including brothels, massage parlors, and foreign employment agencies. The government sent seven officials to a regional training session on human trafficking and held a one-day workshop on trafficking surveillance at the borders.

### ***Protection***

The government's assistance to trafficking victims increased during the reporting period. In 2004, the government implemented a registration program requiring owners of tourist guesthouses to identify and account for all workers. Subsequent investigations resulted in the closure of eight guesthouses and assistance to seven foreign children. A local NGO, with some assistance from the government, repatriated ten Kenyan trafficking victims from Germany. The Ministry of Labor's office in Saudi Arabia continued to pursue cases of Kenyan nationals exploited by their employers. With significant NGO assistance, Kenyan diplomats also sought to assist a Kenyan trafficking victim in Bahrain. The government provided street children involved in commercial sexual exploitation with shelter and medical care. Additionally, under an ILO program to prevent worst forms of child labor, the government continued implementing reforms in this sector, including the rescue of at-risk children from the streets and subsequent provision of vocational and educational training.

### ***Prevention***

During the year, the government initiated broad measures focused on the prevention of trafficking. The KPS, in conjunction with the Ministry of Information, conducted background and on-the-record interviews with Kenyan daily newspapers to increase awareness of regional human trafficking trends and seek public assistance with ongoing investigations. The government widely distributed a human trafficking brochure that increased awareness of the issue among ministry officials. A Ministry of Tourism official presented a report on the sexual exploitation of children in the tourism industry and officials met with coastal tourism boards in order to explore the implementation of a future code of conduct guarding



against sex tourism. The Ministry of Labor continued its inspection of employment agencies that facilitate overseas employment for Kenyans and provided mandatory pre-departure counseling to citizens departing for work abroad. Government officials spoke on human trafficking at civil society-hosted seminars. In December 2004, the government held its first inter-ministerial meeting on trafficking in persons.

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## REPUBLIC OF KOREA (TIER 1)

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South Korea is a source, transit, and destination country for women who are trafficked for the purpose of sexual exploitation. Women from Russia, the People's Republic of China (P.R.C.), the Philippines, Thailand, and other Southeast Asian countries are trafficked for commercial sexual exploitation to South Korea. Korean women are trafficked to Japan and to the United States, sometimes via Canada, for exploitation in prostitution. In recent years, the Government of the Republic of Korea has taken significant steps to address the problem, including through tightening of enforcement and an ambitious legislative campaign aimed at curbing trafficking and exploitation of women.

The Government of the Republic of Korea fully complies with minimum standards for the elimination of trafficking, and has recently taken measures to demonstrate its commitment to resolving the problem. The government has shown a steady commitment to support victims, prosecute traffickers, and strengthen national laws. In 2004, the South Korean Government showed leadership by passing and implementing sweeping anti-trafficking and anti-prostitution laws, which provided stiff sanctions for trafficking and prostitution and established an infrastructure of social, legal, and medical support for victims. The government has also coordinated closely with United States Forces Korea (USFK) in developing and implementing policy that addresses the problem of sexual exploitation of women in the Republic of Korea in areas surrounding USFK bases. Due to their leadership in tackling demand, the government recognizes that it must also make efforts to provide more education and vocational training for thousands of women who have been trafficked for commercial sexual exploitation.

### *Prosecution*

The Government of the Republic of Korea (R.O.K.) made greater efforts to prosecute trafficking-related cases over the last year. R.O.K. authorities used several statutes including the Criminal Code, the Law on Juvenile Protection, and the Act on Additional Punishment for Specific Crimes to prosecute traffickers. During the reporting period, the Ministry of Justice conducted 536 trafficking-related investigations, resulting in 71 prosecutions and 144 people currently serving sentences. The government implemented a new anti-trafficking law, the Act on the Punishment of Intermediating in the Sex Trade and Associated Acts, which provided for punishment of trafficking for commercial sexual exploitation and authorized the seizure of assets acquired through trafficking. The new law punishes those who use threats, violence, or debt bondage to force people into prostitution and declares that victims' debts to their employers are invalid. Punishments under the new law include up to ten years' imprisonment and fines of up to \$86,000. In 2004, the Korean military and the Korean National Police Agency (KNPA) continued their cooperation with the USFK in identifying brothels suspected of exploiting trafficking victims and barring U.S. soldiers access to them.

### *Protection*

During the reporting period, South Korea continued to provide strong protective measures for trafficking victims. The government demonstrated the political will to combat trafficking and applied more

resources to protect trafficking victims. The 2004 Act on the Prevention of the Sex Trade and Protection of its Victims authorized the establishment of assistance facilities and counseling centers to help victims reintegrate into society. Over the past two years, the South Korean Government has established 38 shelters for Korean victims of trafficking and two shelters for foreign victims. During 2004, a total of 505 women were sheltered in these facilities, which provide psychological counseling, board and lodging, vocational training, and legal aid. The government also provided significant funding for NGOs providing assistance to trafficking victims. In 2004, the Ministry of Gender Equality (MOGE) provided \$4.67 million to these NGOs. For foreign trafficking victims, the Ministry of Justice granted G-1 visas or suspensions of departure, which prevented victims from being deported from South Korea and encouraged them to cooperate with efforts to prosecute their traffickers. The government also took measures to protect trafficking victims who cooperated in prosecutions by prohibiting the disclosure of the victim's identity and allowing a closed-door hearing.

### ***Prevention***

The R.O.K. continued to expand its prevention efforts in 2004. The MOGE and the KNPA carried out regular briefings, policy seminars, and media interviews on trafficking. The MOGE worked with NGOs on a public education campaign to raise awareness among victims of their rights under the new anti-trafficking and anti-prostitution laws and established a hotline for trafficking victims that included English, Russian, and Chinese interpretation services. The KNPA distributed educational materials to foreign women working in entertainment venues informing them of their rights and how to report any abuses.

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## **KUWAIT (TIER 3)**

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Kuwait is a destination country for men, women, and children trafficked primarily from Bangladesh, India, Indonesia, Pakistan, the Philippines, and Sri Lanka for the purpose of labor exploitation. Some foreign women who migrate legally to Kuwait as domestic workers are subsequently abused by their employers or coerced into situations of debt bondage or involuntary servitude. Some domestic workers are trafficked within the country for sexual and labor exploitation. Some underage boys from South Asia, the Sudan, Yemen, and Eritrea are trafficked from neighboring Gulf States to work as camel jockeys. Victims suffer debt bondage, involuntary sexual servitude, coerced labor, verbal and physical abuse, and the withholding of their passports or other required travel documents.

The Government of Kuwait does not comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Over the last year, the government failed to take significant steps to address trafficking, particularly efforts to prosecute trafficking crimes and protect victims. It did, however, in 2004 establish a law banning the employment of children as camel jockeys, and welcomed opportunities to cooperate with the U.S. on anti-trafficking activities. The Government of Kuwait issued public declarations against trafficking, but there is no evidence of judicial action against traffickers, despite ongoing reporting of physical and sexual abuse of domestic workers, physical abuse of laborers, and physical abuse and exploitation of trafficked child camel jockeys. Kuwait should take immediate and significant steps to stop these abuses by investigating, arresting, and prosecuting those that are criminally implicated. The government should take immediate and verifiable actions to rescue, repatriate, and reintegrate children trafficked as camel jockeys. Camel racing is not a major sport in Kuwait; therefore, the number of camel jockeys in the country is not large. Kuwait should also take steps to protect the rights of its huge domestic workforce by

extending them protection under Kuwait's labor laws or through other appropriate mechanisms. Additionally, the government needs to develop and implement tools such as an anti-trafficking national plan of action, comprehensive anti-trafficking legislation, and prevention and protection measures that include broad anti-trafficking public campaigns.

### ***Prosecution***

During the reporting period, Kuwait took limited actions to investigate and prosecute traffickers. Kuwait does not have a law specifically prohibiting trafficking in persons; however, it has used existing statutes to prosecute some trafficking and related crimes. Penalties range from three to ten years imprisonment for kidnapping or inducing prostitution to capital punishment for rape. In 2004, the Ministry of Social Affairs and Labor, referred more than 2,000 labor disputes — 20 percent of the total complaints received — to the Prosecutor General for review, but the final disposition of these cases is unknown. Despite a law banning the employment and exploitation of foreign children as camel jockeys, the practice unofficially continues and there is no evidence of prosecution of these offenses. In 2004, Kuwait enacted statutes that require tracking payment of wages by employers. It also prohibited the practice of deducting three month's salary from newly arrived employees to cover recruitment expenses. However, the governmental body charged with enforcing this provision is not adequately staffed.

### ***Protection***

Kuwait made minimal efforts to protect trafficking victims over the last year. Domestic workers are not covered by Kuwait's Labor Law and, as a result, lack adequate legal protections. The government continues to detain, jail, and deport trafficking victims caught violating other laws material to their trafficking (e.g. violating immigration laws). The police continued returning some victims to their abusive employers. Occasionally, the government provided limited financial aid to victims, including airfare or chartering aircraft for repatriation, but it did not provide shelter or temporary residence permits to allow victims to pursue criminal or civil complaints against abusive employers. There is no evidence that during the reporting period the government rescued and repatriated any child camel jockey trafficking victim.

### ***Prevention***

In 2004, Kuwait initiated efforts to prevent trafficking. In March 2004, the Government of Kuwait established an inter-ministerial taskforce to address problems related to expatriate manpower agencies and domestic laborers. The Ministry of Interior oversees the Immigration Intelligence Department and the Domestic Labor Administration, which license, monitor and inspect recruitment agencies that bring in foreign workers. The Kuwait Union of Domestic Labor Offices (KUDLO), an association of labor recruitment agencies, worked with the government to ensure the passage of statutes designed to prevent exploitation of incoming domestic workers. Additionally, in an effort to minimize labor disputes, the Union produced and distributed brochures highlighting the rights and obligations of domestic workers and employers, provided basic training and orientation to prospective employees in household work, and facilitated change of employers for some domestic workers.

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## **KYRGYZ REPUBLIC (TIER 2)**

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The Kyrgyz Republic is a source and transit country and, to a lesser degree, a destination country for persons trafficked for the purpose of labor exploitation – to Kazakhstan and Uzbekistan for agricultural labor; to Russia for labor in agriculture, industry, commerce, and construction; and to China for

bonded labor. Kyrgyz women and girls are trafficked for the purpose of sexual exploitation to the United Arab Emirates (U.A.E.), China, South Korea, Turkey, Greece, Cyprus, Thailand, and Syria. Researchers in 2004 concluded that 80 percent of Kyrgyz women trafficked abroad for sexual exploitation ended up in the U.A.E. Smaller numbers of trafficking victims transited the Kyrgyz Republic from Uzbekistan and South Asia to Russia, Turkey, and Europe. In 2004, the Kyrgyz Republic was a destination country for Uzbek women trafficked for sexual exploitation. Internal trafficking occurred from poor, rural areas to larger cities. An estimated 295,000 Kyrgyz migrant laborers work illegally in Russia, making them vulnerable to being trafficked.

The Government of the Kyrgyz Republic does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government adopted a new comprehensive anti-trafficking law in January 2005 and focused its prevention efforts on protecting migrant laborers abroad. While the government's victim protection efforts remained lacking, it donated space for a trafficking shelter. The government should amend the Kyrgyz Criminal Code to bring its new anti-trafficking law into force and update its 2002 to 2005 Action Plan to Combat Trafficking in Persons.

### ***Prosecution***

The Kyrgyz Government improved its law enforcement efforts with the May 2004 creation of a dedicated anti-trafficking enforcement unit, formed from a unit previously established in June 2003.

Authorities produced 31 indictments and 17 convictions for trafficking-related offenses, including recruitment for sexual or labor exploitation and marriage to underage persons. Three of these convictions fell under the Kyrgyz Republic's 2003 amended criminal code criminalizing trafficking in persons; information on sentences in these cases was not available at the time of this report. The Kyrgyz anti-trafficking law prohibits all types of trafficking with sufficiently severe penalties. Over the last year, authorities shut down seven recruitment agencies and investigated eight more for illegally recruiting people to work abroad. Allegations continued of corruption and perceived tolerance of trafficking by some low-level officials, though the government reported no officials prosecuted for complicity in trafficking crimes. Kyrgyz law enforcement officials established contacts in 2004 with counterparts in South Korea and the U.A.E., and pursued joint trafficking investigations with Azerbaijan and Ukraine.

### ***Protection***

The Kyrgyz Government's efforts to assist and protect trafficking victims remained inadequate during the reporting period, though NGOs reported an increase in victim referrals by law enforcement officials. In October 2004, the government donated space for a trafficking shelter in Bishkek. In January 2005, the parliament adopted a new comprehensive anti-trafficking law giving immunity from prosecution to trafficking victims who cooperate with investigators. However, this provision and other new legal guarantees for victims require corresponding changes to the criminal code, which are pending in parliament, before they can take effect. Existing legislation provides for witness protection, but the government did not often use these measures due to resource constraints. During the reporting period, Kyrgyz diplomatic missions abroad assisted in the return of 71 Kyrgyz trafficking victims – 67 from the U.A.E. and four from Turkey.

### ***Prevention***

In August 2004, the government joined IOM and an NGO to distribute anti-trafficking information to labor migrants. During the reporting period, the government opened new consulates in Russia and China to better protect Kyrgyz citizens' rights in each country. Kyrgyz officials met regularly with Kazakh local authorities and monitored Kyrgyz labor migrants' working and living conditions in Kazakhstan. The number of Kyrgyz citizens trafficked to Russia, Kazakhstan, and South Korea

continued to decrease during the reporting period because of bilateral labor migration agreements signed with those countries in 2003 and 2004. The National Council to Combat Trafficking met regularly, and in April 2004 the government provided office space for and started paying the salaries of the Council's two-staff-member Secretariat.

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## LAOS (TIER 2)

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Laos is a source and, to a lesser extent, transit, and destination country for men and women trafficked for the purposes of forced labor and sexual exploitation. Many Lao victims are economic migrants who become victims of involuntary servitude or commercial sexual exploitation in Thailand. A small number of victims from the People's Republic of China (P.R.C.) and Vietnam are trafficked to Laos to work as street vendors and for sexual exploitation in prostitution.

The Government of Laos does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The Lao Government has recognized that trafficking is a problem, and has strongly supported NGO and international organization efforts to assist victims and promote awareness of trafficking. In September 2004, the government passed a Law on Women that covers trafficking in persons. The new law criminalizes trafficking; provides for the protection of victims, both internally and through international cooperation; and prohibits the punishing of trafficking victims upon their return to Laos. Until the new law is implemented effectively at the local level, however, the government should establish an official mechanism to identify trafficking victims among returnees to the country and take necessary measures to ensure that they are not subjected to fines or other punishment by local authorities.

### *Prosecution*

The Government of Laos reportedly increased its prosecution efforts during the reporting period. Lao law enforcement is decentralized, and the central government does not keep data on efforts of local officials to prosecute traffickers. However, the anti-trafficking office, operated jointly by the Ministry of Labor and Social Welfare (MLSW) and the Ministry of Public Security reported five convictions for trafficking-related crimes in 2004. The new Law on Women stipulates specific penalties for trafficking, including the death penalty for the most egregious forms of trafficking, and those that lead to the loss of life or permanent disability. It also contains provisions defining trafficking and recognizing and guaranteeing the rights of trafficking victims. Overall, judicial and law enforcement institutions are extremely weak. Corruption is widespread; some local government officials reportedly profited from trafficking, though there were no reported prosecutions of officials for complicity in trafficking. The Lao Government does not effectively control its long and porous borders.

### *Protection*

While the Lao Government provided minimal assistance to victims, it continued to refer victims to NGOs and international organizations that run protection programs for victims of trafficking. The government continued to expand its engagement with NGOs and requested their assistance in providing vocational training and establishing another shelter for returnees. While the Lao Government recognized the status of trafficking victims and made efforts to educate provincial and district-level officials on the need to protect them, it made minimal efforts to distinguish trafficking victims from returning migrants who had left the country illegally.

### ***Prevention***

The government, in cooperation with NGOs, continued to raise awareness in the media of the dangers of trafficking. The MLSW, with NGO funding, has sponsored media messages on the dangers of trafficking and conducted data collection and public education campaigns. In conjunction with UNESCO, the MLSW conducted a radio project designed to raise awareness of trafficking and HIV/AIDS among ethnic minorities. The Ministry of Education also integrated some anti-trafficking information into school curricula.

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## **LATVIA (TIER 2)**

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Latvia is a source and transit country for primarily women and minors trafficked to Germany, Spain, the United Kingdom, Italy, Cyprus, Switzerland, and the Nordic countries for the purpose of sexual exploitation. Victims are also trafficked internally, from rural areas to urban centers, for the purpose of sexual exploitation.

The Government of Latvia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government appears politically committed to its March 2004 National Action Plan to Combat Trafficking in Persons, but is struggling to adequately fund and implement it. While the Latvian Government significantly enlarged its anti-trafficking police squad, its victim support services remained lacking and the Latvian court system imposed weak sentences on traffickers.

### ***Prosecution***

Latvia specifically criminalizes trafficking in persons for sexual and non-sexual exploitation purposes. In December 2004, Latvia amended its criminal law to cover internal trafficking as well as trafficking across international borders. Although Latvian legislation allows for sufficiently severe penalties under the section of the law against trafficking in persons, the courts in all cases in 2004 only applied those sections of the law that criminalize pimping and alien smuggling for sexual exploitation. While the law was amended in 2004 to provide greater penalties for alien smuggling for sexual exploitation, making it a felony, penalties under this section remain significantly less than those under the trafficking statute. The number of trafficking-related investigations increased, from 12 in 2003 up to 30 in 2004 (with four of those cases initiated under the trafficking section of the criminal law), but Latvian court delays made for fewer convictions in 2004. Of the 21 trafficking-related convictions, down from 40 in 2003, only one trafficker was sentenced to two years' imprisonment, while the rest received conditional sentences. In nine of those cases, the courts confiscated traffickers' property. The staff of the anti-trafficking police squad was increased in 2004 from eight full-time officers to 13. In 2004, the Latvian anti-trafficking unit continued close cooperation with German, Danish, Estonian, and Finnish law enforcement agencies. Latvia has established an anti-corruption bureau and continues to fight official corruption.

### ***Protection***

Latvia's efforts to assist and protect trafficking victims remained deficient. The government continued to provide no direct funding for foreign or domestic NGOs for services to victims. Some local municipalities provide ad hoc funds to victim assistance projects. The Riga city municipality granted limited funding to the Skalbes Crisis Center and to the Dardedze Center for abused children, NGOs that identified and assisted trafficking victims in 2004. Trafficking victims continue to be housed in a facility

shared by a small number of asylum seekers, although the two groups are separated from one another within the facility. Law enforcement officials do not criminally punish victims, but rather refer them to NGOs for assistance. The process for applying for witness protection is complicated, perhaps explaining police reports that no trafficking victims requested protection in 2004. Latvian embassies abroad identified and assisted three victims during the reporting period, and helped repatriate the remains of two probable Latvian trafficking victims. In 2004, the Ministry of Education trained municipal social workers on trafficking issues, the Ministry of Foreign Affairs in April sponsored an annual training for consular officers on trafficking-related issues, and the state police organized three training sessions in all regions of Latvia on how to identify and develop trafficking cases.

### ***Prevention***

The Government of Latvia does not conduct independent anti-trafficking campaigns, but supports the efforts of NGOs. The Ministries of Education and Welfare continued to use the Swedish anti-trafficking film, “Lilya 4-Ever,” to raise awareness among students through videos and associated materials in secondary schools. Also, the Ministry of Education, in cooperation with a local NGO, has developed a guide on crime prevention, including trafficking in persons, for distribution in high schools. The Ministry of Interior leads an inter-ministerial working group that meets on a regular basis to implement Latvia’s National Anti-Trafficking Action Plan adopted in March 2004. The Ministry of Interior in early 2005 released Latvia’s first annual trafficking in persons report, which noted significant progress in modifying Latvian legislation to conform to international standards and problems with adequately funding the government’s anti-trafficking efforts.

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## **LEBANON (TIER 2)**

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Lebanon is a destination country for African and Asian women trafficked into involuntary servitude as domestic servants. Many of these women are contracted as household workers; some Eastern European women are contracted as dancers in adult clubs. All of these are required by law to have bona fide work contracts and sponsors. Individuals from these groups become victims of trafficking when their rights under the contracts are denied or violated or when they find themselves victims of abuse. Some of the abuses that these workers might experience are late or nonpayment of wages, physical and sexual abuse, lack of freedom of movement, and confiscation of their passports. Workers who run away from an abusive work environment automatically become illegal and subject to detention and deportation, because their visa is valid only as long as they are working for their sponsors. When the sponsor is the abuser and the victim has nowhere to go, the latter often ends up in a government detention facility.

The Government of Lebanon does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During 2004, Lebanon signed a Memorandum of Understanding (MOU) with two international NGOs to operate a safe house for migrant workers who are victims of abuse — including involuntary servitude — and began referring trafficking victims to the safe house. It granted IOM permission to open an office in early 2005, and it allows government-salaried social workers to accompany victims during interviews by immigration authorities. Lebanon also granted out-of-visa-status workers who were victims of abuse permission to stay up to two months to assist in the investigation of their cases and the prosecution of their abusers and implemented screening and referral procedures for trafficking cases. Lebanon needs to develop and implement a national plan of action against trafficking, appoint a national coordinator to oversee its anti-

trafficking activities, prosecute and punish abusive employers using existing criminal statutes, and cease detaining and penalizing trafficking victims for running away from conditions of involuntary servitude.

### ***Prosecution***

During the reporting period, the Government of Lebanon took minimal steps to prosecute trafficking and related cases. Lebanon does not have specific legislation criminalizing trafficking, though it has other laws that can be used effectively to address trafficking crimes. The Ministry of Justice and the Office of the State Prosecutor lag behind in acknowledging and actively combating trafficking. In December 2004, the Surete Generale granted amnesty and waived penalties for up to 1,700 South Asians who did not hold valid visas, thereby facilitating their return home. The Ministry of Labor closed 11 employment agencies for fraudulent practices or mistreatment of workers and took administrative actions against another 18. In addition, it adjudicated 35 contract disputes, 23 in favor of the workers. However, there is evidence that a far greater number of cases go unresolved, and workers are sometimes repatriated without receiving outstanding wages. Similarly, the government has not investigated reports of suspicious deaths of Philippine and Ethiopian domestic workers. The government has not prosecuted or punished any abusive employers, despite evidence of physical and sexual abuse of domestic workers. Lebanon should revamp its prosecution efforts to more effectively combat trafficking.

### ***Protection***

The Government of Lebanon markedly improved its efforts to protect victims of trafficking over the reporting period. As noted above, it signed a Memorandum of Understanding with international NGOs “CARITAS” and “International Catholic Migration Commission” for the opening of a safe house for trafficking victims. The government also began allowing government-salaried social workers to assist foreign workers during interrogations by immigration officials, and it granted source country embassies improved access to victim detention facilities. In 2004, the government repatriated 147 foreign workers in cooperation with NGOs and source countries.

### ***Prevention***

In 2004, the Government of Lebanon notably increased its anti-trafficking prevention activities. It produced and distributed booklets and brochures spelling out regulations governing migrant workers, including descriptions of their rights and responsibilities; produced and distributed pamphlets on trafficking to inform victims about various sources of assistance; and markedly improved its cooperation with NGOs and source country embassies in protection and repatriation efforts. Source country representatives, NGOs, academics, and volunteers formed a working group to work with the government to standardize employment contracts and to provide an arrival seminar and a pre-departure debriefing to migrant workers.

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## **LIBYA (TIER 2)**

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Libya is a transit and destination country for men, women, and children trafficked for the purposes of sexual and labor exploitation from Africa and Asia. Traffickers often falsely promise victims jobs in Libya to earn the \$800 to \$1,000 needed to pay for their onward journey to Europe. Once in Libya, some may be forced to work as prostitutes, laborers, and beggars to pay their trafficking “debt.” There are an estimated 1.5 million illegal immigrants in Libya, some of whom are believed to be trafficking victims.



The Government of Libya does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government recently acknowledged that it faces a trafficking problem, which it has taken initial steps to combat. In a speech to the nation on March 2, 2005, Libyan leader Mu'ammur Qadhafi warned that Libya is threatened by international challenges that include "trafficking in humans – particularly women and children."

Libya needs to build on this initiative and develop appropriate policy to more effectively tackle the trafficking problem. This effort should include the appointment of a national anti-trafficking coordinator and the drafting and implementation of a comprehensive anti-trafficking law that punishes traffickers, provides for the protection of victims, and facilitates prevention programs.

### ***Prosecution***

During the reporting period, the government did not provide precise data on its anti-trafficking law enforcement efforts and little evidence exists that Libya has undertaken any efforts to prosecute traffickers. African, Libyan, and European smugglers reportedly operate much like an organized crime syndicate, using deception to entice would-be victims. The government should improve its efforts to monitor and devise strategies to dismantle these rings and use existing criminal legislation to prosecute these criminals.

### ***Protection***

The government's efforts to protect victims remain inadequate. It should put in place a procedure to identify trafficking victims among the estimated 1.5 million illegal immigrants in the country and provide them with appropriate protection measures, including shelter, medical and psychological services, and repatriation and reintegration assistance.

### ***Prevention***

Libya's efforts to prevent trafficking improved over the last year. Until 2004, the Libyan Government denied the problem and did very little to prevent it. Now, however, the government has started engaging other countries, particularly in Europe, to combat human trafficking. Libya needs to replicate these efforts by cooperating with source countries, particularly in the African continent. In June 2004, the Libyan Government organized a regional conference where affected countries discussed, among other concerns, trafficking issues. In October, it invited the IOM to discuss migration issues.

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## **LITHUANIA (TIER 1)**

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Lithuania is a source, transit, and destination country for women and children primarily trafficked to large cities in Europe for the purpose of sexual exploitation. Victims are trafficked to and through Lithuania from countries such as Ukraine, Russia (Kaliningrad), and Belarus. Traffickers continued to target Lithuanian boarding schools, which also serve as orphanages, to recruit victims.

The Government of Lithuania fully complies with the minimum standards for the elimination of trafficking. During the reporting period, the government increased trafficking-related convictions, augmented funds for anti-trafficking programs, and assisted more victims. Still, overall trafficking convictions and sentences remained low, and some NGOs called for greater government funding of victim protection programs. To further strengthen anti-trafficking efforts, the government should consider establishing a specialized anti-trafficking law enforcement unit, formalize screening and

referral mechanisms, and increase sensitivity training for police. The Lithuanian Government should consider expanding its prevention program to include domestic demand-reduction programs.

### ***Prosecution***

In 2004, the Government of Lithuania in 2004 opened 22 new investigations, involving 25 traffickers, up from 15 investigations in 2003. During that period, the courts prosecuted 16 trafficking cases and convicted 14 individuals with sentences ranging from fines to three years' imprisonment. Lithuania's Criminal Code penalized trafficking with prison sentences of up to ten years in cases of trafficking in children. In March 2005, a Vilnius court finalized the extradition of a Costa Rican wanted by Costa Rican authorities for trafficking children in that country. In 2004, Lithuanian law enforcement officials participated in trafficking-related training in Norway, Belarus, the Netherlands, Ukraine, and Sweden. Lithuania's law enforcement training center provided four hours of anti-trafficking training biannually to all new officers. While there was no official evidence of government involvement in or tolerance of trafficking in persons, some individual police officers may condone it. Lithuanian law enforcement officials continued to cooperate with other governments on trafficking investigations and participated in 23 joint trafficking investigations in 2004.

### ***Protection***

The Lithuanian Government provided grants to 13 of the approximately 20 NGOs that offer trafficking victims assistance or temporary shelter — up from 11 in 2003. Experts estimated over 300 trafficking victims received support in 2004. No formal screening and referral procedures existed, but police cooperation with assistance providers was adequate. The police signed an agreement of cooperation in December 2004 with one NGO that provided shelter and social assistance to 17 trafficking victims. The government provided 30 trafficking victims with counseling and occupational training under its rehabilitation and orientation program established in July 2003. In 2004, trafficking victims and witnesses composed 13 to 14 percent of all protected people in the police department's protection program. Police did not charge trafficking victims as criminal violators in 2004, and the government submitted to the parliament in February 2005 new draft legislation to guarantee formal protections for victims. The government continued to provide guidance to its overseas posts on the handling of trafficking cases; the Lithuanian Ministry of Foreign Affairs assisted in the repatriation of 42 trafficking victims during the reporting period, up from 20 in 2003.

### ***Prevention***

The government and local NGOs organized a series of educational events for more than 200 boarding school students who are particularly at risk for trafficking. An NGO that received approximately half of its annual budget from government funding distributed over 82,000 anti-trafficking brochures and posters throughout Lithuania, and implemented over ten trafficking prevention programs in 2004. Schools continued to use the anti-trafficking curricula on a voluntary basis. Lithuania's first National Strategy to combat trafficking ended in 2004; an interagency group drafted a National Strategy for 2005 to 2008 that is expected to receive official approval in spring 2005.

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## **LUXEMBOURG (TIER 1)**

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Luxembourg is primarily a country of destination for women trafficked from Eastern Europe for the purpose of sexual exploitation.

The Government of Luxembourg fully complies with the minimum standards for the elimination of trafficking. Luxembourg appears for the first time in this Report due to newly available information that indicates a significant trafficking problem in the country. The Government of Luxembourg acted assertively to prosecute trafficking in 2004. The government should develop a formalized screening mechanism and expand law enforcement training to increase victim identification.

### ***Prosecution***

The Government of Luxembourg demonstrated adequate and proactive anti-trafficking enforcement in 2004. In April, two women reported they were forced or coerced into prostitution while under legal “artiste” visas. The government reacted swiftly by arresting five suspects, including two cabaret owners. At the end of the reporting period, the government was actively prosecuting these cases. Commendably, upon the request of Luxembourg’s Commissioner for Human Rights, the government ended the artiste visa program one month after the arrests. Additionally, the police reported in May 2004 that two cabarets had been shut down. By the end of the reporting period, the government had closed down a total of five cabarets. Since that time, nine other cabarets have closed. The Government of Luxembourg prohibits trafficking in persons. According to the penal code, trafficking for sexual exploitation carries penalties of from six months to three years and monetary fines. If there are aggravating circumstances, prison sentences can range from one to ten years. There was no evidence of trafficking-related corruption among Luxembourg public officials.

### ***Protection***

Because the trafficking problem is new to Luxembourg, the government did not have a formal screening or referral process in place for victims of trafficking who came forward during the reporting period. In the case of the artiste visa victims, however, the Ministry for Equal Opportunity provided funding for their housing and coordinated with the police to ensure their protection. Subsequent arrangements were made to place them in a witness protection program. Notably, since the incident, the Luxembourg vice squad was granted a substantial budget to care for trafficking victims, should the need arise.

### ***Prevention***

In 2004, the government closely monitored and took active preventative measures to decrease trafficking and the opportunities for exploitation. As a result of the government’s termination of the artiste visa program, approximately 500 to 700 women were required to return to their home countries in an effort to prevent their exploitation. In December 2004, the Minister of Foreign Affairs refused to issue new visas in response to recruitment agencies’ attempts to replace the discontinued artiste visas, which had been used in the two trafficking cases being prosecuted by the government. In 2004, the Ministry of Family, Social Solidarity and Youth sponsored a campaign against sex tourism in cooperation with ECPAT-Luxembourg. Plans were underway to launch a demand-oriented anti-trafficking campaign next year.

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## **MACEDONIA (TIER 2)**

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Macedonia is a country of transit and, to a lesser extent, destination for women and children trafficked for the purpose of sexual exploitation from the former Soviet Union and Eastern and Southeastern Europe. A number of victims transit through Macedonia and on to Western Europe for sexual exploitation. Macedonian women continued to be trafficked regionally throughout the former Yugoslavia. NGOs and the international community reported a growing problem of internal trafficking.

The Government of Macedonia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Macedonia dropped from Tier 1 to Tier 2 in 2004 because of a lack of progress in strengthening its anti-trafficking efforts. The government passed new anti-trafficking legislation in 2004, but failed to demonstrate overall appreciable improvement in enforcement and prevention. Persistent institutional deficiencies in the judiciary continued to hamper the government's ability to effectively combat trafficking. Its judicial system failed to appropriately and effectively prosecute, sentence, and detain traffickers or provide adequate safeguards for victims and witnesses in courtroom settings. The government should actively develop and implement its National Plan, vigilantly address trafficking-related corruption, and expand prevention programs for vulnerable groups.

### ***Prosecution***

During 2004, the Government of Macedonia amended its trafficking law to establish mandatory minimum sentences of eight years' imprisonment for traffickers in cases where there are aggravating circumstances. The government reportedly investigated 39 suspected human trafficking cases, charged 38 persons, and submitted 19 cases for prosecution. An appellate court upheld a lower court verdict sentencing four defendants to 12 years in prison. The Human Trafficking Unit engaged in two regional operations coordinated by the Southeast European Cooperative Initiative Center. However, instances of official impropriety and poor courtroom procedures continued to hamper judicial effectiveness. Trafficker Dilaver Bojku-Leku was sentenced to 3 years and 8 months in prison for "mediation in prostitution," but is in an "open regime," which allows him to regularly leave the prison on his own recognizance. At his March 2005 retrial for additional charges, the court failed to adequately safeguard the victim-witness's identity or prevent the defendant's apparent intimidation of the victim and of court officials. Trafficking-related corruption remained a serious problem, which the government failed to vigorously investigate and prosecute.

### ***Protection***

The government continued to operate the Transit Shelter Center for trafficked persons. Police deported some trafficking victims after improper screening. The government assisted 38 victims at the Center, a significant decrease from the 143 victims assisted the previous year. Victims may be granted refugee status or asylum under Macedonian law. Macedonia has no witness protection law, but recent amendments to the criminal code contained some witness protection provisions. By law, the government seeks to ensure protection for all victims, and the police have provided 24-hour protection for victims testifying in court. However, in 2004, one victim was jailed for four days during criminal proceedings.

### ***Prevention***

The National Commission for Combating Trafficking monitored the government's anti-trafficking efforts but has yet to evolve into an effective action-oriented entity. The Commission, created in 2001, has neither finalized a national action plan nor developed an adequate strategy and timeline for its implementation. NGOs reported that a recently created Subgroup on Trafficking in Children was the most active component of the Commission. During 2004, the government continued to rely on NGOs to conduct information campaigns. Several government officials participated in prevention-oriented working groups and publicly spoke out against trafficking. The police academy included a mandatory introduction course on trafficking for all its cadets. However, the program did not provide adequate tools for identification of victims. The Ministry of Foreign Affairs required all consular officers to receive training on victim identification. Consular officers may not independently issue visas for women in the so-called entertainment industry and must send all requests through an Internal Affairs review board.

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**MADAGASCAR (TIER 2)**

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Madagascar is a source country for children trafficked internally for the purposes of sexual exploitation and possibly forced labor. The exploitation of children in prostitution is a substantial problem in the coastal cities of Tamatave and Nosy Be. Children in the capital are recruited under false pretenses for legitimate employment in coastal cities as waitresses and domestic servants; upon arrival, they are often placed into commercial sexual exploitation. A network reportedly traffics young girls aged 12 to 14 from the provinces to Antananarivo to engage in prostitution. Anecdotal information also indicates that there may be a network of traffickers recruiting children in rural areas for employment opportunities in urban centers, particularly as domestic servants.

The Government of Madagascar does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Madagascar is an emerging leader in the fight against human trafficking on the African sub-continent. During the year, the government made strong progress in addressing the country's trafficking in persons problem by marshalling the political will to combat it and taking substantial steps to implement a national strategy aimed at its elimination. To further its anti-trafficking efforts, the government should improve the record keeping of legal proceedings to enable the compilation of reliable statistics and work toward passage of a comprehensive anti-trafficking law.

***Prosecution***

Madagascar has no law specifically prohibiting trafficking in persons. However, existing penal code statutes outlaw slavery and forced labor, prohibit the procurement of minors for prostitution, and bar those under the age of 18 from nightclubs and discotheques. Domestic statutes on child prostitution are inconsistent, particularly with respect to the age of consent. This weakness is being addressed by the current overhaul of trafficking-related legislation. In late 2004, the Ministry of Justice compiled all relevant pieces of legislation on children's rights, and analyzed their conformity with international conventions. Comprehensive anti-trafficking law enforcement statistics were unavailable. As Madagascar lacks a centralized database of legal cases, officials at the Ministry of Justice must call individual jurisdictions to obtain statistics on trafficking cases. At the time this report was drafted, the Malagasy Magistrates Union had been on strike for two months; many courts were closed and reliable statistics could not be obtained. The government significantly enhanced its efforts to curb child commercial sexual exploitation by dramatically increasing the enforcement of existing laws barring minors from nightclubs. The Minors' Brigade of Antananarivo, a police unit, conducted three separate raids of nightclubs, identifying 53 minors illegally present. The minors were counseled about the illegality of their activity and released into their parents' custody. In addition, three new Minors' Brigades were created in the provinces. In July 2004, police arrested a foreign woman for purchasing a young Malagasy girl and forcing her to appear in pornographic films. A German national's pending sentencing on charges of pedophilia and hosting an Internet site promoting sex tourism in Madagascar was postponed due to the magistrate's strike. In June 2004, the government reported that 32 foreigners were investigated for pedophilia in the first half of the year. The government partnered with UNICEF to train 180 police officers in six provincial cities in how to recognize, investigate, and prosecute instances of trafficking.

***Protection***

The government bolstered its ability to assist victimized child laborers through the establishment of three Welcome Centers during the reporting period; one of the centers has opened while two others

are under construction. Since July 2004, the Antananarivo center provided shelter for over 200 children occupied in the worst forms of child labor, including commercial sexual exploitation, and reintroduced many into either the educational or vocational training systems. Forty “Youth Houses,” community centers that host sporting events, concerts, and other group activities to prevent youth delinquency, served as additional platforms to protect children from child sexual exploitation and labor by disseminating information about the dangers of trafficking and prostitution. In November and December 2004, the Ministry of Population trained 40 community leaders in Ivato and Majunga on the protection of children.

### ***Prevention***

The government’s efforts were strongest in the area of prevention. In September 2004, the President’s Chief of Staff established a special inter-ministerial anti-trafficking committee that met weekly and adopted a national plan to combat trafficking and slavery. The government immediately implemented portions of the plan dealing with the prevention of children in prostitution by strengthening enforcement of laws barring minors from bars and creating shelters for at-risk children. In January 2005, combating trafficking in persons was highlighted in the government’s listing of strategic goals that was published in the nation’s major newspapers. Children in prostitution received top priority in the government’s June 2004 National Strategy to Combat the Worst Forms of Child Labor. In July, the Ministry of Tourism co-sponsored a workshop on sex tourism that was attended by 100 government officials, NGO representatives, and journalists. All key parties in the tourist sector signed an agreement to actively support the government’s efforts to combat sex tourism.

Awareness of trafficking in persons has increased through an aggressive information campaign. During the year, the government presented four local dialect sketches on prostitution, broadcast 20 educational programs on national radio stations, and initiated a national drawing, poetry, and essay contest on the theme of combating child labor. Production began on several anti-trafficking films. The Ministry of Population hosted two large screenings of the government-produced and UNICEF-funded film “Vero sy Haingo,” which tells the story of two sisters, one of whom remains in school while the other is lured into prostitution. One session was followed by a televised debate featuring representatives from various ministries. In addition, approximately 15,000 high school students viewed the film in 2004.

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## **MALAWI (TIER 2)**

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Malawi is a country of origin and transit for men, women, and children trafficked for the purposes of forced labor and sexual exploitation. Trafficking victims, both children and adults, are lured into exploitative situations by offers of lucrative jobs either in other regions of Malawi or in South Africa. Children are internally trafficked for forced agricultural labor. Women in prostitution reportedly draw underage children into prostitution. Anecdotal reports indicate that child sex tourism may be occurring in Malawi, primarily along the lakeshore.

The Government of Malawi does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Trafficking in persons was a new concept to Malawian officials in 2004, when, in the midst of near-total political transition, they made admirable efforts to organize anti-trafficking activities and information. To further enhance its anti-

trafficking efforts, the government should arrange for additional training for law enforcement officers on the recognition of complex forms of trafficking in persons and continue toward the passage of comprehensive anti-trafficking legislation.

### ***Prosecution***

The government made progress in furthering its anti-trafficking law enforcement efforts during the reporting period. Malawi's constitution prohibits slavery, servitude, and any form of forced or bonded labor. Its penal code criminalizes abduction; procuring of a person for prostitution or to work in a brothel; procurement and defilement involving threats, fraud or drugs; involuntary detention for sexual purposes; and living off the proceeds of prostitution or operating a brothel. During the year, the government reintroduced an amendment to strengthen and support these articles. In addition, the Malawi Law Commission began drafting a specific law to criminalize all types of human trafficking. In November 2004, the Ministry of Labor shifted its focus from labor inspection to labor enforcement, and regional inspectors gained the authority to conduct investigations and press charges. Since that time, two cases of child trafficking for agricultural labor exploitation were successfully prosecuted to conviction in the central region. In addition, the Ministry of Labor removed 13 children from situations of forced labor in tea and tobacco estates and reunified them with their families after requiring employers to compensate them. The government provided basic counter-trafficking training to all immigration officers and police.

### ***Protection***

The government made appreciable progress during the reporting period in caring for victims of trafficking and provided assistance commensurate with its limited resources and capacity. In May 2004, it conducted a rapid assessment of the situation of the country's orphans and determined that they are at risk of exploitation, including sexual exploitation. The Ministry of Gender, Child Welfare, and Community Services responded by developing and launching a national action plan for orphans and vulnerable children that included elements of victim protection and trafficking awareness and prevention. As part of the plan, nearly 200 new child protection officers received training on the recognition of trafficking victims and were placed in districts across the country. In addition, 37 Victim's Support Units were established, with the mandate to provide protective and support services to exploited children, including trafficking victims. The government's long-term victim protection strategy targets those in prostitution and those at risk of prostitution, particularly children. By offering options such as education and vocational training to children in prostitution, the government contributed to their social reintegration and rehabilitation.

### ***Prevention***

In 2004, the government formed an inter-ministerial anti-trafficking committee that meets regularly and which has begun developing a national anti-trafficking action plan. Drafting this plan was complicated by the lack of data on human trafficking. As a result, the Ministry of Gender, in cooperation with the Ministry of Home Affairs and the Malawi Human Rights Commission, designed a comprehensive study of the nature of human trafficking in Malawi, for which they are seeking donor funding. During the year, the government conducted a variety of regionally focused public awareness campaigns — workshops for teachers and traditional authorities, meetings for rural families with young children, marches and radio jingles — to increase understanding of the root causes of trafficking in persons. In September 2004, the government hosted a three-day IOM regional workshop on human trafficking in Southern Africa that was attended by several senior government officials. In addition, it approved the opening of an IOM office in Malawi.

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## MALAYSIA (TIER 2)

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Malaysia is a destination and, to a lesser extent, a source and transit country for men and women trafficked for the purposes of sexual exploitation and forced labor. As many as several thousand women from Thailand, Indonesia, the People's Republic of China (P.R.C.), Cambodia, and Burma are trafficked to Malaysia for commercial sexual exploitation. Additionally, some economic migrants from Indonesia who work as domestic servants and as laborers in the construction and agricultural sectors face exploitative conditions in Malaysia that meet the definition of involuntary servitude. Malaysian women (primarily of Chinese origin) are trafficked to Western Europe, North America, Australia, Japan, Singapore, and Taiwan.

The Government of Malaysia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. While the government took some steps to combat trafficking, Malaysia lacks comprehensive anti-trafficking legislation to enable officials to provide adequate victim protection and work effectively at the interagency level to combat trafficking in persons. The Ministry for Women, Family, and Community Development announced in December 2004 the establishment of a dedicated shelter for foreign trafficking victims. The National Human Rights Commission (Suhakam) drafted a national action plan on trafficking, though it has not yet been approved by the government. The Malaysian Government should screen illegal migrants detained for immigration violations to identify and provide care for trafficking victims that may be in their midst. The Malaysian Government should draft and enact a comprehensive trafficking law that recognizes trafficked men and women as victims and provides them with shelter, counseling, and assistance in repatriation.

### *Prosecution*

During the reporting period, the Malaysian Government continued efforts to investigate and prosecute trafficking-related cases. Malaysia does not have a law that specifically addresses trafficking in persons but uses existing laws to prosecute traffickers. Twenty individuals were convicted under trafficking statutes in the penal code during the first six months of 2004. The penal code criminalizes most of the acts involved in severe forms of trafficking and those laws carry penalties of up to 15 years' imprisonment. In 2004, the government began to use new amendments to the 2001 Anti-Money Laundering Act to seize the assets of businesses involved in illicit activities, including trafficking. The Malaysian Government reported four such seizures in early 2004. Malaysia does not have a witness protection program that would encourage victims to testify against the criminal syndicates that are responsible for much of the trafficking. There were no reported prosecutions of officials complicit in trafficking.

### *Protection*

In 2004, Malaysia provided an inadequate level of protection for most victims of trafficking. While police procedure is to send victims who can prove their nationality to embassy shelters rather than immigration detention, many victims, including some who agreed to cooperate in prosecutions, were placed in harsh conditions in immigration detention centers to await deportation. Because the police continued to lack the training and language skills to identify trafficking victims among illegal migrants, foreign trafficking victims often went unrecognized and were treated as immigration offenders. The Malaysian Government has not yet implemented a formal screening process to identify trafficking victims but Suhakam has developed a questionnaire for foreign women arrested for prostitution to identify trafficking victims. In December 2004, the Women's Ministry announced the establishment of a dedicated shelter for foreign trafficking victims, though the shelter has yet to



open and care for victims. The Malaysian Government provided training for some of its higher-ranking officials but there was no systematic training program to sensitize front line police and immigration officers on trafficking.

### ***Prevention***

The Malaysian Government continued efforts to prevent trafficking through public awareness or education campaigns. The Malaysian Chinese Association (MCA), within the government's ruling political coalition, continued to publish warnings about trafficking in its Chinese-language publications, make public statements to caution potential victims about overly lucrative job offers abroad, and hold periodic press conferences highlighting the plight of returned Malaysian trafficking victims. In 2004, Malaysian state-run television ran a documentary on trafficking victims who had been assisted by MCA. The Women's Ministry is planning a nationwide campaign to increase public awareness on trafficking through seminars, workshops, and dissemination of brochures.

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## **MALI (TIER 2)**

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Mali is a source, transit, and destination country for women and children trafficked for the purposes of sexual exploitation and forced domestic, agricultural, and commercial labor. Children are trafficked to the rice fields of central Mali; boys are trafficked to mines in the southeast; and girls are trafficked for involuntary domestic servitude to large cities. Children are also trafficked between Mali and neighboring countries such as Senegal, Burkina Faso, and Guinea. Traffickers are generally Malian, but also include nationals of other West African states.

The Government of Mali does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Changes in Mali's law that would prohibit trafficking of all persons, not just minors (as is currently the case), would enhance anti-trafficking efforts, as would increased training and resources for law enforcement and judicial officials responsible for trafficking cases.

### ***Prosecution***

Law enforcement, hampered by the country's extensive borders and scarce government resources, showed limited success in combating trafficking in 2004; most anti-trafficking investigations started prior to 2004 remained open during the reporting period. Malian law provides punishments of five to 20 years in prison for trafficking in children and the Malian constitution prohibits all forced or bonded labor. The courts convicted no traffickers in 2004. A judge dropped a case initiated in early 2004 against four Nigerian women after determining that their suspected victims were adult prostitutes not protected by the child trafficking law — highlighting the weakness of Mali's existing criminal law. In July 2004, Malian authorities intercepted two traffickers moving 50 Burkinabe children; the traffickers escaped with 30 children and the government repatriated the remaining 20 child victims. Two suspected traffickers who attempted to move six children to Europe through Bamako airport in October 2004 await trial.

### ***Protection***

The government worked closely with neighboring countries, international organizations, and NGOs to coordinate the repatriation and reintegration of trafficking victims. In 2004, transit centers in four

cities received over 150 rescued children awaiting return to their families. The Government of Mali signed new bilateral agreements with Burkina Faso and Senegal to increase cross-border coordination and facilitate repatriation of victims; Senegal repatriated 54 Malian children and Mali returned 20 children to Burkina Faso in 2004. The government lacked financial resources, but made a good faith effort to work with NGOs and donors to fund and implement victim assistance projects in conformance with the National Plan established in 2002.

### ***Prevention***

The government made significant progress in increasing public awareness and community involvement in the fight against trafficking throughout the reporting period. It supported civic education programs that included awareness campaigns to inform local populations about trafficking. The Ministry of Women, Children, and the Family (MPFEF) established 120 of the 286 community surveillance committees created throughout the country in the past two years; most of these committees focus on combating child trafficking. The government presented an anti-trafficking message throughout the country at the beginning of the 2004 school year and trained tribal leaders, chiefs, and journalists on the Child Protection Code and the worst forms of child labor. The government launched a survey on sexual exploitation of minors in late 2004 and the MPFEF translated the Child Protection Code into six local languages.

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## **MAURITANIA (TIER 2)**

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Mauritania is a source and destination country for children trafficked for the purpose of forced labor. Some rural Mauritanian families, from Pulaar, Wolof, and related tribes, send their sons to work, study, and live with a marabout (religious master). They do so with full knowledge that their sons will spend an appreciable amount of time begging to meet the expenses of their education. Talibes, as these boys are locally known, sometimes beg in the streets for up to 12 or more hours a day. Marabouts can vary greatly; most marabouts provide comprehensive Koranic instruction to their charges, but others do little more than run networks of child beggars.

Girls are reportedly trafficked from the rural areas or neighboring Mali for forced domestic servitude in wealthy urban homes. Slavery-related practices, typically flowing from ancestral master-slave relationships, continue in isolated parts of the country where a barter economy exists. These practices are becoming more infrequent.

The Government of Mauritania does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government has made appreciable progress in combating trafficking, particularly in victim protection and in raising public awareness of new trafficking-related laws. To further its efforts to combat trafficking, the government should increase levels of protective services provided to talibes while demonstrating more aggressive enforcement of laws prohibiting forced labor.

### ***Prosecution***

The government made noticeable progress in furthering its anti-trafficking law enforcement efforts over the reporting period. Mauritania's Law Against Human Trafficking prohibits internal and external human trafficking practices for both sexual and labor exploitation. National laws and the

constitution outlaw slavery. In July 2004, an updated labor code that includes a number of new provisions against forced labor passed into law. The government hosted two workshops for government officials and civil society representatives to publicize both the anti-trafficking law and new labor code. In late 2004, the government distributed in semi-urban and rural areas 4,000 audiocassettes that discuss these pieces of legislation. No trafficking-related cases were investigated or prosecuted during the year. The Ministry of Justice launched a website on which it began making records of all court cases publicly available.

### ***Protection***

The government greatly increased its efforts to provide victim protection services over the last year. In mid-2004, it opened six centers in Nouakchott that provided shelter, food, and limited medical care to 645 indigent people, the majority of whom were talibes. Additionally, in early 2005, the government began a multi-faceted program aimed at reducing the number of talibe beggars. Though still in the early stages, the government began providing talibes with basic medical care and a government-sponsored NGO began offering marabouts the resources and financial means to be able to focus on educating their charges. Once fully operational, the program will target 575 talibes. The government also demonstrated progress in developing economic and social programs to integrate former slaves into society. The Commission on Human Rights, the Fight Against Poverty, and Insertion (CDHLCPI) initiated three projects addressing this issue, with a specific focus on the regions where the majority of Black Moors (former slaves and the descendants of slaves) are concentrated. These projects include providing micro-credit financing and income-generating activities to 160,000 people; developing agricultural infrastructure and capabilities for rural populations; and alleviating poverty through locally designed and implemented projects to meet local needs. In 2004, IOM assisted the government in repatriating 139 South Asians found stranded in the desert of north-eastern Mauritania, some without their passports. It remains unclear whether these individuals were victims of trafficking.

### ***Prevention***

The government made limited efforts to prevent trafficking from occurring during the last year. The CDHLCPI hosted a roundtable on human rights topics, including the new labor code, the anti-trafficking law, women's and children's rights, and the rights of young girls working in large urban households. The country's single radio station broadcast the roundtable nationwide. In mid-2004, the government established an inter-ministerial working group on trafficking that includes director-level officials from the CDHLCPI and Ministries of Justice, Foreign Affairs, Interior, Labor, and Communications. This group convened biweekly meetings to discuss anti-trafficking efforts and progress.

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## **MAURITIUS (TIER 2 – WATCH LIST)**

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Mauritius is a source and destination country for children trafficked for the purpose of sexual exploitation. According to a 2002 report commissioned by the Ministry of Women's Rights, Child Development, and Family Welfare and carried out by the University of Mauritius with UNICEF support, children exploited in prostitution are found in the capital of Port Louis, the town of Grand Bay, and other beach resort areas. Children most likely to be exploited in prostitution — a form of trafficking — are young girls from impoverished families whose parents are engaged in prostitution and/or drug use.

The Government of Mauritius does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Mauritius has been placed on Tier 2 Watch List because of a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons over the last year. Increased anti-trafficking law enforcement efforts and a broader provision of victim services would improve Mauritius's anti-trafficking efforts.

### ***Prosecution***

The government's anti-trafficking law enforcement efforts were modest in 2004. Mauritius does not have a comprehensive law specifically prohibiting trafficking in persons. Existing laws prohibit brothel keeping and allowing a child into a brothel; prostituting a child in Mauritius or abroad; procuring or exploiting prostitutes; forced labor; abduction; and slavery. The government did not report any trafficking cases prosecuted or convicted during the year. In May 2004, the police force established a ten-officer child protection brigade to monitor all forms of exploitation and abuse against children. The brigade, through its field intelligence officers, reportedly investigated several cases of children in prostitution, but claimed there was insufficient evidence to take any further action beyond notifying the relevant parents. The brigade received training on child commercial sexual exploitation from the Ministry of Women's Rights. The Tourism Police patrolled tourist areas, including hotels, beaches, and shopping areas; it is unknown whether this force conducted any trafficking-related interventions.

### ***Protection***

The government provided limited assistance to trafficking victims during the period. A Child Development Unit (CDU), within the Ministry of Women's Rights, worked with the police to give assistance to children at risk of abuse. The CDU operated a telephone hotline to offer 24-hour assistance to children in distress, but no calls were reported from children in prostitution. The Ministry also funded an adjacent NGO-operated "Drop-In Center" where it referred child victims of sexual exploitation to receive psychological and medical treatment, undergo rehabilitation, and reconnect with the educational system; parents received counseling as well. Civil servants — two welfare officers and two social workers — were on the Center's staff. In 2004, six of the center's 76 cases were known to be children engaged in prostitution. In addition, the Ombudsman for Children received one case of a child engaged in prostitution. The Ministry of Women's Rights' child welfare officers participated in the monthly meetings of the country's six community Child Watch Networks, an avenue for volunteers to report cases of child sexual exploitation, including children in prostitution, to the Ministry.

### ***Prevention***

Mauritian anti-trafficking efforts were strongest in the area of prevention. The country lacks a comprehensive public awareness campaign to fight trafficking in persons, though it has a two-year-old national plan of action to address commercial sexual exploitation of children through various approaches, including prevention. As part of that plan's implementation, government officials occasionally spoke out publicly on the issue. The Ministry also held a workshop in 2004 to facilitate information sharing among and conduct a needs assessment of children at highrisk for sexual exploitation. A meeting of senior-level officials was held in November 2004 to specifically discuss coordinated efforts against commercial sexual exploitation of children. In partnership with UNICEF, the University of Mauritius began building a regional center to facilitate the prevention of child sexual exploitation in island nations. The university is supporting the project through funding, technical expertise, and the use of its facilities.

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**MEXICO (TIER 2 – WATCH LIST)**

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Mexico is a source, transit, and destination country for persons trafficked for sexual exploitation and labor. The trafficking phenomenon in Mexico is complex and has strong links to organized transnational criminal networks and gangs. Many illegal immigrants fall prey to traffickers and are exploited along the Guatemala and United States' borders. In addition to cross-border trafficking, Mexico also faces a considerable internal trafficking problem in which thousands of children – largely Mexicans and Central Americans – are victims of commercial sexual exploitation. The government states that the number of these child victims may be as high as 20,000.

Trafficking for the purposes of sexual exploitation of minors contributes to child sex tourism in Mexico, mainly in the border and tourist areas. In addition, women are trafficked into Mexico's sex trade as well as trafficked via Mexico into the United States' illegal sex trade under false pretenses by organized criminal networks. Mexican and Central American men, women, and children are trafficked into the United States for forced labor and sexual exploitation. Although most trafficking victims in Mexico are from Central America, victims also originate from the Caribbean, South America, Asia, and Eastern Europe. Exact numbers of trafficking victims are not readily available, as they are often difficult to identify, due to the clandestine and complex nature of cross-border trafficking.

The Government of Mexico does not fully comply with the minimum standards for the elimination of trafficking; however it is making significant efforts to do so. Mexico remains on the Tier 2 Watch List for a second consecutive year for its failure to provide evidence of increasing efforts to combat trafficking, particularly in the area of law enforcement. Deficiencies in Mexico's efforts to combat trafficking remained throughout the year, though the Mexican Government has recently committed to do more. Legal reforms are pending in the Mexican Congress which, if passed, may aid with trafficking-related prosecutions and convictions. Currently, trafficking victims in Mexico are at risk of being further victimized because of inadequacies in the current legal system, notably the lack of protection for victims. The Center for Investigation and National Security (CISEN) of the Secretariat of Government was recently designated as the coordinating agency for anti-trafficking efforts. CISEN faces structural inefficiencies in collecting data and fostering investigations, prosecutions, and convictions of trafficking cases.

***Prosecution***

The Government of Mexico did not keep law enforcement statistics on trafficking investigations, arrests, prosecutions, or convictions over the reporting period. There were no known prosecutions or convictions in Mexico over the time-frame covered by this report. However, Mexican authorities did report a large number of smuggling investigations, and perhaps some of these cases have a trafficking element – it reported identifying 51 criminal organizations and 35 ringleaders involved in alien smuggling. General inefficiency in the judicial system contributes to the lack of prosecutions and convictions in Mexico, and little progress has been made to address these problems within the existing criminal justice system, although the government has introduced to Congress significant judicial reform legislation. Nonetheless, recent statements by high-level Mexican officials indicate a willingness to devote resources to investigate and prosecute trafficking networks. Mexico has actively cooperated with the United States on a few specific trafficking cases and also worked with the United States through bilateral law enforcement channels. However, Mexico should move quickly to implement a March 2004 agreement with Guatemala to address cross-border trafficking in its southern border region. Anti-trafficking legislation introduced last year is pending in the Mexican Congress. In 2004, the government conducted a major operation targeting corrupt immigration officials. Twenty-

five of those officials are now on trial for various corruption charges. However, there have been no reports of officials convicted of trafficking-related corruption. Corruption remains endemic among Mexican security personnel and presents a major obstacle to improved anti-trafficking efforts.

### ***Protection***

Mexico continued to provide an inadequate level of support to victims during the reporting period. Many victims are not adequately protected and thus prosecutions and convictions are difficult to obtain without key statements from victims of trafficking. There are NGOs in the country that will shelter trafficking victims, and the government's social welfare agency (DIF) has also taken steps to protect and assist trafficking victims. However, DIF has few resources and large caseloads, which inhibits its ability to cope with the growing numbers of trafficking victims present in the country, especially along the Mexico-Guatemala border. Although the current Administration has stepped up efforts to engage and work with civil society, the NGO presence in the country remains weak. Mexico is overwhelmed with the large number of migrants that transit Mexico, and reported 215,695 detentions of illegal migrants in 2004, an increase of 15 percent since 2003. The need to care for large numbers of illegal immigrants constrains Mexico's ability to provide support to trafficking victims. Mexico provides temporary shelter and medical services to unaccompanied minors who are smuggled, but there are no statistics on the number of trafficking victims assisted. The government is also constructing a new \$10 million facility in southern Mexico to house and process intercepted migrants, and this center may also aid trafficking victims. The Mexican Commission on Human Rights opened offices on both borders to assist smuggling and trafficking victims. Despite these efforts all foreigners, including trafficking victims, face detention and deportation. Mexico immigration (INM) recently indicated that it would permit trafficking victims to stay in the country as long as they agree to cooperate in the investigation and prosecution of traffickers. However, no victims have been identified and measures to ensure the safety of the victims under this program are not clearly delineated.

### ***Prevention***

Mexico had some success in calling attention to trafficking in the country. The First Lady of Mexico has spoken out about the dangers of trafficking, and other high-level government officials, including the Secretary of Government and the Foreign Secretary, have stressed the need to fight the problem. The government's social welfare agency (DIF) runs public awareness campaigns throughout the country and is implementing a national plan to prevent the commercial sexual exploitation of minors. DIF is also working to prevent the growing sex tourism problem in Mexico. Finally, the government signed an agreement with the Organization of American States (OAS) and is also working with the IOM to address some aspects of trafficking in Mexico.

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## **MOLDOVA (TIER 2)**

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Moldova is primarily a source country for persons, particularly women and girls, trafficked for the purpose of sexual exploitation to the Middle East and European countries west and south of Moldova. It is also to a lesser extent a transit country to European destinations for victims trafficked from former Soviet states. Moldovan victims continued to be increasingly trafficked to Turkey, the Middle East (including the United Arab Emirates (U.A.E.) and Israel), and Russia (particularly minors). New information indicates that Moldovan men are trafficked to Baltic and other former Soviet states for the purpose of agricultural and construction labor exploitation. IOM reported an

increased number of families trafficked to Poland for forced begging. The small breakaway region of Transnistria in eastern Moldova is outside the central government's control and remained a significant source and transit area for trafficking in persons.

The Government of Moldova does not fully comply with minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In 2004, the government more than doubled the number of trafficking convictions handed down with prison sentences. While Moldova's National Committee to Combat Trafficking in Persons continued to meet regularly and frequently, the government spent very little of its own funds to combat trafficking. The trafficking problem severely affects the Moldovan population. The government should lead Moldova's fight against trafficking rather than continuing to rely heavily on initiatives from NGOs and international organizations.

### ***Prosecution***

While Moldova made progress in its law enforcement efforts during the reporting period, it is widely suspected that the Anti-Trafficking Unit limited the number of cases it investigated due in some instances to pressure from complicit officials at higher levels in the government. Moldovan legislation prohibits all types of trafficking and provides for severe penalties ranging from seven years to life imprisonment. The Ministry of Interior's Anti-Trafficking Unit opened 274 trafficking investigations, up from 189 investigations in 2003. The courts convicted 16 individuals for trafficking in persons and seven for trafficking in children, of which 13 received prison sentences (compared to six in 2003) ranging from two to 16 years. Police and prosecutors received anti-trafficking investigations training in September 2004. Moldovan law enforcement officials participated in the regional operation "Mirage 2004" that led authorities to open nine trafficking cases in Moldova. Despite continued allegations of trafficking-related corruption among some law enforcement officials, the government took no action against these officials. Authorities investigated a former Moldovan policeman for trafficking women to the U.A.E.; he is currently free on bail pending his trial. Corrupt judges often downgraded trafficking charges to pimping for lesser penalties.

### ***Protection***

The Moldovan Government's efforts to assist and protect trafficking victims remained inadequate. The government provided practically no funding to NGOs for victim assistance, though it continued to provide space in state buildings for a rehabilitation center run by IOM and another anti-trafficking organization's branch offices. Moldova has not implemented its witness protection law adopted in 1998, though in certain cases police posted guards outside witnesses' homes during the reporting period. Still, a majority of victims did not feel secure enough to take action against their traffickers. The government did not prosecute trafficking victims in 2004 for crimes committed in the course of being trafficked. No official victim referral system existed; however, the Anti-Trafficking Unit signed cooperative agreements with two lead anti-trafficking organizations under which it referred several hundred victims for assistance during the reporting period.

### ***Prevention***

The government continued its work to prevent trafficking, though NGOs and international organizations conducted most of the anti-trafficking campaigns. While the National Committee on Trafficking in Persons met twice a month on a regular basis, it produced limited results due to the lack of a full-time secretariat and a clear mandate. In December 2004, the National Committee asked NGOs and international organizations to evaluate its work and suggest ways to improve government efforts to combat trafficking. It then released an assessment of anti-trafficking work by all entities for the 2003 to 2004 period. In January 2005, the government established a working group

with NGO participation to draft a new National Action Plan that will replace the outdated 2001 Action Plan. Additionally, the government drafted and sent to parliament in February 2005 new legislation to comprehensively address all aspects for trafficking. All local committees, underneath the National Committee, conducted trafficking awareness-raising meetings in schools with students and teachers. The Ministry of Internal Affairs withdrew the licenses of several tourism and employment agencies in 2004 for their suspected involvement in trafficking.

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## MONGOLIA (TIER 2)

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Mongolia is a source and transit country for women and men trafficked for the purposes of sexual exploitation and forced labor; it also faces a problem of children trafficked internally for the purpose of commercial sexual exploitation. In 2004, the government documented over 200 Mongolian children exploited as prostitutes. Mongolian women are trafficked to China, Macau, and South Korea for commercial sexual exploitation. There are also reports that Mongolian women have been trafficked to Hungary, Poland, and other East European countries, as well as France and Germany. Some Mongolian men working overseas face exploitative conditions that meet the definition of involuntary servitude — a severe form of trafficking.

The Government of Mongolia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The Mongolian Government has acknowledged that trafficking is a problem and has tried to improve its ability to address it. While the government engages NGOs and regional and international organizations on anti-trafficking measures, it lacks the resources to combat trafficking effectively on its own. The Mongolian Government does not systematically monitor its anti-trafficking efforts and some officials lack an understanding of what constitutes trafficking. Government action should concentrate on adopting a strong and comprehensive anti-trafficking law, arresting and prosecuting traffickers, and providing victim protection measures.

### ***Prosecution***

The Mongolian Government's law enforcement efforts against trafficking were modest during the reporting period. The government investigated four trafficking-related cases in 2004, but there were no successful prosecutions. Authorities have not developed the capacity to compile full information on trafficking-related arrests, prosecutions, and convictions. Mongolia's criminal code and criminal procedure code contain provisions against trafficking in women and children and prostitution, with penalties of ten to 15 years' imprisonment for trafficking and a maximum of five years' imprisonment for prostitution. The Ministry of Justice and Home Affairs, in coordination with the National Human Rights Commission, is currently reviewing the anti-trafficking provisions of the criminal code in an effort to strengthen the law and make it easier to prosecute traffickers.

### ***Protection***

The Mongolian Government did not provide protection and direct assistance to trafficking victims during the reporting period, largely due to resource constraints. The government did not fund foreign and domestic NGOs that provided support for victims.

### ***Prevention***

While there were no anti-trafficking campaigns conducted in Mongolia over the last year, the gov-



ernment worked with travel industry representatives and UNICEF to establish a voluntary code of conduct to prevent the sexual exploitation of children in the travel and tourism industry. The Mongolian Government recognized that trafficking is a problem, but it did not place a priority on trafficking prevention programs. During the last year, the government began developing a national action plan to combat trafficking and the commercial sexual exploitation of children.

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## MOROCCO (TIER 1)

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Morocco is a country of origin, transit, and destination for women, men, and children trafficked from sub-Saharan Africa, North Africa, and Asia. Young Moroccan victims are lured into Europe by Italian, Spanish, Moroccan, and Algerian traffickers and then forced into drug trafficking, coerced labor, and sexual exploitation. According to government figures, an increasing number of Asian victims, particularly Indians, Pakistanis, and Bangladeshis, were brought into Morocco in 2004. Moroccan women are trafficked to Saudi Arabia, Syria, and the United Arab Emirates for the purpose of sexual exploitation. Children are trafficked internally for exploitation as child domestics and beggars. Sex tourism involving young Moroccans in and around popular tourist destinations has also been reported.

The Government of Morocco fully complies with the minimum standards for the elimination of trafficking. Although the government did not provide full data on investigations, prosecutions, convictions, and sentences, the Secretary of State has determined that it made a good faith effort to do so. Over the reporting period, Morocco continued to make progress in its overall anti-trafficking efforts: it signed an agreement with IOM to allow the latter to open an office for anti-trafficking work, created the National Observatory of Migration to coordinate and oversee Morocco's national anti-trafficking efforts, and formed a bi-national commission with Spain on trafficking. Morocco should consider creating a mechanism for identifying and developing trafficking cases for prosecution, and a procedure for referring victims to shelters and NGOs. It should also consider developing a centralized data collection system to document trafficking-related arrests, prosecutions, and convictions.

### *Prosecution*

The government made progress in its prosecution efforts in 2004. Morocco passed a new family code prohibiting the selling of child brides, raised the age of marital consent to 18, took steps to restrict hazardous forms of child labor, and criminalized sexual abuse of children. In 2004, it dismantled 423 trafficking rings and arrested 262 traffickers. Also, the Moroccan police arrested 70 Nigerian traffickers and rescued 1,460 Nigerian victims hidden by traffickers near Mt. Gourougou. In addition, Morocco dismissed the commander and deputy of its 745-man peacekeeping contingent in the Democratic Republic of the Congo, after a UN report implicated the peacekeepers for sexually assaulting women and children under their care. Morocco also arrested six of the soldiers directly implicated in these crimes and announced that they will be court-martialed. In Marrakech, the police arrested three French tourists for having solicited sex from minors, a measure that serves to deter the demand for trafficking victims.

### *Protection*

In 2004, Morocco continued making progress in protecting trafficking victims. It cooperated with Italy and Spain to repatriate an estimated 6,000 Moroccan minors living illegally in both European countries, some of them likely trafficking victims. In cooperation with Spain and Belgium, it established shelters and provided a wide range of assistance for returnees. The government also

repatriated 1,460 Nigerian victims. The Government of Morocco relies heavily on NGOs to assist domestic trafficking victims. The government allows these NGOs to solicit tax-free donations from citizens, residents, and companies — indirectly assisting in the provision of services to victims.

### ***Prevention***

The Government of Morocco increased its anti-trafficking prevention activities. Morocco began conducting joint naval surveillance operations with Spain in the Atlantic waters separating the Western Sahara from the Canary Islands, a known trafficking route. It also increased its border police presence along the Algerian border — another known trafficking route. A draft law requiring the police to investigate an employer when a runaway child maid is picked up is expected to be enacted in 2005 and will likely deter the abuse of child maids. In 2004, Morocco introduced severe punishment for promoting prostitution, pornography, sex tourism, child pornography, and child sexual abuse. In 2004, Morocco began training its diplomats in destination and transit countries to assist Moroccan victims. It also increased funding for efforts to stop the “renting” of children as props in begging.

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## **MOZAMBIQUE (TIER 2)**

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Mozambique is a source country for women and girls trafficked for the purpose of sexual exploitation. Trafficked women are recruited, generally from the Maputo area, with promises of lucrative jobs in South Africa and then sold to brothels, or as concubines to mine workers. Traffickers are principally Mozambican or South African citizens, but involvement of Chinese and Nigerian syndicates has also been reported.

The Government of Mozambique does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. To further its efforts to fight trafficking, the government should strengthen its law enforcement efforts by actively investigating and prosecuting cases of trafficking, and should also undertake strong preventative measures, including a comprehensive public awareness campaign.

### ***Prosecution***

The government’s performance in combating trafficking through law enforcement improved in 2004. Mozambique has no law specifically prohibiting trafficking in persons. As a necessary precursor to drafting comprehensive anti-trafficking legislation, the government conducted a donor-funded survey of children’s rights in 2004. Traffickers could be prosecuted using existing laws on sexual assault, rape, abduction, and child abuse, but no such cases have been brought before a court. The criminal investigative police and the anti-corruption unit of the Attorney General’s office have very limited knowledge of trafficking in persons. However, in March 2005, police in Quelimane arrested two men attempting to sell an 11-year-old boy. In separate 2004 incidents, border police arrested two Mozambican men for abducting and illegally transporting young boys across the South African border. Border controls remain highly inadequate, and many policemen and border control agents are suspected of accepting bribes from traffickers. In 2004, the Ministry of Interior’s Department for Women and Children established a new database to track a variety of crimes against women and children; no official cases of trafficking were recorded, but many cases of abductions and disappearances were registered and investigated. The Department of Migration signed an agreement with its counterpart in South Africa to share information and facilities; information on trafficking in persons was

specified within the agreement. The Ministry of Interior provided training in women's and children's protection, including trafficking in persons, to police officers serving in Maputo, Beira, and Nampula.

### ***Protection***

The government made modest attempts to provide basic protection for victims of trafficking over the last year. The Ministry of Women and Social Action has provided six major hospitals with counselors to help women and children who are victims of violence, including trafficking. These counselors have received basic training in trafficking and reintegration; counselors in the Maputo Central Hospital reported that they used their training to help trafficking victims during the year. In late 2004, the Ministry of Interior established women's shelters, intended in part to protect trafficking victims, at police stations in Maputo, Beira, Nampula and several large towns in Gaza province. Police officials staffing these shelters received training on trafficking in persons during the period.

### ***Prevention***

Prevention efforts on the part of the government remained weak. President Chissano mentioned trafficking in persons during his "State of the Union" address. President Guebuza discussed the problem in his 2004 election campaign. The government established an anti-trafficking inter-agency working group comprised of the Ministries of Interior, Women and Social Action, Justice, and Health, and held an initial meeting in 2004. The government has not organized any public education campaigns on trafficking prevention, but the Ministries of Interior and Women and Social Action actively participated in NGO and international organization-run education campaigns for women in vulnerable communities by presenting information about trafficking-related laws and police services. In January 2005, the government formally approved IOM's application to re-establish an office in Mozambique. The Mozambican Government does not yet have a national plan of action to address trafficking in persons.

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## **NEPAL (TIER 1)<sup>1</sup>**

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Nepal is a source country for girls and women trafficked to India for the purposes of commercial sexual exploitation, domestic servitude, forced labor, and work in circuses. Many victims trafficked to India are lured with promises of good jobs or marriage. Others, including boys, are sold by family members or kidnapped by traffickers. Women are trafficked to Saudi Arabia, Malaysia, Hong Kong, the United Arab Emirates, and other Gulf states for domestic servitude. Internal trafficking for forced labor and sexual exploitation also takes place. Maoist insurgents continue to abduct and forcibly conscript children. Reports indicate that internal trafficking is on the rise due to the insurgency, as rural women and children leave their homes and seek both employment and security in urban centers.

The Government of Nepal fully complies with the minimum standards for the elimination trafficking. Despite political and security challenges, the government has sustained its efforts to combat trafficking in persons. Nepal has a National Plan of Action to combat trafficking, a draft Human Trafficking Control Bill to strengthen its 1986 anti-trafficking law, and a National Rapporteur on trafficking. However, these commendable anti-trafficking efforts are hindered by political instability and security problems associated with the Maoist insurgency affecting a large part of the country.

### ***Prosecution***

Nepal's law enforcement efforts are commendable given the security and resource challenges that it

faces. According to the Attorney General, in 2004, 133 trafficking cases were filed, 32 convictions handed down, and 83 are pending prosecution. In October 2004, a court in Makwanpur convicted a man for attempting to traffic two 16 and 17 year-old girls and sentenced him to ten-years' imprisonment. In March 2005, a court in Jhapa sentenced a man to a 15-year term and hefty fine after convicting him of selling a girl to a brothel in India. Nepal, although not a destination for child sex tourists, prosecuted one case involving sexual abuse of children by tourists in 2004. In January 2005, Nepal negotiated and initialed an extradition treaty and an Agreement on Mutual Assistance on Criminal Matters with India. Nepal has also established a Documentation and Information Center (DIC), which tracks trafficking cases at the district level. Nepal should take measures against some immigration officials, police, and judges suspected of trafficking-related graft and corruption.

### ***Protection***

The Government of Nepal works well with NGOs to provide protection assistance to victims of trafficking. In 2004, Nepal drafted a bill and accompanying policies and regulations to protect the rights of labor migrants, and rescued and repatriated (in collaboration with India and NGOs) more Nepali girls this year. The Nepali police in 2004 established Women and Children Service Centers in 15 districts to enhance anti-trafficking law enforcement, public awareness, and counseling activities at the district level. These centers provided training on victim support methods to local police and NGOs and the government has plans to create similar centers in four more districts.

### ***Prevention***

During the reporting period, Nepal made progress in its efforts to prevent trafficking. The government has identified 26 high-priority districts as source areas of trafficking and established anti-trafficking "Vigilance Committees." It also requires all workers traveling abroad to attend orientation sessions on safe migration that help prevent trafficking and conducts national and regional information campaigns on trafficking. Planete Enfants, an EU-funded NGO, collaborates with the government in conducting campaigns to educate girls about trafficking in 19 districts. UNIFEM, in coordination with the government, conducts campaigns to target potential victims and deter traffickers by advertising potential 20-year punishment for trafficking. These efforts resulted in the interception and rescue of potential victims and in eroding the stigma associated with being a trafficking victim.

<sup>1</sup> Despite setbacks in other areas, Nepal has over the years made steady progress in its efforts to combat trafficking, as the problem affects thousands of its young population. Other serious human rights problems in Nepal are reported and analyzed in the annual Human Rights Report, available at: [www.state.gov/drl/hrr](http://www.state.gov/drl/hrr)

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## **THE NETHERLANDS (TIER 1)**

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The Netherlands is primarily a destination and transit country for trafficking of women and girls for the purpose of sexual exploitation; trafficking for labor exploitation exists to a lesser extent. Most victims are trafficked from Central and Eastern Europe, with some victims from Nigeria and Brazil. Reportedly, a significant percentage of the 25,000 individuals engaged in prostitution are trafficking victims. Internal trafficking of young, mostly foreign girls by Moroccan and Turkish pimps into sexual exploitation also occurs. The Netherlands Antilles, where the Netherlands exercises responsibility over visa issuance according to guidelines issued by the Netherlands Antilles, became more of a concern as a transit and destination for illegal migrants, some of whom may have been trafficked.

The Government of the Netherlands fully complies with the minimum standards for the elimination of trafficking. Although the government did not provide final 2004 data on investigations, prosecutions, convictions and sentences, the Secretary of State has determined that it has made a good faith effort to do so. In 2004, the government adopted an anti-trafficking national action plan, expanded its outreach to potential trafficking victims and increased overall funding for protection and prevention. In January 2005, the government supplemented its existing trafficking law and incorporated forced labor into its definition of exploitation, bringing penalties in line with international standards. International scrutiny continued to focus on the legalized commercial sex industry in the Netherlands. Police reported a decrease in trafficking in the legalized sector, though comprehensive data on the number of trafficking victims is unavailable because the government did not carry out a recommended systematic screening of foreign prostitutes in the redlight district. While the government initiated several information and awareness raising campaigns, additional targeted and highly visible campaigns aimed directly at customers and women in the redlight zones should be made to increase effectiveness in combating the overall problem.

### ***Prosecution***

The Netherlands, in 2004, expanded the legal definition of trafficking to include forced labor and increased the maximum penalty for traffickers from six to eight years. Sentences of up to 12 years can apply in cases of serious physical injury. Average sentences increased by almost three months in 2003. Preliminary enforcement statistics reflected an increase in cases investigated for the first nine months of 2004. During this period, Dutch police initiated 604 investigations and referred 87 cases for prosecution. In 2003, the courts successfully prosecuted 127 trafficking-related crimes. The police incorporated anti-trafficking curriculum into regular police training; and a similar model was developed for public prosecutors and judges. Information on the modus operandi of traffickers was distributed to all regional police forces. There were no reports of official corruption or trafficking-related complicity.

The government reported that strict controls and licensing requirements for brothels were employed as a means of combating trafficking. Under the Public Information Integrity Act, the local government of The Hague denied licenses to five sex firms and withdrew two existing licenses due to indications of involvement in illegal activities, including trafficking. Police conducted unannounced bi-monthly visits to brothels in Amsterdam to check for illegal conduct.

### ***Protection***

In 2004, the Dutch government increased its funding for shelters assisting trafficking victims by 1.2 million Euros. Additionally, regional governments funded shelters, victim protection programs and local education programs. The Dutch Foundation Against Trafficking in Persons (STV), the national reporting center for registration and assistance for trafficking victims, registered 405 trafficking victims in 2004, an increase from 267 the previous year. Moreover, 185 trafficking victims received B-9 residency permits, an increase from 84 in 2003. In April 2005, the government enacted regulations to allow B-9 permit holders the right to work and eligibility for benefits and education assistance. Victims not wishing to apply for the B-9 were informed of other asylum options, including the option of accepting the B-9's three-month reflection period. In 2004, the government donated 28.5 million Euros to UNICEF to protect child victims of trafficking.

### ***Prevention***

In 2004, the Dutch government initiated targeted information campaigns to prevent trafficking and raise awareness among government officials and the public. These included: an information campaign on the anonymous crime reporting hotline; a B-9 residency permit awareness campaign; and new public aware-

ness campaigns on youth prostitution targeting at-risk youth in schools and among asylum seekers. During the reporting period, the Health Ministry subsidized a “stepping out” program aimed at re-socialization and psychosocial support. Information brochures in five languages on development of such assistance packages were distributed to local governments and distributed to 2,000 vulnerable women in prostitution across the Netherlands. Under this program, the government also funded Dutch language lessons for women formerly in prostitution and conducted outreach to 800 foreign national prostitutes to escape dependency on pimps and traffickers. In addition, the government funded outreach through an NGO in 2004 to 22,000 women in prostitution, potential trafficking victims and clients in the Amsterdam redlight district. The government, in January 2005, established a center aimed at preventing involvement of youth in prostitution to consolidate all prevention, information and support activities. The government continued to focus efforts on international prevention and outreach to source countries, and provided significant funding for a number of programs in those countries. The government has provided funding since 2003 to prevent the international sexual exploitation of children and international child forced labor.

### **THE DUTCH CARIBBEAN AUTONOMOUS REGIONS**

Anecdotal reporting suggests that the Netherlands Antilles and Aruba, autonomous regions within the Kingdom of the Netherlands, are transit and destination regions for trafficking of women and children for sexual exploitation. Curacao and Saint Maarten, in particular, reportedly are destination islands for women trafficked for the sex trade from Columbia, the Dominican Republic and Haiti. In Curacao (and neighboring Aruba) observers estimate that 500 foreign women are in prostitution, some of whom may have been trafficked. There are also reports of children being trafficked for sexual exploitation as underage prostitutes, particularly from the Dominican Republic. In September 2004, Curacao prosecuted and sentenced two traffickers who trafficked children from Suriname to Curacao using fraudulent documents. Visas for Aruba and the Netherlands Antilles are issued by Dutch Embassies following review by Aruban or Netherlands Antilles’ authorities. Visa controls were reportedly tightened in 2004. Also in 2004, the Dutch government provided 100,000 Euros to an IOM program focused on awareness raising, information dissemination and regional cooperation targeting officials from the Dutch Caribbean.

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## **NEW ZEALAND (TIER 1)**

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New Zealand is a destination country for women trafficked from Thailand and other countries in Asia for the purpose of sexual exploitation. Some women smuggled into the country are subjected to commercial sexual exploitation to repay substantial debts to traffickers. New Zealand has a sizable number of children in prostitution, many of whom may be trafficking victims.

The Government of New Zealand fully complies with the minimum standards for the elimination of trafficking. The government should make a greater effort to prosecute trafficking offenses and raise public awareness of New Zealand's trafficking problem.

### ***Prosecution***

New Zealand’s laws criminalize trafficking, slavery and child sexual exploitation. There were no convictions in the last year relating to transnational trafficking, but there were two convictions of brothel keepers for employing underage prostitutes under the Prostitution Reform Bill of 2003, which legalized prostitution in New Zealand and clamped down on trafficking of children for the purpose of commercial sexual exploitation. There were seven convictions for offenses involving underage prostitutes.

Penalties for trafficking crimes carry a maximum of 20 years' imprisonment and substantial fines. The law extends prosecution to any person receiving financial gain from an act involving children exploited as prostitutes, and it prohibits sex tourism. The New Zealand Government cooperated in the foreign prosecution of its citizens who committed child sex offenses in other countries.

### ***Protection***

During the reporting period, the New Zealand Government's protection efforts continued to meet minimum standards. The government supported NGOs including one that provided services to women in the commercial sex industry and some trafficking victims. The government provides physical protection, medical services, travel documents, and repatriation for victims. There were no reports of trafficking victims who had been jailed, fined or deported.

### ***Prevention***

The government has programs geared to protecting children. To prevent exploitation of new immigrants and refugees, the New Zealand Government also has a number of campaigns to make them aware of their employment rights and human rights. The government in early 2005 approved a National Plan of Action on Trafficking in Persons. Although too new to verify its implementation, the plan establishes procedures for victim identification; provides victims access to specialized shelters; and provides awareness raising and training on trafficking.

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## **NICARAGUA (TIER 2 - WATCH LIST)**

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Nicaragua is a source and transit country for women and children trafficked for the purpose of sexual exploitation. Estimates of the total number of victims are difficult to assess; however, the Government of Nicaragua acknowledges that trafficking is a significant problem. Nicaraguans are trafficked from rural to urban areas within the country, and to other parts of Central America and Mexico for sexual exploitation. The majority of victims are children prostituted by their traffickers.

The Government of Nicaragua does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Nicaragua is placed on Tier 2 Watch List for its failure to show evidence of increasing efforts to eliminate trafficking. The government has a weak commitment to addressing trafficking. While there is some evidence of a commitment to fight trafficking, including the opening of an office in the Ministry of Government to coordinate anti-trafficking efforts, and limited work on cross-border cooperation and repatriations, anti-trafficking law enforcement efforts remain weak, particularly efforts to address trafficking-related corruption. To improve its trafficking efforts, the government should implement a more aggressive law enforcement strategy against commercial establishments that profit from the sexual exploitations of minors; revise and update laws to comply with international standards on trafficking in persons; and expand bilateral and regional anti-trafficking efforts.

### ***Prosecution***

The Government of Nicaragua, through its national anti-trafficking coalition, has a plan to fight trafficking and the sexual exploitation of children under the age of 14, which includes improved law enforcement as a priority. However, during the reporting period there was only one reported trafficking-related conviction. The government had a number of investigations and arrests, but failure to provide sufficient protection of victims has led to prosecution failures. Several cases remain in the

court and may lead to convictions in the future. Police closed some establishments known to be exploiting children, but greater efforts are needed to address the many clubs, bars, and other establishments offering children for sexual exploitation. In general, law enforcement is hampered by a lack of resources, personnel, and trafficking awareness. The legal framework is also an obstacle and needs to be modernized to criminalize underage prostitution. Nicaragua law currently does not criminalize the prostitution of minors, a severe form of trafficking in persons.

### ***Protection***

Nicaragua continued to provide inadequate services and protections for victims of trafficking over the last year. Foreign trafficking victims discovered illegally in the country are detained and face summary deportation without any consideration of the protection they may require as victims of trafficking in persons. The government does not fund shelters to assist trafficking victims, which is partially a reflection of the government's severe resource constraints. The government recognizes the dearth of victim protection and claims to be designing mechanisms to better assist and protect victims. Currently, the government cooperates and coordinates closely with NGOs in fighting sexual exploitation of minors. The Ministry of Foreign Affairs has successfully worked to repatriate victims of trafficking. Efforts to increase regional cooperation are underway and should be continued.

### ***Prevention***

Widespread poverty and unemployment leave many in the country, especially women and children, vulnerable to traffickers. Inadequate resources limit the government's ability to carry out long-term sustainable campaigns. Nonetheless, the government was able to undertake many meaningful prevention measures. The government conducted a successful trafficking awareness campaign run by the Women's Division of the National Police and the Ministry of Education. The two offices have implemented a program in high schools throughout Nicaragua to warn at-risk teenagers about trafficking. The police, working with school counselors, made presentations to students on the dangers of trafficking and hand out booklets containing a strong anti-trafficking message. The government's national anti-trafficking coalition initiated a separate large-scale public awareness campaign during 2004. The campaign included print materials and television and radio programs targeted at school-aged potential trafficking victims in locations where traffickers are known to recruit victims.

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## **NIGER (TIER 2 – WATCH LIST)**

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Niger is a source, transit, and destination country for men, women, and children trafficked for the purposes of sexual exploitation and forced domestic and commercial labor. Nigerien boys are trafficked internally, often by local religious teachers, to work as beggars and manual laborers; Nigerien girls are trafficked for domestic servitude and to engage in prostitution. Foreign children are trafficked into Niger for similar purposes. Nigerien women are trafficked to North Africa and Europe for sexual exploitation, and to North Africa and the Middle East for forced domestic labor. Traffickers lure victims to foreign countries with false marriages or promises of lucrative employment. Nigerien children have also been trafficked to Gabon and Nigeria. Victims are also trafficked to or transit through Niger to other West African countries from Benin, Burkina Faso, Gabon, Ghana, Mali, Nigeria, and Togo. Many families misguidedly surrender their children to distant relatives or religious teachers who then exploit the children. According to a sample survey conducted by an NGO, over one fourth of approximately 1,500 households knew of trafficking in their neighborhood or village, and more than five percent reported that



at least one family member had been trafficked. Slavery-related practices, typically flowing from ancestral master-slave relationships, also continue in isolated areas where a barter economy exists.

The Government of Niger does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Enactment in April 2004 of an anti-slavery law with criminal sanctions for a broad range of slavery-like practices, while a move in the right direction, has not resulted in a noticeable reduction in trafficking or appreciable increase in enforcement actions against traffickers. Niger is placed on Tier 2 Watch List for its weak efforts to enforce anti-trafficking laws and rescue victims. The government should make good faith efforts to educate officials, communities, and local leaders to prevent trafficking and rescue victims. The government should also prosecute traffickers under existing laws, and consider passing and implementing laws that specifically ban trafficking in persons.

### ***Prosecution***

The government's law enforcement efforts remained weak in 2004. Niger's 2003 Anti-Slavery Law entered into force in April 2004, and the government's Human Rights Commission investigated four cases of alleged slavery and human trafficking; no prosecutions or rescues of forced labor victims resulted from these actions. In the absence of a law that specifically prohibits trafficking, a Nigerien court sentenced one individual to three years in prison under kidnapping charges. The government trained 150 law enforcement officers regarding approved travel documents for children crossing borders without their parents. Nigerien officials conducted joint cross-border patrols with Nigeria, Chad, Mali, and Burkina Faso and identified 13 foreign trafficking victims but did not apprehend any traffickers. Corruption of low-level officials was common, but there were no known instances of government officials who participated in or condoned trafficking.

### ***Protection***

The government ran no shelters to care for trafficking victims and lacked the financial resources to fund or otherwise support foreign or domestic nongovernmental victim assistance. However, government social welfare and police officials referred many of the victims who turned to NGOs for assistance. Authorities worked with the Nigerian government to repatriate 15 Nigerian victims.

### ***Prevention***

The government made limited progress in educating the public about the trafficking situation in Niger. Though lacking a national campaign to combat trafficking, it cooperated in a trafficking survey, continued to conduct seminars for some journalists and community leaders on child abuse and trafficking, and included anti-trafficking elements in campaigns condemning child abuse. The Prime Minister drew attention to the problem of human trafficking in an October 2004 speech to journalists, and government newspapers ran some stories about child beggars. In March 2005, the government began to educate communities about the 2003 Anti-Slavery Law, which took effect in April 2004, and on the rights of victims under the new law.

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## **NIGERIA (TIER 2)**

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Nigeria is a source, transit and destination country for trafficked women and children. Nigerians are trafficked to Europe, the Middle East and other countries in Africa for the purpose of sexual

exploitation, forced labor, and involuntary domestic servitude. Nigerian girls and women are trafficked for sexual exploitation to Europe — particularly Italy, Spain, Belgium, and the Netherlands — and other African countries. Children from Nigeria’s southern and eastern states are trafficked to Nigerian cities and other West African countries for exploitation as domestic servants, street hawkers, and forced laborers. Children from Togo and Benin are trafficked to Nigeria for forced labor.

The Government of Nigeria does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government showed clear progress in implementing its 2003 anti-trafficking law and improving the capacity of the National Agency for the Prohibition of Trafficking in Persons (NAPTIP). The government should undertake greater efforts to ensure that child victims of labor trafficking are identified and provided protection. It should also consider better coordination among and consolidation of the country’s disparate anti-trafficking investigative and prosecutorial resources.

### ***Prosecution***

The government made strong strides in improving its anti-trafficking law enforcement efforts over the reporting period. Comprehensive anti-trafficking law enforcement statistics were not available. NAPTIP investigated more than 40 cases of suspected trafficking, leading to eight new prosecutions. In November 2004 a court handed down the first conviction under the 2003 anti-trafficking law, sentencing a female trafficker to three years’ imprisonment for attempting to traffic six girls to Spain. The police anti-trafficking unit expanded its coverage to 11 state offices, rescued 35 victims of trafficking, opened 27 investigations, and arrested 40 suspected traffickers. The government provided over \$1 million in funding for NAPTIP in 2004, allowing it to hire needed staff; expand cooperation with other countries, including Benin, Niger, Saudi Arabia, Italy, and the United Kingdom; and train its own dedicated prosecutors. Trafficking-related corruption is a serious obstacle to Nigerian anti-trafficking efforts. Although NAPTIP began investigating a number of law enforcement officials suspected of trafficking complicity over the last year, no prosecutions were initiated.

### ***Protection***

The government’s efforts to provide protection for victims of trafficking remained weak in 2004, though some progress was made through the opening of a transit shelter in Lagos and a small shelter in Benin City, Edo State. In other locations, NAPTIP provided emergency overnight shelter for victims, but usually referred victims requiring longer-term care to NGOs and international organizations. Police and NAPTIP encouraged victims to assist in prosecutions; the government published a brochure outlining the steps a victim can take to help in prosecutions that was distributed to Nigerian victims deported from Europe. A system of screening and referral of victims was established among the various Nigerian law enforcement agencies, and victims are now referred to NAPTIP, NGOs or international organizations for care. The government provided modest funding for NGOs involved in protecting victims.

### ***Prevention***

The government’s anti-trafficking prevention efforts continued over the year. NAPTIP conducted “sensitization tours” around the country, reaching out to state governments, local law enforcement, market organizations, and youth groups to raise awareness of the dangers of trafficking. NAPTIP created a website to provide information to Nigeria’s considerable Internet-savvy public and opened a hotline for victims of trafficking and those seeking information on trafficking. State governments’ departments of youth and women’s affairs conducted programs to raise awareness and prevent those

at risk from falling prey to traffickers. For example, the Department of Youth in Cross River State organized youth camps around major holidays, which are prime times when traffickers target victims. NAPTIP and the Special Assistant to the President on Human Trafficking and Child Labor presided over the National Stakeholders Forum, which brought together government agencies and NGOs to share information and coordinate anti-trafficking efforts.

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### NORTH KOREA (TIER 3)

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The Democratic People's Republic of North Korea is a source country for men and women trafficked for the purposes of forced labor and sexual exploitation. Thousands of North Korean men, women, and children are forced to work and often perish under conditions of slavery inside the country. Thousands of North Koreans, pushed by deteriorating conditions in the country, become economic migrants who are subjected to conditions of debt bondage, commercial sexual exploitation, and/or forced labor upon arrival in a destination country, most often the People's Republic of China (P.R.C.). The illegal status of North Koreans in other nations increases their vulnerability to trafficking schemes and sexual and physical abuse. North Korean women are trafficked for commercial sexual exploitation and forced marriages with Chinese men while North Korean men are trafficked for forced labor. North Koreans forcibly returned from China are sent to labor prison camps operated by the government.

The Government of North Korea does not fully comply with the minimum standards for the elimination of trafficking and is not making efforts to do so. The government does not recognize trafficking as a problem and imposes slave-like labor conditions on prisoners and repatriated North Koreans.

#### ***Prosecution***

During the reporting period, North Korea publicly executed three men for trafficking North Korean women into China. There were no reports that authorities investigated the trafficking of North Korean women for sale into brothels and marriages with Chinese men. The North Korean Government continued to carry out trafficking abuses, particularly forced labor. There were no reports of prosecutions of corrupt officials related to trafficking.

#### ***Protection***

The Government of North Korea made no effort to protect trafficking victims during the reporting period; reporting instead indicated that the government punished victims. Press reports indicated that nine women who were trafficked and returned from China were sentenced to prison terms of two years to 18 years. The government sent all North Koreans who were forcibly returned from China, including trafficking victims, to forced-labor prison camps where torture and public executions are commonplace. There are also reports that North Koreans who were forcibly returned from China are detained in re-education camps.

#### ***Prevention***

The North Korean Government does not recognize trafficking as a problem, and there were no reports of any government anti-trafficking efforts. Due to the lack of prevention efforts, there have been reports of an increase in the trafficking of North Korean women along the Chinese-North Korean border. The government has not taken steps to warn its citizens about the kidnapping of North Korean women by Chinese or North Korean men along the border who prey on unaccompanied women.

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**NORWAY (TIER 1)**

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Norway is a destination country for women trafficked for the purpose of sexual exploitation, mostly from Eastern Europe, Russia, and the Baltic countries. A significant increase in the number of African women in prostitution was noted in Norway in 2004. Their total number remains small, but the sudden increase may suggest the growth of organized trafficking rings.

The Government of Norway fully complies with the minimum standards for the elimination of trafficking in persons. Norway is a leader in anti-trafficking efforts. The government achieved progress in the areas of prosecution and protection during the reporting period, mainly as a result of Norwegian political attention to the issue and sustained funding for anti-trafficking efforts. The Norwegian Government should consider expanding its prevention program to include domestic demand-reduction programs.

***Prosecution***

The Norwegian Government demonstrated progress in prosecuting and convicting traffickers during the reporting period. The Norwegian Penal Code criminalizes all types of trafficking in persons and provides sufficiently severe penalties. Traffickers can also be prosecuted for violation of laws against pimping and slavery. In February 2005, the government successfully prosecuted Norway's largest trafficking case to date and convicted eight persons – three Georgians, two Lithuanians, two Norwegians, and one Turk. The leader of the group was convicted under Norway's trafficking statute – as well as under laws against assault, rape, confinement, and threats – and sentenced to 11 years' imprisonment. The remaining seven individuals received sentences of four months to four and a half years' imprisonment. The court also ordered the perpetrators to pay the two victims approximately \$170,000 in compensation. In another case, the police charged three alleged traffickers under pimping, organized crime, and human trafficking laws, and have requested the extradition of two alleged traffickers from Germany. The Norwegian police have a two-day training seminar for officers working on trafficking issues. The Directorate of Immigration also provides counter-trafficking training to its personnel. There was no evidence of trafficking-related official corruption in Norway during the reporting period. The Norwegian Government cooperates with other governments in the investigation and prosecution of trafficking cases through Interpol and Europol, and bilaterally.

***Protection***

The Government of Norway significantly increased its efforts to protect victims of trafficking. In January 2005, the Norwegian Government launched a formal trafficking victim assistance program featuring a government-funded NGO operating a network of trafficking victim assistance centers and a 24-hour hotline. The government-funded NGO is also opening two centers dedicated to delivering follow-up assistance to victims as they recover. The Government of Norway can suspend decisions to remove trafficking victims for a 45-day grace period, regardless of whether they cooperate with police or prosecutors, in order to provide assistance and counseling. In Norway's largest trafficking case, a victim involved immediately received a temporary residency permit and skipped the reflection period. The police have offered the reflection period to over 60 women nationwide and none has chosen to use it; the government is reviewing possible adjustments to include having assistance providers offer it rather than the police. Police continued to develop witness protection guidelines for trafficking cases.

***Prevention***

The Norwegian Government continued to move forward in implementing its National Plan of Action to combat trafficking in 2004. The Norwegian inter-ministerial task force on trafficking is required

to submit a written report every six months to a higher steering committee, comprised of the deputy ministers of all nine ministries represented on Norway's inter-ministerial task force. During the reporting period, the government funded NGOs that conducted public awareness and outreach, as well as regional and international projects in source countries on the risks of trafficking. Norway continued to play a prominent role in the international campaign against trafficking, in NATO and in other multilateral organizations. Norway educated its embassy and consulate staff on trafficking issues and encouraged them to work with local NGOs to counter trafficking in host countries.

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## OMAN (TIER 2)

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Oman is a destination country for women and men who migrate legally and willingly from South Asia — primarily from India, Bangladesh, Pakistan, Sri Lanka, and the Philippines — for work as domestic workers and laborers but are subsequently trafficked into conditions of involuntary servitude. Some of these workers suffer from physical and sexual abuse or withholding of wages or travel documents. Every year, thousands of Pakistanis infiltrate Oman's maritime border with Iran in search of jobs or to reach other destinations in the Gulf. According to a noted human rights activist, several dozen foreign children trafficked for the purpose of exploitation as camel jockeys were reportedly seen near the border with the United Arab Emirates.

The Government of Oman does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Over the next year, the government should conduct an assessment of the smuggling and trafficking situation and develop an appropriate national plan of action to combat it. It should also consider appointing a national coordinator to articulate, direct, and oversee the government's overall anti-trafficking efforts, including the drafting and enactment of a comprehensive anti-trafficking legislation, the training of law enforcement personnel to identify trafficking crimes, and the development of appropriate anti-trafficking protection and prevention programs.

### ***Prosecution***

The Government of Oman continues to actively interdict, apprehend, screen, and detain suspected illegal immigrants and human smugglers. Oman does not have an anti-trafficking law, but it has other criminal laws that can be used to prosecute trafficking crimes. During the reporting year, there were reports of physical abuse of domestic servants, some of whom may have been victims of involuntary servitude. According to Ministerial Decree 189 (Law on Domestic Labor, issued June 16, 2004), Article 8, an employee has the right to end his/her contract if he/she is abused by an employer. Pursuant to Article 10, salary disputes are settled by the Ministry of Manpower. The Ministry's Labor Welfare Board adjudicates cases filed by national and expatriate workers against employers. Employers guilty of contested wages are ordered to reimburse the worker's back wages.

### ***Protection***

The Government of Oman provides some protection to both illegal and legal expatriate workers who fall victim to involuntary servitude. It operates a 24-hour complaint hotline and mediates contract disputes, works with source country representatives to provide assistance to victims, and grants access to officials from source countries to visit deportation centers. However, the government does not have a systematic screening procedure for differentiating potential trafficking victims from the thousands of illegal immigrants it detains and deports every year. It should develop and deploy a more comprehensive screening

procedure to ensure that any such victims are identified and provided with appropriate protection services, such as shelter, medical and psychological assistance, humane repatriation, and other essential services.

The Government of Oman has extended protections under its labor laws to its large domestic work force per Ministerial Decree 189. All foreign workers are protected under the labor law, though some may be reluctant to file complaints for fear of retribution from their employers. Workers are informed of their labor rights in pre-departure orientation briefings in their countries of origin. The government does not have a separate shelter for potential victims of trafficking. However, in addition to the food, shelter, and medical care provided at its deportation centers, the government works with source country embassies and charitable groups to tend to foreign nationals requiring repatriation and other forms of assistance. Oman should consider establishing a shelter for potential victims of trafficking.

### ***Prevention***

The Government of Oman took some positive steps to prevent trafficking. It monitored its borders and immigration patterns, introduced special visa regimes applicable to certain countries to thwart possible trafficking for the purpose of sexual exploitation, and engaged other countries in the region and beyond on issues relating to trafficking and illegal immigration. Oman actively pursues avenues of international cooperation and has stepped up assistance and information sharing with source countries, including sending a team of Royal Oman Police to work with the anti-trafficking unit of Pakistan's Federal Investigation Agency. Oman should develop and launch broad public awareness campaigns highlighting the rights of domestic workers and other groups vulnerable to being trafficked.

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## **PAKISTAN (TIER 2)**

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Pakistan is a source, transit, and destination country for victims of severe forms of trafficking in persons. Women and girls from Bangladesh, India, Burma, Afghanistan, Iran, Kazakhstan, Kyrgyz Republic, Turkmenistan, Uzbekistan, and Tajikistan are trafficked to Pakistan for commercial sexual exploitation and bonded labor. Girls and women from rural areas are trafficked within the country to urban centers for commercial sexual exploitation and involuntary domestic servitude. Women trafficked from East Asian countries and Bangladesh to the Middle East often transit through Pakistan. Men, women, and children are trafficked to the Middle East for bonded labor and domestic servitude. Boys are trafficked to Persian Gulf states for use as camel jockeys. Children are trafficked internally for forced begging and bonded labor.

The Government of Pakistan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Pakistan has improved its anti-trafficking performance over the reporting period. Most notably, it has increased trafficking-related prosecutions and convictions, strengthened implementation of its 2002 Prevention and Control of Human Trafficking Ordinance, established an Anti-Trafficking Unit (ATU) within the Federal Investigation Agency (FIA), and co-sponsored several public awareness campaigns. Pakistan should continue expanding on these efforts in order to further its fight against trafficking.

### ***Prosecution***

Pakistan's law enforcement efforts greatly increased during the reporting period. In 2004, 479 trafficking-related cases were registered, 289 individuals arrested, 248 court cases filed, and 72 convictions

obtained — a significant improvement over the six convictions obtained in 2003. The government also prosecuted and convicted 17 officials for trafficking-related corruption. There were cases during the reporting period in which law enforcement officials mistakenly identified trafficking victims as voluntary participants in human smuggling and initiated criminal procedures against them. In such cases, supervisory personnel acted promptly to ensure charges were dropped and victims protected. The government should continue efforts to train a broad cross section of working-level law enforcement personnel to prevent such mistakes in future.

### ***Protection***

In 2004, Pakistan made progress in its efforts to protect trafficking victims. Currently, NGOs continue to provide the majority of assistance and protection services for victims. However, new regulations for the implementation of Pakistan's 2002 anti-trafficking law obligate the Government of Pakistan to provide assistance to trafficking victims and allocate funding for their repatriation. Pakistan established the FIA's ATU, through which it coordinates its anti-trafficking law enforcement efforts. In cooperation with IOM, the government is establishing a new model shelter for trafficking victims in Islamabad, and it has committed to replicating similar facilities in other parts of the country. At present, trafficking victims are offered shelter in 267 detention centers in the country, where they are provided with medical assistance, limited legal representation, and some vocational training. The anticipated opening of the model shelter and a joint screening referral process for all trafficking victims are expected to enhance Pakistan's protection efforts.

### ***Prevention***

The government improved its prevention efforts over the reporting period. In collaboration with IOM, it trained about 200 law enforcement and border security personnel in victim recognition methods. It also encouraged its embassies and consulates, particularly in the Gulf region, to play a more active role in identifying, assisting, and repatriating trafficking victims. It conducted, in collaboration with NGOs, several anti-trafficking public campaigns. Pakistan's diplomatic missions in the United Arab Emirates and Oman have worked closely with NGOs, such as Ansar Burney Welfare Trust, in rescuing, repatriating, and rehabilitating children trafficked as camel jockeys.

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## **PANAMA (TIER 2)**

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Panama is a source, transit, and destination country for men, women and children trafficked for the purposes of labor and sexual exploitation. Women and children are primarily trafficked within Panama for sexual exploitation. However, there are credible reports of women and children trafficked from Colombia to Panama for sexual exploitation. Women are also trafficked from Colombia and the Dominican Republic to Panama, Costa Rica, the United States (through Central America) and Europe. Child domestic laborers, who may be trafficking victims, are trafficked from the western provinces to Panama City. There are unconfirmed reports of Chinese families trafficked into debt bondage in the country.

The Government of Panama does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Passage and effective implementation of a new comprehensive anti-trafficking law has increased the government's efforts to combat trafficking in the country. However, the government has yet to eliminate a visa program that facilitates the import of foreign women for prostitution, and is likely exploited by traffickers.

### ***Prosecution***

The Government of Panama made significant improvements in investigating, prosecuting, and punishing traffickers over the reporting period. In 2004, Panama enacted a comprehensive anti-trafficking law, which targets traffickers. The Technical Judicial Police (PTJ) investigated 24 trafficking cases under the new law — a four-fold increase over cases investigated in 2003 — and presented seven cases to the Attorney General’s Office for prosecution. Additionally, the Attorney General’s office investigated at least 82 cases under the new law. Using the new law as an investigative tool, in March 2005 the Attorney General’s Office ordered the detention of several ranked National Police (PNP) officers for sexual trafficking-related offenses against children. There were no reported trafficking convictions using the new law. Panama temporarily suspended the “alternadora visa” in 2004, but reinstated it in January 2005. Due to the lack of coordination among law enforcement agencies, Panama struggles to investigate and prosecute trafficking cases involving adult trafficking victims. The government has acknowledged that it needs to improve its interview techniques to uncover trafficking cases.

### ***Protection***

Panama’s new anti-trafficking legislation is ambitious and the government is still in the process of implementing provisions to improve victim protection. In February 2005, the Attorney General convoked the law’s anti-trafficking commission (CONAPREDES), which has authority to collect a special tax for victim assistance. However, this tax has not yet been implemented. Nonetheless, the government provides legal, medical, and psychological services for victims. Additionally, the government funds NGOs that shelter or assist trafficking victims and operates a foster family program. Immigration officials maintain that none of the 137 foreign prostitutes deported, or other prostitutes offered voluntary departure in 2004, claimed to be a victim of trafficking.

### ***Prevention***

The government’s efforts to prevent trafficking improved over 2004, as it carried out many new prevention campaigns during the reporting period. The new anti-trafficking law calls for a special tax to provide funds for anti-trafficking prevention activities, which could permit more extensive campaigns in the future. In November 2004, the Office of the First Lady and the Ministry of Youth, Children, Women, and Family initiated a formal campaign against the commercial sexual exploitation of minors and sexual tourism. The campaign targeted the demand for trafficking, using television and radio ads and the slogans, “If You Are a Man, We’re Depending on You” and “Panama: A Country that Rejects Sex Tourism.”

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## **PARAGUAY (TIER 2)**

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Paraguay is a source country for women and children trafficked to Argentina, Spain, and Brazil for the purposes of sexual exploitation and forced labor. Poor children are also trafficked internally from rural to urban areas for sexual exploitation and involuntary domestic servitude. Trafficking of Paraguayan and Brazilian women and girls, principally for sexual exploitation, remains an ongoing problem in the tri-border area, on the Brazil-Paraguay-Argentina border. Recruiters are typically Paraguayan and use false documents to move victims.

The Government of Paraguay does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government successfully prosecuted several trafficking cases and solicited bilateral assistance and international financial institution



funding to train government officials, develop national public awareness campaigns, and establish a shelter to assist victims of trafficking. Projects approved late in the reporting year must now be implemented by the government in collaboration with NGOs. The government should work with NGOs to increase public awareness and improve services for victims. It should also take greater steps to identify and prosecute trafficking crimes.

### ***Prosecution***

The government identified new trafficking cases and prosecuted traffickers in 2004, but the lack of data for previous years makes it unclear whether law enforcement efforts have increased or decreased. Paraguay's basic anti-trafficking statute and existing laws, if properly enforced, are adequate to address most forms of trafficking and sexual exploitation of minors. Trafficking-related statutes prescribe sentences to a maximum of ten years' imprisonment. The Attorney General named a prosecutor as the national coordinator of trafficking prosecutions. In December 2004, a court in Villarica issued six-year sentences to two Paraguayans for transnational trafficking of women to Spain. Three traffickers were convicted for internal trafficking in two additional cases, and authorities launched an investigation of three suspects involved in an internal trafficking ring that was engaged in sexually exploiting teenage girls in February 2005. The Attorney General's office was investigating at least four additional cases involving transnational trafficking for sexual exploitation and internal trafficking for sexual and domestic servitude. The government also requested extradition of a trafficking suspect from Spain in early 2005. The government requested donor assistance to develop and implement training programs for law enforcement and judicial officials. There were no specific reports linking government officials to trafficking or of corruption related to trafficking, but corruption remained a general problem overall.

### ***Protection***

Many victims did not receive government assistance during the reporting period, in large part due to resource constraints. The Secretariat for Repatriations took the lead in assisting Paraguayan victims of transnational trafficking; efforts focused on identifying nongovernmental sources to repatriate victims. The government assisted two repatriated victims who had been trafficked for sexual exploitation to file complaints against traffickers, but lacked the resources to run or fund shelters for trafficking victims; local police and municipal authorities in Asuncion and Ciudad del Este screened potential victims and referred them to NGOs. There was no explicit policy offering trafficking victims relief from deportation, but Paraguay did not deport any foreign victims.

### ***Prevention***

The government did little to prevent trafficking and undertook no public awareness campaigns over the last year. Anti-trafficking efforts included appointing a national coordinator, creating a National Plan, and coordinating development of future programs through a series of interagency round-table discussions. NGOs and some municipal authorities provided information to the public; however, their efforts were insufficient to raise general public awareness, particularly regarding the dangers posed by bogus job offers that lure children and young women into situations of sexual exploitation.

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## **PERU (TIER 2)**

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Peru is primarily a source country for women and children trafficked internally for the purposes of sexual exploitation and forced domestic labor. Most victims are girls and young women moved internally from

rural to urban areas or from city to city and forced or coerced into prostitution in nightclubs, bars, and brothels. Some victims are trafficked to cities for involuntary domestic servitude and some children are forced to beg. Narcotraffickers and terrorists hold rural families for forced agricultural labor in remote areas. Peruvians are trafficked for sexual exploitation to Western Europe, particularly Spain, and Japan, and for forced labor to neighboring countries such as Ecuador. Illegal migrants originate in and transit Peru; migrants use clandestine alien smuggling operations that increase their vulnerability to trafficking.

The Government of Peru does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Government officials in 2004 stepped up efforts against the sexual exploitation of children and worked with NGOs to educate officials and the public on the dangers of trafficking. The government should vigorously pursue prosecutions of trafficking-related crimes, increase protections for victims, develop better data collection and law enforcement training, work with NGOs to warn potential victims, and expand efforts to cooperate with destination countries.

### ***Prosecution***

Peru improved its law enforcement efforts against trafficking over the last year but needs to ensure that trafficking-related arrests result in prosecutions. The government does not have a comprehensive law against trafficking, but the penal code covers trafficking-related crimes such as slavery, pimping, sexual exploitation of children, and forced labor. In May 2004, a new law increased penalties for sexual exploitation of children. The government continued efforts to stop sexual exploitation of minors but the slow legal system resulted in a lack of convictions and only one prosecution is ongoing.

Authorities investigated three cases of trafficking of Peruvian women to Japan and Africa for sexual exploitation; two of the cases remain pending. A joint operation with Ecuador disrupted a network moving forced laborers from Peru to Ecuador. Law enforcement officers conducted hundreds of raids of brothels, hotels, bars, and restaurants in Lima and six other regions to interdict commercial sexual exploitation of children. In the Lima region alone, police removed 81 underage victims from raided premises. Nationwide, police arrested dozens of pimps, of which 18 were held for trial. There was no evidence of government involvement in trafficking, but individual officials were suspected of tolerating underage sexual exploitation through prostitution, unregulated brothels, and migrant smuggling.

### ***Protection***

The government lacked the resources to provide adequate protection for trafficking victims over the last year. Legal assistance was almost nonexistent; the general lack of witness protection for victims of crime applied to trafficking victims as well and discouraged victim participation in prosecutions. The government funded repatriation for four Peruvian victims and developed procedural guides for police on handling trafficking victims. Law enforcement officers referred some victims to domestic violence shelters; no shelters exist specifically for trafficking victims. Authorities typically returned underage victims to their families or referred them to NGOs; adult victims were interviewed and released. The government provided some support for NGOs assisting trafficking victims.

### ***Prevention***

The government relied largely on NGO efforts and international assistance to educate the Peruvian public about trafficking over the last year. The Ministry for Foreign Relations launched a campaign about the dangers of transnational trafficking and an annual anti-trafficking course for consular officials. The Ministry of Commerce and Tourism initiated an anti-trafficking campaign. Government ministries also hosted major public conferences with NGOs and coordinated with NGOs on drafting legislative improvements.

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## THE PHILIPPINES (TIER 2 – WATCH LIST)

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The Philippines is a source, transit, and destination country for men, women, and children trafficked for the purposes of sexual exploitation and forced labor. Philippine women are often lured abroad with false promises of legitimate employment and are trafficked for commercial sexual exploitation to destinations throughout Asia, the Middle East, Africa, Europe, and North America. A significant number of the 71,084 Philippine women who entered Japan as overseas performing artists in 2004 are believed to have been women trafficked into the sex trade. Philippine men and women who go overseas to work in domestic service and the construction and garment industries often face exploitative conditions that meet the definition of involuntary servitude — a severe form of trafficking in persons. To a lesser extent, the Philippines is a transit point and destination for women from the People’s Republic of China (P.R.C.) who are trafficked for sexual exploitation. Within the Philippines, there is internal trafficking from rural to urban metropolitan areas and sexual exploitation of children. Endemic poverty, a high unemployment rate, a cultural propensity towards migration, a weak rule-of-law environment, and sex tourism all contribute to significant trafficking activity in the Philippines.

The Government of the Philippines does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Although the Philippines remains a strong proponent of anti-trafficking measures in the context of international organizations, more progress in its law enforcement efforts is needed. The Philippines’ placement on Tier 2 Watch List is due to its failure to show evidence of increasing efforts to convict traffickers. The government made modestly better efforts to implement its anti-trafficking law, dedicating four state prosecutors to focus on trafficking-related cases and providing training to law enforcement officials on the anti-trafficking law. The Philippine Government should take immediate corrective action by arresting, prosecuting, and convicting traffickers and any public officials found to be involved in trafficking. The government also needs to make greater efforts to address allegations of corruption and fraud regarding the issuance of documents to facilitate the recruitment of Philippine entertainers to Japan, a process that traffickers exploit.

### *Prosecution*

During the reporting period, the Philippine Government made increasing efforts to implement its anti-trafficking law; the number of trafficking-related prosecutions under the anti-trafficking law remained low, although there were other prosecutions under legislation related to child abuse and illegal recruitment. There were no reported convictions under the anti-trafficking law of 2003. The government dedicated four state prosecutors to focus on trafficking-related cases and provided training to law enforcement officials on the anti-trafficking law. Currently, there are 28 cases under investigation. The Department of Justice is prosecuting at least 15 cases under the anti-trafficking law and other statutes related to child abuse and illegal recruitment. Corruption and a weak judiciary remain serious impediments to the effective prosecution of traffickers. Despite widespread allegations of law enforcement officials’ complicity in trafficking, the government reported no prosecutions of trafficking-related corruption.

### *Protection*

The Philippine Government continued to sponsor impressive protection efforts for trafficking victims in 2004. The anti-trafficking law passed in 2003 recognizes trafficked persons as victims and does not penalize them. Despite limited resources, the Department of Social Welfare and Development (DSWD) continued to provide a range of protective services, including temporary residency status, relief from deportation, shelter, and access to legal, medical, and counseling services. With assis-

tance from the Department of Foreign Affairs, the DSWD also established arrangements with NGOs in destination countries to provide overseas Philippine workers who had been exploited with temporary shelter, counseling, and medical assistance. The government also provided additional protective services, including telephone hotlines for reporting cases of abused/exploited women and children. The Philippine Government increased its efforts to train law enforcement officials and consular officials in all of its embassies to deal with trafficking victims.

### ***Prevention***

The government continued modest efforts to raise awareness of trafficking. Senior government officials frequently spoke out about the dangers of trafficking. Fourteen government agencies also coordinate the government's anti-trafficking efforts, much of which is prevention-oriented. The Philippine Government's information campaign on overseas employment resulted in a decline in illegal recruitment and recruitment violations. The government has a national action plan to address trafficking in persons.

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## **POLAND (TIER 1)**

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Poland is a source, transit, and destination country for women and children trafficked to Western Europe, Israel, and Japan primarily for the purposes of sexual exploitation. Some internal trafficking also occurs. Persons trafficked to and through Poland originate from eastern and southeastern countries, primarily Ukraine, Bulgaria, Romania, Belarus, and Moldova. Ukraine continued to serve as the largest source of persons trafficked through Poland, while fewer Russian victims transited Poland. During 2004, there was a small but growing percentage of victims in Poland forced to work in agricultural settings, sweatshops, or begging.

The Government of Poland fully complies with the minimum standards for the elimination of trafficking. Poland continued to show progress, particularly in the area of prevention. The government should adopt pending legislation to provide for greater victim protection in order to avoid deporting potential trafficking victims who risk being re-trafficked and to impose greater sentences on traffickers.

### ***Prosecution***

While trafficking investigations and prosecutions decreased in 2004, conviction statistics remained similar to the previous reporting period. The decrease is likely the result of a shift in focus from pursuing prostitution-related charges to more complex trafficking prosecutions that may result in longer sentences. The Polish Criminal Code prohibits trafficking for the purposes of both sexual and non-sexual exploitation with sufficiently severe penalties. In 2004, the courts prosecuted 18 of 39 traffickers arrested. The most recent conviction statistics, from 2003, indicate that the government convicted 147 traffickers under forced prostitution charges and five traffickers under human slavery charges. Of the 152 convicted, only 36 received a non-suspended prison sentence. Approximately 100 officers received special training in 2004 in trafficking identification and victim assistance. Additionally, all incoming police receive basic trafficking awareness instruction. The police participated in bilateral Czech, German, and Swedish police task forces that sought to share information, track the movement of traffickers and victims across borders, and coordinate repatriations and casework. While there were no reported cases of law enforcement officials punished for trafficking-related corruption, unconfirmed reports noted that some local police took bribes to ignore known trafficking activity.

***Protection***

Poland's legal framework to protect victims of trafficking remained unchanged during the reporting period. Eight foreign victims stayed in Poland in 2004 to assist in the investigations of their traffickers; two of these individuals received police protection. Trafficking victims, when identified, were typically referred to the nearest assistance point within Poland. Due in part to a lack of formal screening procedures, enforcement authorities continued to deport some potential victims. NGO and government sources reported that increased training has improved law enforcement responses. The government allocated a small amount of funding to an NGO providing victim assistance. Local governments also partially funded shelters and NGOs fighting trafficking. Consular officials in Polish embassies abroad received regular training on helping Polish nationals who were trafficked abroad. The Ministry of Foreign Affairs helped repatriate 100 to 150 Polish victims in 2004.

***Prevention***

The Polish Government in 2004 launched new programs aimed at preventing trafficking in persons. The Ministry of Education in early 2004 trained 40 teachers to teach human rights including trafficking. It altered the national fourth, fifth, and sixth grade curricula to incorporate instruction on protection against trafficking, and the national high school curriculum to include sections on the dangers of trafficking and prostitution. The Polish police distributed 8,000 leaflets on trafficking and prostitution in locales frequented by individuals in prostitution and those who buy sex. Eleven Polish Government agencies were actively involved in coordinating Poland's anti-trafficking policies and programs. The interagency anti-trafficking working group approved a draft 2005 National Action Plan for Combating Trafficking to update the 2003 National Action Plan; the new plan awaits ministerial approval.

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**PORTUGAL (TIER 1)**


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Portugal is a country of destination for women, men, and children trafficked from Ukraine, Moldova, Russia, Romania, and Brazil for the purposes of sexual exploitation, forced labor and begging. Portugal is also sometimes used as a transit point for victims en route to other European countries.

The Government of Portugal fully complies with the minimum standards for the elimination of trafficking. Although the government did not provide full data on investigations, prosecutions, convictions, and sentences, the Secretary of State has determined that it has made a good faith effort to do so. In January 2004, the government established an anti-trafficking task force to ensure coordination and communication among relevant government bodies and NGOs. The government should take steps to ensure that all anti-trafficking efforts are documented through this task force. The Portuguese Immigration Service (SEF) established a new unit to compile trafficking-related statistics; the government should ensure that the new unit and task force actively coordinate to produce data that are complete and comprehensive. The government should also build deeper relationships with relevant NGOs to increase coordination and victim identification and to obtain more information on the nature and extent of the problem in Portugal.

***Prosecution***

Police agencies and the SEF actively implemented Portugal's anti-trafficking legislation, investigating and prosecuting trafficking-related cases throughout the year. The government reportedly

initiated 408 investigations and 248 prosecutions. These numbers relate to the full range of immigration crimes, an undetermined percentage of which are trafficking related. Prison sentences ranged from 18 months to 15 years; many were in the 11 to 15 year range. Following the investigation of a major prostitution ring involving Brazilian women, a bar owner was found guilty of commercial sexual exploitation and sentenced to seven years in prison. As a result of this highly publicized case, many other bars in the city closed down due to lack of customers. On October 28, 2004, the government signed a bill expanding the definition of trafficking that will extend liability to other entities and companies, beyond the individual trafficker.

### ***Protection***

The government opened up two National Immigrant Support Centers in March and April 2004 that are providing immigrants, including trafficking victims, with multi-lingual information and assistance, including a telephone hotline. The government continued to refer victims to receive protection, shelter, employment, education, and access to services, including family reunification. According to the Portuguese Association for Victims Support, 20 trafficking victims were assisted in 2004. Throughout the reporting period, victims were directed to immigrant support centers or temporary shelters. Some were provided residency status; others were repatriated.

### ***Prevention***

The government continued its practice of placing immigration liaison officers in source countries and established a new land border entry point with Spain. It also continued to conduct information campaigns aimed at the general public and targeted campaigns toward vulnerable populations in Portugal and source countries. As a result of the local media's extensive coverage of an orphanage child abuse case involving prostitution, public awareness of trafficking-related sexual exploitation has increased during the last year.

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## **QATAR (TIER 3)**

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Qatar is a destination country for men and women trafficked for the purpose of labor exploitation and young boys trafficked for the purpose of exploitation as camel jockeys. Women and men who work as domestic servants, some of whom fall victim to involuntary servitude, come largely from Bangladesh, Ethiopia, India, Indonesia, the Philippines, and Sri Lanka. Male laborers, some of whom become trafficking victims, come from Bangladesh, Egypt, India, Nepal, Pakistan, the Philippines, South Africa, Sri Lanka, Jordan, and Syria. Children trafficked to Qatar for exploitation as camel jockeys come primarily from South Asia and Sudan. Some foreign workers suffer conditions of exploitation — such as excessive hours, late or nonpayment of wages, physical and sexual abuse, and withholding of passports — that constitute involuntary servitude, a severe form of trafficking. Child camel jockeys are overworked, malnourished, and physically abused. Some have been thrown from the camels they rode and suffered serious neurological damages. Most no longer remember where they came from.

The Government of Qatar does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. During the rating period, the government failed to show evidence of significant efforts to combat identified severe forms of trafficking on the three fronts of prosecution, protection, and prevention. A 2003 National Action Plan remains unimple-

mented. The Government of Qatar does not collect statistics on persons trafficked into the country, making it difficult to assess its efforts to combat the problem. According to official diplomatic sources and NGOs, there have been no rescues of the estimated 75-250 child camel jockeys, nor have there been any prosecutions of the traffickers behind the trafficking of camel jockeys. Some government officials own the camels participating in the races in which young boys are used as camel jockeys. The government provides no shelter for trafficking victims; instead, it detains and punishes trafficking victims for immigration violations. The government needs to enact and enforce a comprehensive trafficking law that criminalizes all forms of trafficking and provides for protection of trafficking victims. The government should institute a formal system to identify, care for, and repatriate these victims, including domestic workers and child camel jockeys. The government should also take much stronger steps to investigate, prosecute, and convict those responsible for trafficking crimes.

### ***Prosecution***

During the reporting period, the Government of Qatar took negligible steps to investigate, prosecute, and punish traffickers. There is no law banning the trafficking and exploitation of children as camel jockeys. Although other laws, such as the criminal law that makes employment of children under age 16 illegal, could be used to prosecute trafficking-related crimes, Qatar has not used them effectively. The Government of Qatar handled two criminal cases against trafficking in 2004. In the first case, an Indonesian housemaid was beaten by her sponsors; the sponsors admitted guilt and are now in detention while the case remains under investigation. In the second case, a Qatari employer was convicted of burning an Indian housemaid to death, sentenced to three years' imprisonment, and fined the equivalent of \$17 — inadequate penalties for a serious trafficking-related crime. Qatar's anti-trafficking Implementation Committee reportedly sponsored training for judges on prosecution of trafficking-related offenses.

### ***Protection***

The Government of Qatar provides minimal protection to victims of trafficking. There are no shelters to help victims. The government incarcerates runaway foreign trafficking victims at its detention facilities and attempts to resolve labor-related disputes through mediation. In cases where abuses are proven, the government allows victims to change employers. However, no measure is taken to investigate, prosecute, and punish physical and sexual abuse of victims. In one instance, a Philippine housemaid was arrested while filing a complaint against her employer for non-payment of five years of wages, after the employer charged that she had absconded and was working for another employer.

### ***Prevention***

In 2004, the Government of Qatar did little to prevent trafficking and trafficking-related offenses. The government cooperated with the quasi-independent National Human Rights Committee and the Qatari Foundation for Women and Children Protection (QFWCP), which did some work to promote the rights of victims. In 2003, the government established a National Plan to address trafficking in persons, including increasing public awareness of trafficking, providing information on trafficking at national entry points, establishing an effective hotline for filing complaints, and ending the camel jockey problem. The plan also called for the training of judges on trafficking issues; the government held a workshop to that end. Most elements of the plan, however, have not been implemented. For example, the position of prosecutor for trafficking issues was created, but no appointment was made. The QFWCP advertised through local papers the establishment of a hotline for filing complaints; however, reports indicate that calls to the hotline are not answered.

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## ROMANIA (TIER 2)

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Romania is a source and transit country for persons trafficked for the purposes of sexual exploitation and forced labor, including in organized begging rings, to Balkan countries and the EU – particularly Spain, France, and Italy. Persons trafficked through Romania generally originate in Moldova, Ukraine, and Russia. In 2004, a number of Romanian women traveled to Canada on temporary employment visas to work as exotic dancers; anecdotal evidence suggests that organized crime figures forced some of these women into prostitution after their arrival in Canada. Concerns remained about Romanian street children and their vulnerability to exploitation and trafficking.

The Government of Romania does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government made progress in establishing shelters for trafficking victims and convicting traffickers. Corruption among law enforcement authorities remained a serious problem; the government took actions to address it. With continued improvement in the area of victim protection, Romania has laid the groundwork for greater success in its efforts to combat trafficking.

### *Prosecution*

The Romanian Government significantly increased trafficking convictions and sentences in 2004. Authorities convicted 103 traffickers, up from 49 in 2003. Of those convicted in 2004, 34 received prison sentences of five to ten years, and 49 received sentences of one to five years. Romania's anti-trafficking legislation specifically covers trafficking for the purposes of both sexual and non-sexual exploitation and provides for appropriate penalties. The government created a national network of 52 judges specialized in trafficking cases, one for each tribunal and court of appeal. In December 2004, the government reorganized the border police and established special units for fighting trafficking and illegal migration. In 2004, Romania's lead police anti-corruption agency investigated 81 police officials implicated in trafficking-related corruption; authorities imposed administrative sanctions on 31 officials, dismissed ten officials, and sent 40 cases forward for prosecution. Additionally, the Anti-Corruption National Prosecutor's Office reviewed a total of ten cases of suspected trafficking-related corruption in 2004. The Romanian Government continued to host the headquarters for the Southeast European Cooperative Initiative (SECI) and actively participate in SECI anti-trafficking operations, to include "Mirage 2004", and conducted joint anti-trafficking investigations with Spain and the Czech Republic.

### *Protection*

The government's victim protection efforts improved in 2004. The government opened five of nine trafficking shelters required by law, compared with two opened in 2003. Additionally, the government funded a local NGO's opening of ten shelters for unaccompanied repatriated children which have already assisted 32 trafficked children. The Ministry of Administration and Interior provided security at Bucharest's nongovernment-run shelter that assisted 100 victims throughout 2004. While victims are entitled to shelter, legal, psychological, and social assistance by law, overall Romanian funding for NGOs that assist trafficking victims remained low. NGOs reported good cooperation with law enforcement, although Romania's new victim referral system did not comprehensively identify and refer all returning trafficking victims. Romanian embassies abroad assisted in the repatriation of 350 trafficking victims.

### *Prevention*

The Ministry of Education and Research initiated a new course in 2004 as part of the national curriculum for primary and secondary school students that contained trafficking themes; it reached a



total of 200 teachers and 6,000 students. The Romanian police and a local NGO jointly produced a television campaign entitled, “Watch Out for the Traps of Traffickers.” In 2004, the government monitored employment agency advertisements for any fraudulent or deceptive offers that might lead to trafficking. Legislation adopted in 2004 improves anti-trafficking protection of minors and provides protections for victims of all crimes, including trafficking. In 2004, the government approved a National Action Plan to prevent and combat trafficking in children. The police opened in June 2004 the Trafficking Resources Center to centralize the collection of country-wide trafficking data.

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## RUSSIA (TIER 2 – WATCH LIST)

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Russia is a major source of women trafficked globally for the purpose of sexual exploitation. Russia is also a significant destination and transit country for persons trafficked for sexual and labor exploitation from regional and neighboring countries into Russia, and on to the Gulf states, Europe, Asia, and North America. The ILO estimates that 20 percent of the five million illegal immigrants in Russia are victims of forced labor, which is a form of trafficking. There were reports of trafficking of children and of child sex tourism in Russia. Internal trafficking from rural to urban areas remained a problem.

The Government of Russia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Russia is placed on Tier 2 Watch List for a second consecutive year for its failure to show evidence of increasing efforts to combat trafficking, particularly in the area of victim protection and assistance. A new general witness protection program may improve care of trafficking victims who participate in an investigation or protection. While the central government sustained its commitment and recognition to address trafficking, more remains to be done. The government made particular progress in the area of enforcement, increasing investigations and prosecutions under the new amendments to the Criminal Code. It took important preliminary steps to raise awareness among law enforcement and the public through a national training program and development of a training manual. However, the government must develop mechanisms to protect Russian and foreign trafficking victims immediately, administer its new witness protection legislation, and target public awareness programs at potential victims, particularly regarding recruitment scams inherent in employment ads throughout Russia. Moreover, the government should intensify its efforts to work with the NGO community in Russia. The government should continue to actively prosecute and sentence traffickers. It should also identify and address trafficking complicity of public officials. Specialized targeted training for law enforcement is essential to ensure that police are armed with the proper investigative tools to implement anti-trafficking statutes and the new witness protection legislation.

### ***Prosecution***

The central government took visible efforts to improve Russia’s law enforcement response to trafficking over the last year with its implementation of the 2003 anti-trafficking amendments to the criminal code. In January 2005, President Putin signed additional legislative amendments to the criminal code punishing the organization of illegal entry and transit of aliens into and through Russia. Investigators increased their application of new anti-trafficking tools, but few convictions were reported. In 2004, the government investigated 26 cases under the new anti-trafficking provisions of the criminal code, eight of which were cases of labor trafficking. A total of 11 cases were

successfully referred for prosecution. The government continued to bring charges against traffickers using older code provisions. In May 2004, the government convicted and sentenced two Ukrainian men to eight and ten years for trafficking in girls for sexual exploitation. Official corruption continued to facilitate and protect the operation of criminal trafficking networks. The government reported two trafficking-related corruption cases pending before the Russian courts.

In September 2004, the Ministry of Internal Affairs (MVD) co-sponsored a regional anti-trafficking coordination conference for specialized anti-trafficking units of law enforcement agencies of neighboring countries. The government developed an anti-trafficking training manual analyzing current laws and procedures; a field manual was under development and was shared with Russian law enforcement and neighboring countries.

The government actively cooperated in transnational law enforcement investigations with other countries. In June 2004, the Interior Minister announced the arrest of five individuals involved in a ring trafficking young women to the United States and Asia. The MVD rescued 72 victims and confiscated a large amount of criminal proceeds from the ring. In January 2005, the MVD publicly announced the creation of specialized anti-trafficking units throughout Russia. These units cooperated with Ukraine, Belarus, Moldova, and numerous other countries on trafficking investigations and prosecutions.

### ***Protection***

The Russian Government's protection and assistance for victims of trafficking remained weak throughout the reporting period; however, in August 2004, it supplemented its 2003 anti-trafficking amendments with the passage of witness protection legislation, which became effective in January 2005. This well-funded legislation could potentially allow shelter and protection for trafficking victims who are witnesses in an investigation or prosecution. The statute includes rights to employment and collection of damages. Regrettably, the Duma failed to pass comprehensive victim protection, and assistance legislation needed to address the broader issues of prevention, protection and rehabilitation for foreign victims and victims not party to an investigation. As a result, the government has yet to support or establish shelters specifically for trafficking victims. While the central government did not institute a formalized screening referral process, IOM reported that the MVD solicited repatriation assistance for illegal migrants, including some trafficking victims. In addition, one regional government collaborated with an anti-trafficking NGO to develop a referral procedure for victims in Yaroslavl. While a prosecutor or investigator in a trafficking case may permit a foreign victim to remain in Russia during a pending criminal case, Russian law afforded no specific status to assist or protect foreign victims of trafficking; their involuntary deportation remained a problem. Currently, additional legislation is pending to address some of these critical deficiencies; future passage of the law, however, remained uncertain. The need to assist victims and provide them with legal status remained paramount.

### ***Prevention***

Senior government officials continued to highlight the trafficking issue in the media during the last year; they also participated in anti-trafficking seminars. In November 2004, in front of the Russian Duma and again in February 2005, the central government hosted two regional anti-trafficking conferences to develop public awareness, consider draft legislation, and encourage closer cooperation between the MVD and NGOs. The events received widespread media attention. The Ministry of Foreign Affairs placed detailed warnings on its consular affairs website for potential victims. The government did not have a formal trafficking coordination body, but coordination of anti-trafficking policies and programs took place primarily through the Duma Legislative Working Group. The Duma began draft-

ing a comprehensive report on the nature and scope of trafficking in Russia and the means to address it.

NGOs and international organizations continued to conduct virtually all targeted prevention programs for victims; however, they reported increasingly good relations with the government and actively participated in the Duma anti-trafficking working group. Some local NGOs reported they received operational support from local officials, and many reported they provided anti-trafficking training to local government and police.

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## RWANDA (TIER 2 – WATCH LIST)

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Rwanda is a source country for children internally trafficked for the purpose of sexual exploitation. Small numbers of impoverished Rwandan children, typically between the ages of 14 and 18, are exploited by loosely organized prostitution networks. In addition, some children of Rwandan background have been trafficked over the past decade for forced labor and child soldiering within Democratic Republic of the Congo (D.R.C.). In the mid-1990s, many Rwandan children living in refugee camps in D.R.C. became separated from their families after these camps were destroyed. Some of these children, surviving on their own in conflict-prone, militia-controlled territories, fell prey to recruitment, both forcible and voluntary, by various armed rebel groups. Over 200 former child soldiers have been returned to Rwanda from D.R.C. and demobilized; the government expects more to be repatriated in the future. The Rwanda Defense Forces do not recruit child soldiers, and explicitly condemn this practice.

The Government of Rwanda does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Rwanda has been placed on Tier 2 Watch List for not providing evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year. The government should take further steps to provide care for children exploited in prostitution, as well as vigorously investigate and prosecute traffickers.

### ***Prosecution***

The government's trafficking-related law enforcement efforts were minimal during the reporting period. Rwanda has no law specifically prohibiting trafficking in persons, but traffickers could be prosecuted under laws against slavery, forced prostitution, kidnapping, and child labor. Government prosecutors did not provide statistics on individuals prosecuted under these laws during the reporting period. The parliament adopted significant judicial reforms in July 2004, and restructured Rwandan courts began functioning in September 2004. These reforms created "child issues courts," but they are not yet operational. During the year, the Rwandan National Police offered specialized training in recognizing trafficking, particularly trafficking involving children, to 185 police cadets.

### ***Protection***

The government provided limited protective services to victims of trafficking over the last year. In January 2004, the government's National Demobilization Commission opened a residential demobilization center to prepare child soldiers returning from Rwandan rebel groups in D.R.C. for reintegration into their home communities. During the year, 122 boys received three months of rehabilitation, including counseling, medical screening, mediation with their families, clothing, and schooling, and were returned to their families in May 2004. A second group of 87 children has been

provided the same services and is scheduled for graduation in May 2005. The government financed no protective services for children exploited in prostitution, but 50 children in prostitution received health care and vocational training through the government's partnership with a local NGO. The Ministry of Gender also provided expertise and trainers to the NGO to assist in developing educational materials on responding to children in prostitution.

### *Prevention*

There are no government-run information campaigns specifically on trafficking, although the government ran campaigns to educate people about sexual violence against children, including condemnations of those individuals that solicit prostitutes. In January 2005, the Ministry of Labor held the first meeting of the Child Labor Forum, which includes relevant government ministries and donors, and seeks to address the serious problems of child labor faced by the country, including children engaged in prostitution. The Ministry of Education's program for street children returned 900 children to primary school and provided 45 children with job skill training. The Ministry of Gender conducted a variety of public education programs (including workshops, seminars, and radio broadcasts) related to the protection of women and children from sexual and gender-based discrimination and violence; government officials trained an estimated 24,000 women and children in Rwanda's provinces. Approximately 250 judges and 200 police officers received training from the Ministry of Gender on the new judicial reforms.

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## SAUDI ARABIA (TIER 3)

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Saudi Arabia is a destination for men and women from South and East Asia and East Africa trafficked for the purpose of labor exploitation, and for children from Yemen, Afghanistan, and Africa trafficking for forced begging. Hundreds of thousands of low-skilled workers from India, Indonesia, the Philippines, Sri Lanka, Bangladesh, Ethiopia, Eritrea, Somalia, and Kenya migrate voluntarily to Saudi Arabia; some fall into conditions of involuntary servitude, suffering from physical and sexual abuse, non-payment or delayed payment of wages, the withholding of travel documents, restrictions on their freedom of movement and non-consensual contract alterations

The Government of Saudi Arabia does not comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Saudi Arabia has moved from Tier 2 to Tier 3 because of its lack of progress in anti-trafficking efforts, particularly its failure to protect victims and prosecute those guilty of involuntary servitude. Despite reports of trafficking and abuses of domestic and other unskilled workers and children, there is evidence of only one Saudi Government prosecution of a Saudi employer for a trafficking-related offense during the reporting period. Some victims of abuse, due to procedural hurdles, choose to leave the country rather than confront their abusers in court. They are required first to file a complaint with the police before they are allowed access to shelters. The government offers no legal aid to foreign victims and does not otherwise assist them in using the Saudi criminal justice system to bring their exploiters to justice. If a victim chooses to file a complaint, he or she is not allowed to work. The Saudi Government does, however, provide food and shelter for female workers who file complaints or run away from their employers. Criminal cases are adjudicated under Sharia law, and there is no evidence trafficking victims are accorded legal assistance before and during Sharia legal proceedings. The government should consider adopting comprehensive anti-trafficking legislation that would punish traffickers, provide for the protection of victims, and facilitate prevention programs. It should also collect and disseminate data on prosecution and mediation efforts, prosecute

aggressively cases of physical and sexual abuse using available criminal laws, and increase its efforts to prevent and investigate the trafficking of children for forced begging.

### ***Prosecution***

There is limited evidence indicating that the government has this year improved its prosecution efforts over last year. Saudi Arabia lacks laws criminalizing most trafficking offenses. Most abuses involving foreign workers are dealt with by Islamic law, royal decrees, and ministerial resolutions; few are submitted to criminal prosecution. Domestic workers, which comprise a significant portion of the foreign workforce, are excluded from protection under Saudi labor laws. Most cases involving trafficking or abuse of foreign workers are settled out of court through mediation. In 2004, there were reports of Philippine female domestic workers raped; however, there were no reports of prosecutions. In 2004, the Ministry of Labor issued resolutions, among other things, prohibiting trading in work visas, employing and exploiting children, and recruiting for begging. It investigated some cases of abusive employers and instituted a tracking system. To date, 30 abusive employers have been barred from hiring workers. The government provides training for police officers to recognize and handle cases of foreign worker abuse.

### ***Protection***

The Saudi Government has not improved its efforts to protect victims of trafficking but continues to operate three shelters for abused female expatriate workers in Riyadh, Jeddah, and Dammam. It also operates facilities for abandoned children, including trafficking victims, in Jeddah, Mecca, and Medina. However, the government does not provide shelter to adult male workers. There are no NGOs working with trafficking victims. The government mediates disputes and alleged abuses of foreign workers — including complaints of a criminal nature — and seeks to return victims to their home countries without adequately investigating and prosecuting crimes committed against them.

### ***Prevention***

Saudi Arabia's limited efforts to prevent trafficking include: distributing information at embassies abroad, licensing and regulating the activities of recruitment agencies, monitoring immigration patterns and visa issuance, and promoting awareness through the media and religious authorities. The government has begun working with UNICEF and the Yemeni Government to prevent trafficking of children for begging. A plan envisioned several years ago to distribute information to foreign workers at Saudi Arabian airports upon arrival has not been implemented. Religious leaders have preached in mosques sermons about the evil of abusing employees.

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## **SENEGAL (TIER 2)**

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Senegal is a source, transit, and destination country for women and children trafficked for the purposes of forced labor and sexual exploitation. Senegalese boys are occasionally trafficked from rural villages to urban centers for exploitative begging at some Koranic schools; young boys are trafficked to Senegal from The Gambia, Guinea-Bissau, Mali, and Guinea for the same purpose. Young girls are trafficked from rural villages to urban centers for forced domestic servitude. Young girls from both rural and urban areas are also involved in organized prostitution involving pimps, which is a form of trafficking. Senegal may be a transit point for women from surrounding African countries trafficked to Europe for the purpose of sexual exploitation.

The Government of Senegal does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In 2004, the government demonstrated far greater political will and concrete efforts to combat trafficking. To sustain its anti-trafficking progress, the government should adopt the draft anti-trafficking bill and take steps to further sensitize the Senegalese population to what constitutes trafficking and how to avoid victimization.

### ***Prosecution***

The government's anti-trafficking law enforcement efforts dramatically improved during the reporting period. Although there is no law that specifically criminalizes human trafficking, which makes it difficult for police to conduct investigations or make arrests, the president's cabinet approved a comprehensive draft anti-trafficking bill in March 2005 that awaits passage by the National Assembly. During the year, the government arrested and punished a small number of trafficking victims under a law against prostitution by children under the age of 21; 72 children exploited in prostitution were arrested in 2004, 68 of whom were Senegalese and some of whom had pimps and were therefore trafficking victims. Also convicted were 54 pimps who were given prison sentences of up to ten years. Two Koranic teachers were arrested during the year for abusing children they were exploiting as beggars. One was sentenced to one month in prison and a fine; the other remains in detention. In 2004, Senegal signed a bilateral accord with Mali to fight child trafficking and began negotiating with other neighboring countries to sign similar accords. The Interior Ministry established a Special Commissariat to fight sex tourism and child prostitution in Dakar and Mbour. The Commissariat's new chief was named and the unit began work in March 2005.

### ***Protection***

The government provided a full range of protective services to victims during the period. In 2003, the government established, and continues to finance, the Ginddi Center for at-risk children. The Center provides services to victims, including medical treatment, family mediation and reconciliation, education, shelter, and meals. The Center received 1,832 children between May 2003 and December 2004, including 107 students fleeing abusive Koranic teachers. Pursuant to the government's bilateral agreement with Mali, the Ginddi Center housed trafficked Malian children awaiting repatriation; 50 were repatriated during the period at government expense. The Center's services also include a 24-hour toll-free child protection hotline; the hotline received 35,672 calls during the period.

### ***Prevention***

The government's efforts to prevent trafficking greatly improved during the last year. The President devoted a significant portion of his 2005 Independence Day address to trafficking and, in 2004, the Family Minister became the first government official to publicly call for tough measures against child traffickers. The Family Ministry held workshops and roundtables to fight child prostitution, begging and domestic work. In Mbour, for example, the government, with UNICEF and NGO assistance, held seminars to prevent young girls from entering prostitution. In 2004, this program sensitized 8,140 participants, 5,440 of them children, to the dangers of child involvement in prostitution. In a separate program, the Ministry collaborated with local religious leaders to improve conditions in 48 Koranic schools. The signing of the Senegal-Mali anti-trafficking accord received detailed press coverage and media reports of Koranic teachers arrested for abusing their students frequently appeared.

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## SERBIA AND MONTENEGRO (TIER 2)

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The union of Serbia and Montenegro is a source, transit, and destination country for women and girls trafficked internally and internationally for the purpose of sexual exploitation. Internal trafficking of ethnic Roma children for forced begging continues to be a problem. Victims identified in Serbia and Montenegro came from Ukraine, Russia, Romania, Bulgaria, Lithuania, Moldova, Georgia, and from the former Yugoslavia. In Serbia, more than half of victims that are trafficked internally originate in the northern province of Vojvodina. Foreign destinations for victims from Serbia and Montenegro include Albania, Bosnia and Herzegovina, Croatia, and Western Europe (principally Italy), as well as the UN-administered province of Kosovo.

The Governments of constituent republics Serbia and Montenegro, to which most authority has devolved, do not fully comply with the minimum standards for the elimination of trafficking; however, they are making significant efforts to do so. The two republics do not have joint counter-trafficking institutions, but do conduct joint counter-trafficking activities occasionally on an ad hoc basis; this report consequently provides a separate analysis for each. The Tier 2 designation is based on the weighted aggregate of their efforts, which showed considerable, but unbalanced, progress.

The Government of the Republic of Serbia made significant progress in providing anti-trafficking resources for law enforcement and created a new humanitarian visa for victims. However, the weak adjudication of trafficking cases, inefficiency of the judiciary, and inadequate victim protection hampered its anti-trafficking efforts. The government should pass witness protection legislation currently before parliament to formalize the current ad hoc victim safety efforts in court proceedings.

The Republic of Montenegro made good faith efforts to improve its overall anti-trafficking performance from the previous year, increasing its anti-trafficking enforcement efforts and devoting more resources to combat the problem. The government should demonstrate increased implementation of its anti-trafficking laws and ensure full implementation of the recent memorandum of understanding between the government and NGOs governing the treatment and referral of possible victims. Because inconsistency in the administration of justice in trafficking cases continued, largely due to the individual discretion of judges and prosecutors, the government should conduct outreach with the judiciary to stress the importance of improving its record on trafficking prosecutions and convictions.

### THE REPUBLIC OF SERBIA

#### *Prosecution*

In 2004, Serbia took important steps to increase its law enforcement capacity to combat trafficking. Serbia established two full-time police anti-trafficking units consisting of six officers within the organized crime police and nine officers within the border police. Over the reporting period, the police units increased trafficking investigations and victim identification. Police filed criminal charges for 24 investigations involving 51 suspects in 2004. Five trials were concluded during the reporting period and resulted in convictions of all 25 defendants. The majority of defendants continued to be released pending appeal, following standard judicial practice in Serbia. As of the end of the reporting period, the government was prosecuting one case involving ten defendants. The National Anti-trafficking Coordinator took proactive steps to counter poor statistics-keeping by the judiciary by ordering regional police secretariats to follow up with local prosecutors on all trafficking cases filed during the year. Overall, the judiciary failed to treat trafficking cases with the seriousness they deserved and in some cases did not demonstrate sufficient sensitivity to trafficking victims. There were no reports of official complicity in trafficking.

### ***Protection***

The Serbian Government increased its institutional ability to coordinate and provide victim protection during the reporting period. The Agency for the Coordination of Protection to Victims of Trafficking, established in March 2004, coordinated NGO and international organization provision of assistance and protection. Some NGOs indicated better cooperation with police on victim protection matters.

Notably, in 2004 the Interior Minister established temporary residence permits for trafficking victims. Victims are allowed unconditional three-month recovery and reflection period, and given six months to one-year residency if they participate in an investigation or prosecution. A victim may also be granted one year's residency with no requirement for cooperation if returning to his or her home country would put the victim's life at risk. In some instances, victims were questioned by police and judges in front of their traffickers, who threatened them. Due to fear of traffickers and the government's informal, ad hoc approach to witness protection, many victims refuse to participate or cooperate in judicial proceedings.

### ***Prevention***

The government's anti-trafficking prevention activities remained weak in 2004; NGOs continued to organize and fund the majority of Serbia's public information campaigns on the issue. The National Coordinator initiated and created a documentary on the government's anti-trafficking efforts that enjoyed wide viewership. In 2004, the Foreign Ministry of Serbia and Montenegro hosted a meeting for diplomats in source and destination countries to present protection mechanisms available for victims. The police participated in debates in schools as part of a joint NGO/IOM public awareness campaign that included spots in the media. The government adopted a plan for children in 2004 targeted at decreasing their vulnerability to trafficking.

## **THE REPUBLIC OF MONTENEGRO**

### ***Prosecution***

The Government of the Republic of Montenegro improved its support of police and enhanced its ability to conduct anti-trafficking operations in 2004. The police anti-trafficking team was re-established in April 2004 and subsequently submitted six cases to the judiciary resulting in charges against 18 perpetrators. At the end of the reporting period, five prosecutions involving 14 people were underway. The government increased its 2005 funding for the Office of the National Coordinator, who now works on trafficking full time. In April 2004, the Montenegrin Government adopted a new criminal procedure code that allows for enhanced surveillance techniques and mitigated punishment for cooperating suspects. While the government actively investigated cases of trafficking, Montenegro's judiciary remained weak; judges exhibited insufficient understanding of trafficking cases, allowed long delays in trafficking prosecutions, and imposed inadequate sentences upon conviction. There were no reports of official complicity in trafficking.

### ***Protection***

In October 2004, the Republic of Montenegro passed a witness protection law applicable to trafficking victims. The government provided space for a new trafficking shelter and allocated funding for the next year. The predominant anti-trafficking NGO reported good relations and coordination with the National Coordinator. A government commission investigating a controversial 2002 trafficking prosecution released its report in 2004. The report questioned the character of the trafficking victim who served as the prosecution's key witness, giving rise to allegations that the report was a cover-up of high-level corruption in the case. OSCE and Amnesty International sharply criticized the 2004 report. Montenegrin courts continued to show insensitivity to the needs of trafficking victims. Victims who were not identified by the police or prosecutor as victims could potentially be charged with prostitution



or, if they were foreign nationals, be deported. The government did not report any deportations, but NGOs suggested that in many cases potential trafficking victims not properly identified were deported.

### ***Prevention***

The Montenegrin Government conducted some public awareness campaigns, mainly in schools, but efforts were constrained by limited funding; the government also participated in NGO sponsored programs. The Ministry of Interior Affairs worked to ensure local media coverage when the Minister spoke publicly about trafficking. Montenegro improved its coordination mechanisms in 2004 and established a subgroup on trafficking in children under the National Project Board. Moreover, the National Coordinator chaired a working group that was developing detailed action plans for each ministry to implement Montenegro's national strategy adopted in 2003.

## **KOSOVO**

Kosovo, while technically a part of Serbia and Montenegro, continued to be administered under the authority of the United Nations Interim Administrative Mission in Kosovo (UNMIK). Since June 1999, UNMIK has provided transitional administration for Kosovo, and retains ultimate authority over anti-trafficking actors such as police and justice. UNMIK is aware of the trafficking problem in Kosovo and continued to conduct anti-trafficking efforts with the OSCE, the Provisional Institutions of Self-Government (PISG), and local and international NGOs. Responsibility for social support to victims of trafficking is shared by UNMIK, PISG, and international organizations.

Kosovo is a source, transit, and destination point, primarily for women and children trafficked for sexual exploitation and, to a lesser degree, domestic servitude. Internal trafficking continued to be an increasingly serious problem. In 2004, UNMIK's Trafficking and Prostitution Investigation Unit (TPIU) made 77 arrests, conducted 2,386 raids, and assisted 48 victims, 17 percent of whom were minors. The number of victims assisted in Kosovo consistently declined; this is believed to be due to increasingly sophisticated criminal networks reacting to anti-trafficking enforcement efforts and shifting the commercial sex trade out of public bars and into private homes. There are three shelters for trafficking victims in Kosovo. Weak sentencing for convicted traffickers and lack of adequate witness protection continued to be serious problems. Anti-trafficking awareness campaigns in 2004 were largely carried out by NGOs. In 2004, the Ministry of Education worked with one NGO to train teachers to incorporate trafficking into civics education curricula. UNMIK established a helpline for trafficking victims in 2004. The PISG is leading the effort to create a Kosovo Action Plan and standard operating procedures (SOPs) for assisting internal trafficking victims. SOPs for assisting foreign trafficking victims were implemented in 2004.

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## **SIERRA LEONE (TIER 2 – WATCH LIST)**

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Sierra Leone is a source, transit, and destination country for men, women, and children trafficked for the purposes of sexual exploitation and forced labor. There are no reliable estimates of the scope and magnitude of trafficking in the country; however, anecdotal evidence indicates that women and children are trafficked internally to Freetown and from neighboring countries for involuntary domestic servitude, street labor, and commercial sexual exploitation. Children are trafficked from rural areas to Freetown with false promises that they will be sent to school, but instead are forced to work on the streets. There have also been reports of trafficking for debt bondage and sexual exploitation

in the diamond mines in the interior of the country. Sierra Leonean victims are also trafficked to West Africa, the Middle East, and Europe.

The Government of Sierra Leone does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government is severely challenged by the lack of resources in the country to address trafficking and is still grappling with many competing needs since coming out of an 11-year civil war in 2002. However, despite lack of resources, the government has made meaningful efforts during the reporting period to address trafficking in the country. Sierra Leone is placed on Tier 2 Watch List based on the government's commitments to undertake future steps over the coming year. To further enhance its anti-trafficking efforts, the government should increase efforts to investigate and prosecute cases of trafficking, pass the anti-trafficking legislation currently pending in the Parliament, take strong action against corruption in the country, and continue prevention efforts currently underway.

### ***Prosecution***

During the year, the government's efforts to investigate, arrest, prosecute, and convict traffickers increased. The Sierra Leone Police (SLP) now host biweekly meetings of a newly created anti-trafficking task force and are working to better coordinate anti-trafficking measures throughout the country. Additionally, in 2004 the government convened a legislative working group and has drafted comprehensive anti-trafficking legislation. Legislative reforms and passage of the anti-trafficking law will increase the government's ability to arrest and convict traffickers, but law enforcement efforts will likely remain hampered by a lack of resources, personnel, and equipment. Despite the absence of an anti-trafficking law, the government opened trafficking-related investigations using other criminal ordinances and is currently working to convict one individual suspected of trafficking at least 47 children. The Office of National Security started compiling statistics of suspected human trafficking cases identified at the international airport; it identified 18 such cases in 2004. Sierra Leone lacks the capacity to sufficiently monitor its borders and official corruption is endemic and continues to impede anti-trafficking efforts.

### ***Protection***

The government remained unable to provide adequate protection and assistance to victims of trafficking during the reporting period. Efforts to protect victims were ad hoc amidst an absence of a formal policy for protecting trafficking victims. Limited care is available through the Ministry of Social Welfare, Gender, and Children's Affairs. However, there are no shelters in the country that specifically assist trafficking victims. Nonetheless, the government has good cooperation and coordination with international organizations and NGOs and has worked considerably in the reintegration of child soldiers. Recently, 50 SLP officers received anti-trafficking training from an NGO, which included instruction on actions to be taken when encountering victims. Other law enforcement officials have benefited from training for trauma healing and sexual and gender-based violence conducted by NGOs and international organizations.

### ***Prevention***

The government is aware of the need to prevent trafficking and has made modest efforts to devise a national strategy, but much work still needs to be done, particularly in training government officials. The Sierra Leone Police (SLP) now hosts a joint anti-trafficking action committee consisting of government and nongovernmental members. The committee has developed an anti-trafficking national plan, which will include a public awareness campaign. The government also, in cooperation with NGOs, sponsored an art exhibit, created by trafficking victims in a library and exhibition space in Freetown, which highlighted the issue. The SLP routinely uses the radio to speak out about the dan-

gers of trafficking. Ministry of Social Welfare, Gender, and Children's Affairs officials periodically travel throughout the country to educate women on trafficking. The government created a National Education Plan that will expand access to primary education, especially for girls and the rural poor.

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## SINGAPORE (TIER 2)

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Singapore is a destination country for a limited number of women and girls trafficked for the purpose of sexual exploitation. Some of the women and girls from the People's Republic of China (P.R.C.), Indonesia, Thailand, Malaysia, the Philippines, and Vietnam who travel to Singapore voluntarily for prostitution or non-sexual work are deceived or coerced into sexual servitude in the city-state. A small minority of foreign domestic workers in Singapore face seriously abusive labor conditions that amount to involuntary servitude, a severe form of trafficking.

The Government of Singapore does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. While Singapore has made improvements to its labor laws and regulations to address abuse of foreign domestic workers, it made limited progress in its efforts to combat trafficking for commercial sexual exploitation. Authorities in Singapore generally tolerate prostitution, which largely involves foreign women, a few of whom are trafficked. The government authorizes the operation of brothels in "traditional redlight districts" and does not criminalize the prostitution of adults and of 16 and 17 year-old minors. Pursuant to international protocols, the government should consider reforming its laws to criminalize the prostitution of 16 and 17 year-old children as a trafficking offense. The government should address child sex tourism by Singaporeans in foreign destinations, and do more to publicize the problem of trafficking for the purpose of commercial sexual exploitation in these destinations, particularly Batam, Indonesia. Singapore should also consider adopting a comprehensive law, containing victim protection measures, for all forms of trafficking.

### ***Prosecution***

During the reporting period, the Singapore Government increased its efforts to curb abuses of foreign domestic workers. A small but significant number of Singapore's estimated 140,000 foreign domestic workers continued to experience abusive employment conditions that may amount to involuntary servitude, and the government vigorously prosecuted cases involving such allegations. Singapore does not have a consolidated anti-trafficking law, but its criminal code criminalizes all activities that fall under the UN definition of trafficking. Involuntary servitude is punishable by up to one year in prison, a fine, or both; wrongful confinement is punishable by up to nine years in prison, a fine, or both; slavery is punishable with up to ten years in prison, a fine, and caning. Laws against forced or coerced prostitution carry sentences of up to ten years' imprisonment. In 2004, there were no prosecutions reported for trafficking for commercial sexual exploitation; violators are often prosecuted under other statutes, such as those prohibiting third parties from living off the earnings of a prostitute. The government maintains effective border and immigration controls and there is no evidence that government officials are complicit in trafficking.

### ***Protection***

The government provided minimal assistance to trafficking victims in 2004. The government continued to lack a systematic procedure to identify trafficking victims among the foreign women

detained for immigration or vice violations; there was no evidence of proactive screening during the detentions of over 4,600 foreign women for prostitution in 2004. The few victims of trafficking for sexual exploitation that are identified by authorities are generally referred to NGO shelters that offer counseling; foreign domestic workers who are victims of involuntary servitude or other abuse are referred to shelters run by their embassies or local NGOs, some of which provide legal assistance. The Singaporean Government, through the Ministry of Community Development, Youth, and Sports, provided counseling and health care for abused foreign domestic workers and victims of commercial sexual exploitation. There are no NGOs in Singapore that focus exclusively on trafficking, but there is one NGO devoted exclusively to helping women in prostitution, and victims often receive assistance from groups dedicated to helping abused women and children. There are several NGOs that assist foreign workers and seek the enactment of enhanced labor protections. The Ministry of Manpower continued to promote the welfare of foreign domestic workers by educating employees and employers on acceptable employment practices, establishing a hotline for foreign domestic workers, enhancing regulations, and undertaking a public outreach campaign on the rights and responsibilities of employers and foreign domestic workers.

### ***Prevention***

The Singaporean Government made efforts to raise awareness of trafficking. The government sought to improve awareness of the regulations protecting foreign domestic workers and the consequences of violating those laws, and has taken some steps to raise societal awareness of sex tourism by Singaporeans in an effort to curb demand. There were no specific anti-trafficking campaigns directed at the use of fraud or coercion to recruit foreign women as prostitutes. Singapore has no national action plan to address trafficking.

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## **SLOVAK REPUBLIC (TIER 2 – WATCH LIST)**

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The Slovak Republic is a transit and, to a lesser extent, a source country for women and girls trafficked primarily to western and central European countries, as well as Japan, for the purpose of sexual exploitation. Victims from the former Soviet states (especially Moldova and Ukraine) and the Balkan region are trafficked through the Slovak Republic. A recent NGO study reported that Slovak Roma women are trafficked to Prague and Czech border towns.

The Government of the Slovak Republic does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The Slovak Republic is placed on Tier 2 Watch List due to a lack of evidence of increasing efforts to eliminate severe forms of trafficking compared to the previous year. Government victim assistance and protection efforts as well as trafficking prevention programs remained inadequate. The Slovak Government formed an inter-ministerial expert working group on March 31, 2005, to develop a coordinated national action plan to combat trafficking; however, there has been insufficient time to gauge the working group's effectiveness.

### ***Prosecution***

Slovakia's anti-trafficking law enforcement efforts in 2004 were similar to those in 2003. The Slovak Government amended its criminal code to conform to international legal instruments by extending coverage to internal trafficking, as well as cross-border trafficking, for the purposes of both sexual and labor exploitation with sufficiently severe penalties. The government reported 27

trafficking-related investigations, 19 prosecutions, and six convictions of traffickers during 2004; it did not report on trafficking-related sentences imposed. The police academy included trafficking awareness training in its curriculum. In 2004, Slovak law enforcement officials cooperated principally with German, Austrian, Czech, and Hungarian law enforcement authorities on trafficking investigations. Slovakia's specialized anti-trafficking unit noted that a lack of English-language ability among Slovak police officials somewhat limited joint investigations. The government reported no convictions of government officials for crimes related to trafficking in persons. Allegations persisted during the reporting period of corrupt activity among customs and border guards that may have facilitated trafficking.

### ***Protection***

The Slovak Republic continued to lag considerably in the area of victim protection, in part because of financial constraints. While Slovak legislation commendably provides for temporary residency status to victims who are willing to assist police prosecutions and enter a witness protection program, the government did not track whether any trafficking victims received this status. The government provided small grants to local organizations to assist and shelter trafficking victims, but overall, NGOs continued to report difficulties in obtaining funding to provide services to trafficking victims. As of July 2004, amendments to the Victim Assistance Law require police to give victims of crimes a list of NGOs in the region that provide assistance; however, few local police had any direct contact with these organizations. Slovakia lacked procedures for distinguishing trafficking victims from illegal immigrants. When a trafficking victim was identified, law enforcement officials respected the victim's rights. NGOs expressed concern that some of the thousands of asylum applicants no longer present at Slovak refugee facilities, especially Ukrainian and Moldovan women, may have been recruited by traffickers.

### ***Prevention***

The government continued to devote few resources to prevent trafficking during the reporting period. The Ministry of Labor provided a small grant to a local NGO to operate a trafficking awareness campaign in Roma settlements. The Ministry of Interior helped fund an NGO that operates Slovakia's crisis hotline, which worked with trafficking victims and fielded calls from Slovaks interested in working in foreign countries and wanting to avoid trafficking situations. In 2004, Slovakia had no coordinated national action plan to combat trafficking, although the government formed an inter-ministerial expert working group on March 31, 2005 to develop one. The Ministry of Interior was the only governmental entity that listed the prevention of trafficking within its mission goals.

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## **SLOVENIA (TIER 2)**

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Slovenia is a transit and, to a lesser extent, a source and destination country for women and girls trafficked to or through Slovenia mainly from eastern and southeastern Europe (Ukraine, Slovakia, Romania, Moldova, and Bulgaria) for the purpose of sexual exploitation. A small number of persons are trafficked from Slovenia to Western Europe, particularly Italy and the Netherlands.

The Government of Slovenia does not fully comply with the minimum standards for the elimination of trafficking in persons; however, it is making significant efforts to do so. While the government adopted a detailed National Action Plan to Combat Trafficking in Human Beings, it has struggled to

implement it due to budgetary pressures. Slovenian Government efforts to address trafficking have improved during the reporting period, but consistent budget support remains in flux. The government should continue to implement the National Action Plan and focus enforcement efforts on convicting traffickers under its new anti-trafficking legislation. Slovenian authorities should also continue to increase scrutiny of work permits and club licenses and conduct unannounced inspections of worksites where trafficking victims are believed present.

### ***Prosecution***

Slovenia's law enforcement efforts to prosecute traffickers during the last year appeared modest. The new anti-trafficking legislation that came into effect in May 2004 allows police to use methods of investigation, such as surveillance, due to the seriousness of the crime. Arresting officers had not been fully aware of the new law, but the Ministry of Interior has begun working with police to educate officers about the legislation. Slovenia's Penal Code specifically criminalizes trafficking for sexual exploitation and forced labor with sufficiently severe penalties. Slovenian authorities reported nine trafficking-related investigations, one ongoing prosecution, and no convictions during the reporting period. The low number of cases reflects a relatively modest trafficking problem and law enforcement's adjustment to the new legislation. In January 2005, prosecutors received a three-day training session on trafficking. Slovenia actively participated in the Stability Pact for South Eastern Europe, the Southeastern European Cooperative Initiative (SECI), and Interpol efforts in fighting against trafficking in persons.

### ***Protection***

Slovenia improved its assistance to trafficking victims in 2004. Government funding sustained Slovenia's one shelter, run by an NGO. While the government planned to underwrite the shelter's operating costs in out years, budgetary constraints and a change of government have delayed future commitments. During 2004, the government-funded NGO assisted 25 trafficking victims, nine of whom received assistance at the shelter. Police referred trafficking victims rescued during raids or investigations to the shelter. Law enforcement did not treat victims as criminals, and the government provided victims protection from prosecution, temporary residency status, and social services. During the reporting period, Slovenia began a project to formalize mechanisms to provide information to those asylum-seekers in reception centers most at risk to falling prey to human traffickers. The project is jointly administered by the Ministry of Interior, local NGOs, and UNHCR; the Ministry of Foreign Affairs is working to expand and regionalize the project. During the reporting period, police drafted a law on witness protection, which is currently with the Ministry of Justice.

### ***Prevention***

The Government of Slovenia's prevention efforts improved over the last year. The interdepartmental working group to combat trafficking continued to meet on a regular basis and adopted a detailed National Action Plan in July 2004. Government officials and activists collaborated in the working group on anti-trafficking policies and programs. The government issues a publicly available report detailing its anti-trafficking efforts annually. During the reporting period, the Ministry of Labor and the Slovenian Institute for Employment agreed on stricter criteria for issuing work permits to dancers and waitresses. The government funded the Slovenian translation of a comprehensive survey on trafficking in the country. The government partially funded preventative workshops by a local NGO in raising trafficking awareness in elementary and secondary schools. The Ministry of Foreign Affairs sponsored a project "Are we aware?" for Slovene politicians and government employees, a part of which included viewing the anti-trafficking film "Lilya 4-Ever".

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**SOUTH AFRICA (TIER 2 – WATCH LIST)**

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South Africa is a source, transit, and destination country for men, women, and children trafficked for the purposes of forced labor and sexual exploitation. An unknown but substantial number of South African women and girls are trafficked internally, and occasionally to other countries, for sexual exploitation. Women from other African countries, particularly Mozambique, are trafficked to South Africa and, at times, onward to Europe for sexual exploitation. There are anecdotal reports of men and boys trafficked from neighboring countries for forced agricultural work. East Asians, mainly Thai and Chinese women trafficked for sexual exploitation, transit South Africa on their way to South America.

The Government of South Africa does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. South Africa has been placed on Tier 2 Watch List due to a lack of evidence of increasing efforts to combat severe forms of trafficking in persons over the last year. To further its anti-trafficking efforts, the government should pass a comprehensive law that prohibits all forms of trafficking in persons, launch a specific anti-trafficking public awareness campaign, and prosecute to conviction an increased number of traffickers.

***Prosecution***

The government carried out a number of concrete law enforcement efforts during the reporting period. South Africa remains without a specific anti-trafficking law or explicit penalties for traffickers, though the South African Law Reform Commission made initial progress in its process of drafting a comprehensive anti-trafficking bill. Though 12 additional Sexual Offenses Courts were established in the country during the year, it is unknown whether such courts heard any trafficking-related cases. The government prosecuted at least two traffickers, though not exclusively on trafficking charges; no statistics were provided on the number of cases investigated or prosecuted during the year. In 2004, a South African man received two 20-year sentences for brothel-keeping and kidnapping 17 girls for the purpose of prostitution, and the prosecution of a nightclub owner who paid to import Romanian women continued. In November 2004, police arrested 79 Nigerian nationals and liberated 15 children being exploited in prostitution by an alleged Nigerian criminal organization. Police also freed 18 Thai and Chinese women suspected to be trafficking victims from commercial sexual exploitation in March 2005. Approximately 200 new border officials and police officers received training on recognizing trafficking cases during the reporting period. Between April and October 2004, at least 28 immigration officials were charged with trafficking-related fraud and malfeasance.

***Protection***

The government took steps to protect trafficking victims during the year. Police and social workers referred approximately 60 trafficking victims to private shelters for victims of abuse. In 2004, the government provided funding to shelters for victims of abuse, including approximately \$450,000 for government-run Thuthuzela shelters and over \$1.3 million for other centers. As part of this funding, it provided shelters a flat rate of \$52 per victim each week to offset the costs of housing, medical care, and counseling. In addition, the government contributed an estimated \$25,000 to IOM's Southern African Counter Trafficking Assistance Program in 2004. The government implemented new standards for the treatment of crime victims and provided six training seminars on their use in 2004; there is no evidence that these standards were applied to victims of trafficking.

***Prevention***

The government's trafficking prevention measures were modest during the reporting period. In

March 2004, a national plan of action on human trafficking was adopted. The strategy was shared with stakeholders, but not widely disseminated. Trafficking issues were included in a December 2004 campaign against violence toward women and children that targeted prosecutors, investigators, and police. Government officials also participated in televised roundtables and other awareness raising programs on trafficking in persons. The government assisted in organizing an NGO-hosted conference on sex trafficking and the police were actively involved in a conference on forced child labor.

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## SPAIN (TIER 1)

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Spain is a destination and transit country for persons trafficked for the purposes of sexual exploitation and, to a lesser degree, forced labor. Victims of trafficking for sexual exploitation come primarily from Romania, Russia, Brazil, Colombia, Nigeria, Ecuador, Guinea, Sierra Leone, Bulgaria, and Ukraine. Spain is a transit country for victims destined for Portugal, France, and Germany. Victims trafficked into forced labor are primarily found in the agricultural, construction and domestic sectors.

The Government of Spain fully complies with the minimum standards for the elimination of trafficking. The government has continued its aggressive campaign of tracking and dismantling trafficking networks. Victims received quality assistance, protection, and rehabilitation services. The city of Madrid launched a demand reduction initiative with an emphasis on the responsibility of the clients and the rights of victims. The government began to implement new anti-trafficking legislation. Police and the courts have begun to make full use of a 2003 law to impose tougher sentences on traffickers and deter additional potential trafficking crimes. Although the government was not able as yet to provide full data on investigations, prosecutions, convictions, and sentences, the Secretary of State has determined that it has made a good faith effort to do so. The government's segregation of smuggling and trafficking statistics is commendable.

### ***Prosecution***

During the reporting period, the Spanish Government continued its vigorous efforts to investigate trafficking crimes and arrest traffickers. The government handed down longer sentences using the new 2003 law, though use of an older law with attendant weaker sentences continued for offenses committed before the new law was enacted. The average sentence imposed using the new law was approximately 5.7 years, while convictions under the older law resulted in an average sentence of approximately 2.4 years. In February 2005, the government modified its Aliens Law to include specific guidelines for providing assistance to victims. The Spanish National Police continued its proactive investigation of criminal networks and reported 194 networks for sexual exploitation dismantled, with 731 traffickers arrested in 2004. Additionally, the police reported 91 networks for forced labor dismantled, with 233 traffickers arrested during the year. The police also reported dismantling 62 false document and 45 fraud networks related to trafficking. Productive bilateral cooperation with other governments continued.

### ***Protection***

Police identified 1,717 victims of sexual exploitation and 797 victims of forced labor trafficking during 2004. The police continued to refer victims to government-financed NGOs for counseling, shelter, rehabilitation, and reintegration. In February 2005, the government modified its Aliens Law, making it easier for trafficking victims to obtain residency permits. Reported increased cooperation between the government and NGOs resulted in more effective training and information exchanges.



Spain continued to provide specialized training to law enforcement agencies via an NGO; specialized training became mandatory for police candidates to become inspectors.

### ***Prevention***

In 2004, the government successfully initiated two anti-trafficking awareness programs. In March 2004, the Madrid city government began enforcement of its anti-prostitution and anti-trafficking campaign through increased police presence in targeted zones. In July 2004, the city of Madrid launched an extensive publicity campaign to prevent trafficking and discourage potential clients with posters and advertisements in the media and on city buses. The government continued its efforts to improve interagency coordination. The Ministry of Interior coordinated anti-trafficking programs and managed workgroups on trafficking. Regional police conducted quarterly reviews of their anti-trafficking efforts and a police intelligence unit continued to monitor trafficking trends.

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## **SRI LANKA (TIER 2)**

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Sri Lanka is a source country for women and children who are trafficked internally and to the Middle East, Singapore, Hong Kong, and South Korea for the purposes of coerced labor and sexual exploitation. Small numbers of women from Thailand, China, Russia, and other former Soviet states are trafficked to Sri Lanka for sexual exploitation. Boys and girls are victims of sexual exploitation by pedophiles in the sex tourism industry. Trafficking takes place in areas controlled by both the government and the Liberation Tigers of Tamil Eelam (LTTE). The LTTE continued to traffic children into forced labor and military service, taking at least 100 children after the tsunami in December.

The Government of Sri Lanka does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In LTTE-controlled northern and eastern Sri Lanka, the government was unable to enforce anti-trafficking measures during the reporting period. Sri Lankan officials have taken strong measures in the wake of the December 2004 tsunami to prevent the trafficking of children made vulnerable by this natural disaster. Reports indicate that certain airline officials and NGO representatives have been allegedly involved in trafficking. The government should develop a comprehensive national plan of action to combat trafficking and appoint a national coordinator to oversee implementation of the plan.

### ***Prosecution***

Sri Lanka continued to make progress over the reporting period. The government uses various means to monitor and apprehend traffickers, including making effective use of its CyberWatch Project, which relies on a “watch list” database of suspected sex offenders. However, the government achieved no prosecutions or convictions related to trafficking during the reporting period. It encourages victims to assist in the investigation and prosecution of trafficking cases. The government, however, has not provided any specialized training to its officials responsible for combating trafficking. The government should stop imposing fines on women trafficked for sexual exploitation.

### ***Protection***

Over the reporting period, the government made commendable progress in protecting victims of trafficking, considering its limited resources. Sri Lanka provides child victims with monthly food supplements and uses various means to shelter victims. It runs rehabilitation camps that offer med-

ical and counseling services to victims of internal trafficking, and places victims in shelters run by NGOs. Sri Lankan diplomatic missions abroad operate shelters for its nationals who have fallen into trafficking situations. Sri Lanka established a new Child Protection Unit within the Attorney Generals' Office in 2004 to combat child trafficking, allocated additional funds and resources to the anti-Human Smuggling and Investigation Bureau, and continued to assign welfare officers to assist victims in destination countries. The government provides some compensation for victims of sexual or labor exploitation who register with the Sri Lankan Foreign Employment Bureau.

### ***Prevention***

The government improved its prevention measures by creating and empowering a new Child Protection Unit within the Attorney General's Office. It made commendable effort in the aftermath of the December 2004 tsunami to prevent increased trafficking. The government arrested a U.S. national and an Australian for allegedly engaging in pedophilia; both await trial. Sri Lanka works well with the ILO, IOM, and local NGOs that endeavor to promote prevention programs. It has instructed its welfare officers in embassies abroad to educate Sri Lankan nationals about their rights and responsibilities while working in those countries, in an effort to prevent them from falling into involuntary servitude or exploitative situations.

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## **SUDAN (TIER 3)**

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Sudan is a source country for women and children trafficked for the purposes of forced labor and sexual exploitation. Sudanese boys are trafficked to the Middle East, particularly the United Arab Emirates and Kuwait, for use as camel jockeys. The Lord's Resistance Army (LRA), a Ugandan rebel group, continued to abduct children in war-torn northern Uganda for use as cooks, porters, sex slaves, and combat soldiers. Although Ugandan military offensives during the year significantly reduced LRA numbers, the group continued to conduct operations involving forced child soldiers from camps in southern Sudan. The vast majority of the trafficking within Sudan, however, has involved abductions of largely women in the western and southern regions of the country, territories outside the central government's complete control because of ongoing political, cultural, and civil conflict. In the Sudanese context, inter-tribal abductions are a by-product of various, complex civil wars waged over the past two decades.

Abduction, a traditional but dormant cultural practice, was revived with the resurgence of the north/south civil war in 1983. The Dinka Chiefs' Committee estimates that, during these years of civil war and resulting inter-tribal warfare, 14,000 Dinka women and children were abducted by two other tribes (Missiriya and Rezeigat). An additional 3,500 abductions reportedly occurred in SPLA-held regions. Victims frequently became part of the abductor's tribal family, with many women marrying into the new tribe; however, some victims of abduction were used for forced domestic labor and/or sexual exploitation. Due to the ongoing peace process and the cessation of conflict in the south, abductions in the region have significantly decreased; during the year, there were no known cases of new abductions in the south.

The regions of Southern Darfur and Western Kordofan remained embroiled in a separate bitter conflict, in which numerous rapes, atrocities, and abductions were reported to have taken place during the year. During the reporting period, janjaweed militias that have been supported by the

Government of Sudan subjected civilians to grievous human rights and alleged trafficking-related abuses. The lack of security in the Darfur region impeded the ability to gather further information on these reports, which is of grave concern. Women, after being raped, were sometimes mutilated or abducted for further sexual exploitation. Some children may also have been abducted, mostly to care for looted livestock.

The Government of Sudan does not fully comply with the minimum standards for the elimination of trafficking and, despite some progress in other areas of the country, is not making sufficient efforts to do so in regard to alleged trafficking-related abuses, violence, and atrocities in Darfur. The government made progress on identifying victims of abduction and reuniting them with their families. The government took over funding of the Committee for the Eradication of Abduction of Women and Children (CEAWC) in 2004. Given the conditions within which it operates, CEAWC is making a notable effort to seriously address trafficking, particularly through its efforts to identify victims of abduction and reunite them with their families. Of the 7,328 cases of abduction documented, 2,708 of those identified were returned to their families. To further its efforts to combat trafficking, the government should work to end the violence in Darfur and bring to justice those responsible for abuses, closely with NGOs and international organizations to adequately verify and document cases of abduction, and coordinate the movement of affected populations to their home areas in an organized and safe manner. It should also seek to strengthen its fledgling anti-trafficking public awareness campaign and demonstrate concrete enforcement of its existing relevant legal codes.

### ***Prosecution***

The government's anti-trafficking law enforcement efforts throughout Sudan were limited in 2004, and ineffective in Darfur. Articles 162 through 165 of the Sudanese Criminal Code outlaw all forms of trafficking in persons, including abduction, luring, forced labor, and illegal detention. Sudanese law prohibits prostitution, owning brothels, and pimping women or children. In early 2005, the Ministry of Interior outlawed the trafficking of children outside of the country for camel jockeying; the law was implemented by the Department of Passports and Immigration on March 1, 2005, leading to interrogations of adults attempting to board outbound airplanes or boats without the proper exit visa for accompanying children. Although Sudan's laws appear adequate to cover the full scope of trafficking in persons, the official court system handled no trafficking-related prosecutions during the year. Based on an agreement with the Dinka Chief's Committee to allow opportunity for amicable tribal return and reconciliation efforts to occur, the government is not pursuing legal action against abductors who cooperate with CEAWC and voluntarily return their abductees. If, however, an abductor refuses to comply, the government has committed to prosecuting such an individual as a trafficker. In 2004, all identified abductors reportedly cooperated to the extent of surrendering their abductees to CEAWC.

During the year, the government increased border cooperation and surveillance with the neighboring Government of Uganda to combat the LRA and its continuing terrorist operations in southern Sudan, including trafficking in children. The government permitted the Ugandan military to take action against the LRA on Sudanese territory along the Ugandan border. Sudanese security forces and SPLA elements also engaged LRA forces that had raided further north into Sudan.

### ***Protection***

The government did not provide protection to civilians against abuses in the Darfur region in 2004, or take action to stop them. However, it made stronger efforts to protect Sudan's largest population

of trafficking victims — abducted women and children — during the reporting period. The CEAWC — comprised of representatives from a variety of central and state government ministries, civil society organizations, and tribal representatives of the Dinka, Missiriya and Rezeigat tribes — was established in 1999 to facilitate the safe return of abducted women and children to their families. CEAWC also includes 22 Joint Tribal Committees (JTCs) located in the affected regions, whose members consist of individuals selected from affected tribes and who receive a small subsidy for food and expenses incurred while working. There are six CEAWC field centers in Bahar El Gazal and 10 spread through West Kordofan and South Darfur that are maintained by Dinka chiefs. Since March 2004, CEAWC has received funding from the Government of Sudan through the Ministry of Finance totaling more than \$1.8 million. The organization's three co-chairmen report directly to the First Vice President.

During the year, CEAWC continued its efforts to document the extent of abductions in the country. Through an interview process involving representatives from the tribes of both the abductor and the abducted victim, the JTCs identified and documented 7,240 cases of abduction during the year, compared to a total of 1,842 documented cases in the five previous years since its establishment. Of those persons identified, 2,708 were reunited with their families during six separate field missions. Plans are underway to return the remainder of those who have been documented but still remain with their abductors. CEAWC provided free transportation over long distances for victims returning to their home areas. Returned abductees were also provided with limited amounts of shelter, medical attention, food, and clothing at destination sites, often through in-kind contributions from NGOs and international organizations. Tribal chiefs arranged for the care of returned children whose families could not be immediately found.

During the year, various NGOs and international organizations expressed concerns regarding CEAWC's methodology for verifying victims of abduction, as well as lack of coordination with the international community for the organized and safe return of abductees to their home areas. CEAWC leadership acknowledged these logistical and communications breakdowns, as well as other systemic weaknesses, and demonstrated commitment to improving communications and documentation as requested by international organizations.

### ***Prevention***

The government did not take actions to prevent abuses in the Darfur region in 2004. During the year, CEAWC completed six field missions to identify and retrieve abducted people, each of which included an awareness raising component before the actual work of documenting abductees began. All members of the community, including the tribal leaders, were assembled to discuss the reunification work of CEAWC and the imperative to end inter-tribal abductions. In addition, CEAWC worked with the tribal leaders and UNICEF to conduct awareness raising discussions and other activities during market days in different regions. During March and April 2004, CEAWC produced a documentary-style film chronicling the operation of the field missions and the activities involved with identifying and returning victims of abduction. Though the footage requires further editing before being aired on television, the film was used to demonstrate to national government and SPLA officials the progress that has been made to rectify past abductions and prevent new ones from occurring. In addition, CEAWC worked with local media sources to raise awareness of its campaign to end inter-tribal abductions. For instance, the July 2004 issue of monthly news magazine "Sudan Today" included a substantial article featuring CEAWC's retrieval of abducted persons, as well as its efforts to transition from a signed political peace to a reality of peaceful tribal co-existence.

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## SURINAME (TIER 2 – WATCH LIST)

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Suriname is principally a transit and destination country for women and children trafficked for the purpose of sexual exploitation. Men, women, and children are also trafficked internally for forced domestic and commercial labor and sexual exploitation. Most women and girls trafficked for sexual exploitation come from Brazil, the Dominican Republic, Guyana, and Colombia; they either remain in Suriname or continue to Europe for additional sexual exploitation. Girls from rural areas are promised work in cities and then trapped in situations of domestic servitude or sexual exploitation; other children are trafficked for sexual exploitation to mining camps in Suriname's remote interior. Chinese nationals transiting Suriname risk debt bondage to migrant smugglers who place them into forced labor.

The Government of Suriname does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government remains on Tier 2 Watch List for a second year for its failure to show evidence of increasing efforts to combat trafficking, particularly in its lack of progress in law enforcement action against traffickers. The government should investigate illegal migration, which often veils trafficking operations, and avoid summary deportations of victims who could assist in building cases against their traffickers. Government leaders should publicly support a "no tolerance" policy for officials implicated in trafficking, and prosecute them to the fullest extent of the law.

### ***Prosecution***

Suriname still lacks a comprehensive law to combat trafficking. Existing statutes prohibited slavery, migrant smuggling, and pimping but were not adequately enforced and they treated forced labor as a misdemeanor offense. Authorities failed to screen foreign women who were possible victims of trafficking for sexual exploitation before deporting them for immigration violations. Prosecutors and police received anti-trafficking training and created operations manuals to assist officers in identifying and investigating cases. Late in 2004, the government created a special police anti-trafficking unit. The police cooperated with Curacao officials in a case that resulted in convictions for trafficking of children to the Netherlands Antilles. Cooperation with Guyanese officials led to the arrest in December 2004 of a Surinamese official for trafficking young Guyanese girls for sexual exploitation. The government created a special section in the police fraud unit to investigate public corruption. No other investigations, prosecutions, or convictions related to trafficking were reported.

### ***Protection***

The government lacked resources and efforts to assist victims were inadequate over the last year. It provided no assistance specifically for trafficking victims. The government provided police with some training on identifying victims but more training is necessary. Potential trafficking victims typically faced detention and deportation for migration violations. Mechanisms for coordinating assistance with a foreign victim's embassy were only available to victims with legal immigration status. Victims could file suit against traffickers. In May 2004, the government established a special victims unit and telephone hotline to handle reports of trafficking and complaints from victims.

### ***Prevention***

The government made a good faith effort to educate the public and prevent trafficking during the reporting period. Radio and television spots in early 2004 and newspaper articles including quotes from senior public officials late in the year brought the issue to the public's attention. The government supported public awareness campaigns to prevent internal trafficking of children. It funded campaigns about the

worst forms of child labor, including prostitution, conducted by the Surinamese Labor College, and educated teachers, families, and community leaders about the detrimental effects of child exploitation. The government also finalized its National Plan of Action in November 2004 and provided logistical support for IOM workshops on preventing trafficking and identifying and working with victims.

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## SWEDEN (TIER 1)

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Sweden is primarily a destination country for women and children trafficked from eastern and southeastern European countries, the Baltics, and Russia for the purpose of sexual exploitation. Police cited Thailand as another, less significant, source country. Sweden is also a transit country for a limited number of victims trafficked from the same source countries to destinations including Denmark, Norway, Germany, and the United Kingdom.

The Government of Sweden fully complies with the minimum standards for the elimination of trafficking in persons. In 2004, the fight against trafficking in persons remained among the government's highest priorities. During the reporting period, Sweden broadened its anti-trafficking legislation and improved victim assistance. The government also commendably funded anti-trafficking information campaigns throughout Europe focusing on, among other aspects, curbing demand for trafficking victims. Sweden is in the process of establishing a special investigator to review aspects of its anti-trafficking law in an effort to make it more usable for prosecutors.

### ***Prosecution***

The Swedish Government is a leader in targeting demand for sexual exploitation with laws prosecuting sex buyers and protecting victims. Sweden continued its efforts to prosecute traffickers throughout the reporting period. While Sweden broadened its anti-trafficking legislation in July 2004 to cover labor exploitation and internal trafficking, prosecutors continued to use primarily procurement laws to obtain convictions of traffickers. Sweden's anti-trafficking legislation requires that prosecutors prove traffickers used "improper means" in order to secure a conviction. Judges commonly rule that "improper means" were absent in cases involving victims who consented at some point during their trafficking ordeal. Although initial consent would appear to be irrelevant under the anti-trafficking law, in practice, judicial interpretation of the "improper means" criteria makes it difficult to obtain convictions under the law. The July 2004 amendments called for the establishment of a special investigator to review the "improper means" criteria. In February 2005, the government prosecuted and convicted two traffickers under Sweden's anti-trafficking law. Both traffickers received sentences of four to five years' imprisonment. Additionally, the government prosecuted and convicted 20 persons for trafficking-related crimes under other statutes. Eleven of those 20 received sentences of one year or more imprisonment. The government trains police and prosecutors on proper handling of trafficking cases and victims. In February 2004, the National Police Academy began providing anti-trafficking training to new recruits. Police reported that ongoing training programs throughout the country are improving the responsiveness and effectiveness of local police anti-trafficking efforts. The government routinely cooperates with other governments and regional law enforcement organizations on trafficking investigations.

### ***Protection***

Sweden's efforts to protect victims of trafficking improved during the reporting period as amendments to Sweden's Aliens Act enacted in October 2004 helped to redress a gap in Sweden's

assistance to these victims. Now prosecutors may obtain time-limited residence permits for trafficking victims who cooperate in the criminal investigation of traffickers. Police reported a decrease in rapid deportations following enactment of the amendments. Procedures are in place for police to contact NGOs and shelters in order to assist victims. Under Swedish law, municipal authorities bear responsibility for providing victims with health care and social services, and may obtain reimbursement from the government. Municipalities operate women's shelters throughout the country that admit and care for trafficking victims. During the reporting period, approximately 20 trafficking victims involved in legal investigations received government assistance through municipalities.

### ***Prevention***

The Government of Sweden funded major anti-trafficking information campaigns in Europe during 2004, including a project with MTV Europe Foundation that featured a 30-minute anti-trafficking film estimated to have reached 146 million households. The government also initiated and participated in a project in the Barents region (Finland, Norway, Russia, Sweden) specifically aimed at reducing trafficking for the purposes of sexual exploitation. Sweden's foreign assistance agency continued to support several on-going projects directed against trafficking in Southeast Asian and southeastern European countries.

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## **SWITZERLAND (TIER 2)**

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Switzerland is primarily a destination country, and secondarily a transit country, for women trafficked for the purpose of sexual exploitation from Central Europe (Hungary, Slovakia, Romania), the former Soviet Union (Ukraine, Lithuania, Moldova), Latin America (Brazil, Dominican Republic), Asia (Thailand, Cambodia) and, to a lesser extent, Africa. Both police and NGOs noted increased trafficking from Brazil over the last year, though overall numbers of trafficking victims appeared to stay level.

The Government of Switzerland does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Draft legislation that will encompass trafficking for labor exploitation and strengthen penalties awaits Parliament's approval. The federal government instructed cantonal authorities to grant trafficking victims a 30-day stay of deportation, which has decreased the practice of rapid deportation of potential trafficking victims. The Swiss Government should consider expanding its prevention efforts to domestic trafficking awareness, anti-demand campaigns. Sentences imposed on traffickers remained low.

### ***Prosecution***

The Swiss Government sustained its anti-trafficking enforcement efforts during the reporting period. According to the most recent enforcement statistics, from 2003, authorities convicted 12 individuals for trafficking and forced prostitution. Five of those convicted received suspended prison sentences of less than a year. The Swiss Penal Code has two articles that prohibit trafficking in persons with sufficiently severe penalties, both of which focus on sexual exploitation and forced prostitution. In 2003, the Swiss Government drafted a revision to the penal code to explicitly prohibit forced labor and strengthen trafficking penalties; the draft legislation was submitted to parliament in March 2005. Swiss authorities are active in international law enforcement activities and took the lead in coordinating 21 international trafficking investigations. Swiss Government officials did not facilitate or condone trafficking.

***Protection***

Switzerland's efforts to protect and assist trafficking victims improved in 2004. Under federal guidelines sent to cantonal immigration authorities in August 2004, authorities must grant trafficking victims a 30-day minimum stay of deportation. They may also provide victims willing to cooperate with judicial authorities stays of deportation up to three months, or short-term residency permits if the criminal investigation takes longer. Preliminary statistics show that between August and December of 2004, cantonal authorities granted at least 26 trafficking victims stays of deportation and granted an additional 18 victims short-term residency permits, seven of which included a permit to work. Swiss law entitles trafficking victims to secure shelter as well as medical, psychological, social, and legal assistance, regardless of their residency status. During 2003, the most recent statistics available, 64 trafficking victims received assistance from publicly funded victim assistance centers. The government continued to partially fund Zurich's leading anti-trafficking NGO. Zurich formalized its victim referral mechanism in a letter of intent between the NGO and local law enforcement officials. Other urban centers have started to follow this lead by instituting roundtable meetings between NGOs and law enforcement.

***Prevention***

Switzerland's anti-trafficking coordination unit (KSMM), located within the Federal Office of Police, continued to coordinate and monitor Switzerland's anti-trafficking efforts. While KSMM provided three trafficking awareness programs to local officials during the reporting period, specialized training at the cantonal level remained uneven. The Government of Switzerland funded several anti-trafficking information and education campaigns around the world. It organized and financed a Ukrainian anti-trafficking delegation to Bern for an information exchange. In 2004, the Swiss Ministry of Foreign Affairs provided specialized training to its consular staff and distributed trafficking awareness information to visa applicants in local languages, directed especially at those applying for entertainer visas. The Swiss Government did not conduct domestic demand-reduction programs.

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## SYRIA (TIER 2)

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Syria is a destination country for women trafficked from South and East Asia and Ethiopia for the purpose of labor exploitation and from Eastern Europe for the purpose of sexual exploitation. There are no statistics available on the scope and type of trafficking that may exist and very little insight on the part of the government, the general public, and the diplomatic community on the issue. There have been some reports that indicate Iraqi women may be subjected to sexual exploitation in prostitution in Syria at the hands of Iraqi criminal networks, but those reports have not been confirmed. Some individuals brought into the country to work as domestic workers have suffered conditions that constitute involuntary servitude, including physical and sexual abuse, threats of expulsion, denial or delayed payment of wages, withholding of passports, and restriction of movement. Manpower agencies may lure some victims to Syria through fraudulent or deceptive offers of employment in the Gulf.

The Government of Syria does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Syria does not have a legal framework governing relations between domestic workers and their employers. It also does not regulate the illegal manpower agencies that bring in and, in some cases, facilitate victims' exploitation. The



Governments of Indonesia and the Philippines banned their citizens from taking employment in Syria because of abuses and the lack of a mechanism to protect the rights of their citizens. The government should appoint a national anti-trafficking coordinator, develop comprehensive anti-trafficking legislation, investigate and prosecute traffickers and manpower agencies that facilitate trafficking, tighten its entertainment visa issuance regime to prevent its exploitation for trafficking, and launch a broad anti-trafficking campaign to educate the general public.

### ***Prosecution***

The Government of Syria took minimal steps to investigate and/or prosecute trafficking and trafficking-related cases during the reporting period. Syria does not have an anti-trafficking law, though most forms of trafficking are criminalized under other statutes. Foreign domestic workers are excluded from protection under Syrian labor laws. Syrian law enforcement officials need to be trained in victim identification and protection methods. The Syrian Government did not provide any data on investigations, prosecutions, convictions, or sentences for trafficking-related offenses during the last year.

### ***Protection***

Over the last year, the Syrian Government did not improve its efforts to provide shelter, dispute settlement, or other protection services to victims of trafficking for sexual exploitation or involuntary servitude. It does, however, cooperate with source-country representatives and NGOs working with victims in these areas. It should put in place a procedure for distinguishing trafficking victims from illegal immigrants and provide them appropriate protection measures, including shelter, legal, medical, and psychological services, as well as repatriation and reintegration assistance.

### ***Prevention***

Syria continued to make strong efforts to prevent illegal entry into the country by monitoring its borders closely and screening passengers at arrival points. There were no trafficking-specific prevention efforts, however. The government cooperates with source-country embassies and IOM in the repatriation of victims. A consortium of source-country embassies has established an Anti-fraud Taskforce that works with the government to train immigration and customs officials to combat illegal immigration, which would likely benefit anti-trafficking efforts as well.

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## **TAIWAN (TIER 2)**

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Taiwan is primarily a destination for women and girls, mainly from the People's Republic of China (P.R.C.), who are trafficked for the purpose of sexual exploitation. Some trafficking victims from the P.R.C., Thailand, Cambodia, and Vietnam are forced or coerced into the commercial sex trade or lured to Taiwan by fraudulent offers of employment or marriage. Some Taiwan women are also trafficked to Japan for sexual exploitation.

Taiwan authorities do not fully comply with the minimum standards for the elimination of trafficking; however, they are making significant efforts to do so. Taiwan authorities have increased efforts to provide protection for trafficking victims. Despite prosecutions of traffickers, there is insufficient protection for trafficking victims, particularly for women and girls from the P.R.C. While illegal immigrants from other countries are generally quickly repatriated, the P.R.C. often delays

Taiwan efforts to assist P.R.C. victims to return home. Taiwan authorities and NGOs have collaborated in ongoing efforts to develop a plan of action on trafficking. Some law enforcement officials conflate trafficking with smuggling. Taiwan laws criminalize most forms of trafficking but do not address prevention of trafficking or victim protection, which the authorities nonetheless provide on an ad hoc basis.

### ***Prosecution***

Taiwan lacks a comprehensive trafficking law providing for preventive measures and victim protection, though most forms of human trafficking are criminalized through a number of different statutes. Trafficking of Taiwan residents abroad or children of any nationality is prohibited by the 1995 Statute for Prevention of Child and Juvenile Sexual Trafficking and provisions in Taiwan's Criminal Code. Article 296 criminalizes a broad range of forms of trafficking and servitude. Article 296-1 provides for stronger penalties when the crimes are committed by officials. Taiwan authorities report that they indicted 241 and convicted 150 persons under these statutes in 2004. Taiwan authorities took steps in 2004 to address the growing number of Vietnamese women lured to Taiwan as brides and then forced into prostitution. A more stringent law enacted in January 2004 and aimed at cross-Strait trafficking stipulates that any person found guilty of smuggling Mainland Chinese into Taiwan shall be punished with a prison term of three to ten years and fined up to \$150,000. Authorities in late March 2005 broke up a trafficking ring run by two Taiwan Army officers and their wives. A year-long investigation into the ring produced a number of arrests for trafficking of P.R.C. women to Taiwan for exploitation in the sex industry. Taiwan authorities have increased training for law enforcement officials on trafficking issues and how to best assist a victim. In early 2005, Taiwan executed a local trafficker convicted of killing P.R.C. victims.

### ***Protection***

Foreign victims of trafficking who are not of P.R.C. origin are provided with shelter and counseling and are generally quickly repatriated. Current Taiwan law provides no legal alternative to the return to the P.R.C. of all unlawfully present P.R.C. citizens, including trafficking victims. Taiwan has recently increased efforts to provide protection to P.R.C. trafficking victims. Taiwan law enforcement authorities and NGO social workers interview all illegal immigrants in detention centers in order to identify possible trafficking victims. Women and girls identified as trafficking victims are housed in a separate wing, where they are provided with access to social workers, health care, vocational activities, and counseling. Women with children have an additional, separate area within the facility. Identified trafficking victims are exempt from rules that apply to criminal detainees. There is no policy or law that requires the authorities to evaluate whether victims would face persecution or retribution upon returning to the P.R.C. Authorities have established an island-wide toll-free "113 Women's and Children's Protection" hotline.

### ***Prevention***

Taiwan law enforcement authorities are working to intercept criminal syndicates that smuggle P.R.C. migrants, including trafficking victims, to Taiwan. Taiwan continued its support of NGO anti-trafficking prevention programs, with government funding for public awareness programs targeting minors and awareness campaigns targeting Southeast Asian women who marry Taiwan men, including publicity campaigns funded by Taiwan in source countries. Taiwan officials have raised public awareness of the dangers of pornography and the use of the Internet to lure children into the sex trade. Social workers automatically visit high-school students with unexcused school absences to provide counseling and to ensure that the children do not fall into the sex trade or other illicit activities.

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**TAJIKISTAN (TIER 2)**

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Tajikistan is a source country for men, women, and children trafficked to Russia, Kazakhstan, the United Arab Emirates (U.A.E.), Turkey, Saudi Arabia, and Iran for the purposes of sexual exploitation and forced labor.

The Government of Tajikistan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Over the past year, the government adopted a comprehensive trafficking in persons law, established a specialized anti-trafficking police unit, and created an interagency commission to coordinate anti-trafficking activities and draft a national action plan. While victim assistance and protection remained inadequate, in large part due to a lack of resources, Tajikistan's new law provides a useful framework for the protection of victims. The government should make strong efforts to meet trafficking victims' needs and increase convictions.

***Prosecution***

The Government of Tajikistan adopted a comprehensive Law on Combating Trafficking in Persons in August 2004. Tajikistan's Criminal Code criminalized trafficking in persons for both sexual and labor exploitation. Penalties include imprisonment of five to 15 years and confiscation of property. Traffickers may also be prosecuted under other laws such as those prohibiting exploitation of prostitution, rape, kidnapping, and buying and selling of minors. In 2004, law enforcement officials investigated 14 trafficking cases. A Dushanbe court in late 2004 handed down the first conviction under Tajikistan's new anti-trafficking law, sentencing a trafficker to 14 years' imprisonment and confiscating her property. In May 2004, the government established a dedicated police unit with five officers directly involved in trafficking investigations. The Ministry of Interior added a special trafficking training course to its academy curriculum. The government arrested 14 low-level law enforcement officers who engaged in sexually exploiting underage girls. Defendants charged with trafficking have received reduced charges allegedly due to bribes accepted by judges.

***Protection***

Assistance for trafficking victims in Tajikistan remained inadequate during the reporting period. In theory, victims are protected under the new anti-trafficking law, but in practice the government offers no protection or reintegration programs for victims, citing limited resources. The Ministry of Interior and a local NGO signed an agreement on cooperation in December 2004, in part, as an effort to try to locate space to interview victims in a secure, confidential environment. Enforcement officials did not jail, fine, detain, or otherwise punish victims.

***Prevention***

In January 2005, the government established an interagency commission on combating human trafficking, a product of its new anti-trafficking law. The commission began meeting monthly in February and is charged with producing a national plan to combat human trafficking. The commission consists of representatives from the Ministries of Interior, Security, Labor, Foreign Affairs, Education, Health, and Economy and Trade, as well as the State Border Protection Committee, the Prosecutor General's Office, and the President's Administration. The government continued to cooperate with local NGOs and international groups on prevention, and may include them in future meetings of the commission. On May 5, 2004, the Ministry of Interior and IOM signed a Memorandum of Cooperation in the Sphere of Combating Trafficking in Persons, leading to a for-

mal cooperative relationship between IOM and the anti-trafficking unit on prosecution and protection activities.

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## TANZANIA (TIER 2)

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Tanzania is a source, transit, and destination country for women and children trafficked for the purposes of forced labor and sexual exploitation. Most victims are trafficked internally; boys are trafficked for exploitative work on farms, in mines, and in the large informal sector, while girls from rural areas, particularly the Iringa Region, are trafficked to the towns for involuntary domestic labor. Many of these domestic workers flee abusive employers and turn to prostitution for survival. Tanzanian girls are also reportedly trafficked to South Africa, Saudi Arabia, the United Kingdom, and possibly other European countries for forced domestic labor. Indian women, legally entering the country to work as musicians, singers, and dancers in restaurants and nightclubs, are at times exploited in prostitution after arrival.

The Government of Tanzania does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. To further its anti-trafficking efforts, the government should take steps to provide expanded protective services to victims and launch a nationwide awareness raising campaign on the definition of human trafficking and the forms it takes in Tanzania.

### ***Prosecution***

The government's anti-trafficking law enforcement efforts progressed over the reporting period. Tanzanian law prohibits internal and cross-border trafficking for sexual exploitation and the constitution prohibits forced labor. During 2004, three trafficking-related cases were pending in court, while investigations into two additional cases continued. In April 2004, a Tanzanian man was arrested for bringing Indian dancers to Tanzania on artist visas and exploiting them in prostitution; the women were deported and the court case was withdrawn for lack of evidence. Immigration officials working with police uncovered an alleged international trafficking ring in October 2004, arresting 31 suspected traffickers and charging them with violating immigration law. Charges were dropped against a woman accused of trafficking children from Iringa to the capital because authorities were unable to locate the child witnesses after numerous attempts. In October 2004, eight mid-level Tanzanian police officers received training in conducting trafficking investigations. In February 2005, nine immigration officials, with assistance from IOM, began drafting standard operating procedures for identifying traffickers at border posts.

### ***Protection***

During the year, the government took steps to protect trafficking victims, within the limits of its resources. Local police and officials from the Social Welfare Department identified and informally referred child trafficking victims to NGOs that work with street children and child prostitutes, provided small donations of food and other goods to these NGOs, and identified land available for building new shelters. Local government officials participated in district committees that identified children vulnerable to or involved in the worst forms of child labor, including prostitution and forced domestic labor. In 2004, 3,844 children were prevented from entering exploitative domestic labor situations, and 3,483 children were withdrawn from exploitative domestic labor. These children

were referred for protection services offered by the ILO, including rehabilitation, education, and alternative training. During the year, 60 out of 90 labor officers nationwide received intensive three-month training on the new labor laws and application of child labor provisions, as well as recognizing the worst forms of child labor, including children in prostitution and forced labor.

### ***Prevention***

The government made limited progress in preventing trafficking over the reporting period. In July 2004, it convened the first-ever meeting of senior government officials to discuss trafficking in Tanzania, investigations into trafficking cases, and existing legal statutes. In addition, the Ministry of Home Affairs compiled and released its first report on investigations, prosecutions, and arrests related to human trafficking. Though the government did not launch a specific anti-trafficking information campaign, it continued its nationwide awareness campaign on the worst forms of child labor, including forced domestic labor and prostitution. In addition, after a trafficking-related arrest was made in October 2004, the Regional Immigration Officer made public statements condemning the use of Tanzania as a transit country for human trafficking.

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## **THAILAND (TIER 2)**

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Thailand is a source, transit, and destination country for men, women, and children trafficked for the purposes of sexual exploitation and forced labor. Thai women are trafficked to Australia, Bahrain, Japan, Malaysia, Singapore, South Africa, Taiwan, Europe, and North America for commercial sexual exploitation. A significant number of men, women, and children from Burma, Laos, Cambodia, and the People's Republic of China (P.R.C.) are economic migrants who wind up in forced or bonded labor and commercial sexual exploitation in Thailand. Regional economic disparities drive significant illegal migration into Thailand, presenting traffickers opportunities to move victims into labor or sexual exploitation. Internal trafficking also occurs in Thailand, involving victims from Northern Thailand, especially ethnic hill tribe women and girls. Widespread sex tourism in Thailand encourages trafficking for commercial sexual exploitation.

The Government of Thailand does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Thailand showed clear progress in applying greater law enforcement efforts to fighting trafficking and systematically screening hundreds of thousands of undocumented illegal migrants to identify and provide care for trafficking victims in their midst. The government also made modest progress in addressing widespread trafficking-related corruption within the ranks of the police, immigration services, and judiciary. In November 2004, the Thai Government began a new, intensified effort to improve the vetting procedure used by the police and immigration authorities to identify trafficking victims. While reports suggest increased efforts by police and immigration officials to provide protection to trafficking victims, international organizations and NGOs continue to play an important role in screening of trafficking victims, especially underage victims found in street work. There are reports that child trafficking victims continued to be incarcerated in and deported from Thailand without proper victim care or any attempt to investigate the trafficking crimes committed against these children.

### ***Prosecution***

During the reporting period, the Thai Government increased its law enforcement efforts against traf-

ficking. Thailand has a law specifically prohibiting trafficking. In 2004, the government reported 307 trafficking-related arrests, 66 prosecutions, and 12 convictions – an increase in arrests over the previous year’s performance. Sentences handed down for trafficking cases remained light, with an average sentence of three years’ imprisonment. However, a number of sentences in trafficking cases were severe, with imprisonment of up to 50 years. In early March 2005, a Thai court convicted a Cambodian woman for trafficking eight Cambodian girls to Thailand and Malaysia; the trafficker was sentenced to 85 years’ imprisonment. As in previous years, the Thai Government made minimal progress in reducing trafficking-related corruption in the police, immigration services, and judiciary. Law enforcement officials continued to be implicated in facilitating trafficking, but only one police officer was convicted and sentenced to ten years’ imprisonment over the past year; prosecutions of 18 others fired in 2003 for complicity in trafficking continues. Thailand is not able to adequately control its long land borders.

### ***Protection***

In 2004, the Thai Government continued to provide commendable protection to trafficking victims. The government continued to operate 97 shelters throughout the country for abused women and children, six regional shelters for foreign trafficking victims, and a central shelter outside of Bangkok with capacity for over 500 foreign trafficking victims. The government reportedly identified and provided protection to 108 women and children since the November 2004 institution of the new screening mechanism. Thailand’s overseas missions continued to provide support to Thai victims who wish to return home, but limited funding is available to assist their repatriation. The government also provided police and consular officials with training on trafficking issues and dealing with victims.

### ***Prevention***

The Thai Government continued its efforts to raise awareness of trafficking. In 2004, the Thai police began an information campaign, which included the distribution of pamphlets and creation of a hotline for reporting suspected cases. The government also continued to support the work of NGOs and international organizations to carry out public awareness campaigns and provide victim support services.

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## **TOGO (TIER 3)**

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Togo is a country of origin and transit for children trafficked for the purposes of forced domestic labor and sexual exploitation. There are no exact numbers on the trafficking situation in Togo; however, experts believe that Togo is a major country of destination for children trafficked from rural towns to Lome for exploitation as domestic servants, produce porters, roadside sellers, and prostitutes.

The government does not meet the minimum standards for the elimination of trafficking and it is not making significant efforts to do so. Togo does not have a law specifically preventing trafficking, and badly needed anti-trafficking legislation has remained stalled in Togo's Executive Branch since 2002. Togo adopted a national plan in 2001 for the fight against child trafficking, which called for establishment of anti-trafficking legislation, training, and border control. However, little has been done in the actual implementation of this plan, and law enforcement efforts seem to have been stymied over the past year. In order to increase its anti-trafficking efforts, the Government of Togo should recognize trafficking as a problem in the country, establish it as a federal offense, and prosecute it accordingly. The government should also increase regional cooperation on trafficking-related matters and continue efforts with regional committees to combat trafficking in the country.

***Prosecution***

Togo displayed little discernable anti-trafficking law enforcement efforts during the reporting period. The government reported no investigations, prosecutions, or convictions of trafficking-related crimes over the last year. As a draft anti-trafficking law continues to lag in the Executive Branch, Togo has no specific anti-trafficking law. However, the government could use existing criminal statutes against child labor and sexual exploitation to prosecute some aspects of trafficking crimes. The police reportedly established an anti-trafficking task force to coordinate and respond to trafficking-related matters, but has made no reported progress to prosecute and convict traffickers. For instance, the police made 61 trafficking-related arrests, but none resulted in a prosecution or conviction. The government signed bilateral and multilateral agreements with Ghana, Benin, and Nigeria to monitor, control, and prevent trafficking in persons, and it cooperates with these countries on the return of trafficked children. There were no statistics available on the number of extraditions of traffickers; however, the government's National Committee for the Reception and Social Reinsertion of Trafficked Children reported 2,458 repatriated children between 2002 and 2004. Corruption remains a problem in the country, though there were no reported investigations or prosecutions of public officials for complicity in trafficking.

***Protection***

The government does not provide any significant protection or aid to victims of trafficking, due in large part to the serious lack of resources in the country. Thus, the government does not fund specific trafficking-related shelters or centers that may aid victims; however, it does closely coordinate and collaborate with NGOs for victim care and assistance. In some limited cases, the government is able to provide temporary shelter, and access to legal, medical, and psychological services before turning victims over to NGOs. The government relies heavily on international aid and works to find areas where it may collaborate on trafficking-related protection services. Victims are not treated as criminals. A degree of police and customs training on how and where to refer trafficking victims to appropriate NGOs has been provided through regional and local committees.

***Prevention***

Senior government officials have publicly acknowledged the presence of trafficking in Togo; however, lack of resources severely inhibits the government's ability to carry out a long-term sustainable prevention campaign. The government established five regional committees to coordinate with local and international organizations on trafficking-related matters. These regional and local committees organized tours in their respective region to sensitize the populations on child trafficking and the dangers of trafficking, targeting taxi drivers, student-parent associations, and school inspectors. To date, there have been 234 such campaigns. Village Development Committees and other Local Committees working on anti-trafficking measures received some limited training on the rights of children. The Ministry of Interior and Security organized awareness campaigns for district governors and security forces, which included information on the methods used by traffickers.

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**TURKEY (TIER 2)**


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Turkey is a transit and destination country for women and children trafficked primarily for sexual exploitation. Some men, women, and children are also trafficked for forced labor. There has been increasing evidence of internal trafficking of Turkish citizens for forced labor and sexual exploita-

tion. Most victims come from Eastern Europe and the former Soviet Union, including Moldova, Ukraine, Russia, Azerbaijan, Kyrgyzstan, Georgia, Romania, Kazakhstan, Uzbekistan, and Belarus.

The Government of Turkey does not fully comply with the minimum standards for the elimination of trafficking: however, it is making significant efforts to do so. Over the last year, the government stepped up its training of law enforcement personnel to increase victim identification and end the automatic deportation and removal of victims. As a result, Turkish officials have improved their screening and identification of victims. However, the government needs to take more preemptive steps to ensure that there is a corresponding increase in convictions and sentences for traffickers. Despite the government's increased efforts to raise understanding of the trafficking phenomenon, the level of awareness among some members of the judiciary and the general public remains low. The Turkish Government should continue to strengthen its efforts to actively pursue a focused public awareness campaign reaching out to victims, law enforcement, and customers.

### ***Prosecution***

The Government of Turkey has taken substantial measures over the past year to improve its enforcement efforts. In October and December 2004, Turkey made significant revisions to its penal code and code of criminal procedures, including expanding investigative tools in trafficking cases and increasing punishments for traffickers. The government funded domestic and international anti-trafficking operations, specifically for training. In 2004, this covered more than 400 police, 120 Jandarma, and 160 judges. The government reportedly initiated 142 prosecutions for suspected trafficking crimes during 2004, a large increase over 2003 figures. Five cases for which information was provided produced convictions. The government failed to provide detailed follow-up information on the remaining cases. There were some reports of law enforcement officials receiving bribes that facilitated illegal prostitution. No officials were arrested or prosecuted for involvement in trafficking in 2004, though two police officers in Istanbul were charged with trafficking in March 2005. A Memorandum of Understanding (MOU) between the Turkish Government and Belarus came into effect in September 2004 to allow for anti-trafficking joint investigations and cooperation. The MOU facilitated a successful operation leading to arrests in both countries.

### ***Protection***

The Government of Turkey has taken significant steps to halt past practices of automatic deportation of victims. The police and Jandarma are actively cooperating with an NGO shelter and implementing a protocol for victim referrals. As a result of training and awareness campaigns, law enforcement successfully identified 265 victims in 2004, an exponential increase over the handful identified in 2003. Furthermore, IOM repatriated 62 foreign victims in 2004, up from only two the previous year. The government has implemented a new policy to provide full medical assistance to victims of trafficking. In addition, the government issued humanitarian visas to 13 victims, allowing them to stay in Turkey and receive government services.

### ***Prevention***

The Turkish Jandarma printed and distributed 9,000 anti-trafficking brochures to police precincts and citizens throughout Turkey. Although the government established a hotline for trafficking victims in 2004, it has not yet implemented a large-scale, targeted information campaign. Most recently, the government publicly launched its 2005 counter-trafficking campaign, which is too recent to show results.



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**UGANDA (TIER 2)**

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Uganda is a source and destination country for men, women, and children trafficked for the purposes of forced labor and sexual exploitation. The rebel organization, Lord's Resistance Army (LRA), operates a campaign of terror in northern Uganda and southern Sudan, a territory outside of the government's full control. Rebels abduct Ugandan adults and children to be used as soldiers, cooks, porters, and sex slaves. UNICEF estimates that more than 12,000 children have been abducted since 2002. Thousands of Ugandan children engaged in commercial sex, some of whom were trafficked by a third party. There were reports that Uganda was also a destination for Indian women trafficked for commercial sexual exploitation.

The Government of Uganda does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. To strengthen its efforts to combat trafficking, the government should seek additional training for officials responsible for investigating and prosecuting traffickers, and offer protection services for victims of trafficking for sexual exploitation.

***Prosecution***

During the year, the government aggressively engaged in anti-trafficking law enforcement efforts. Uganda does not have a comprehensive anti-trafficking law; however, the penal code specifies penalties for trafficking-related offenses, including procuring a woman for prostitution, detention with sexual intent, sex with a minor under 18, dealing in slaves, and compelling unlawful labor. Taken together, these laws cover the full scope of trafficking in persons. The government actively enforced its law against engaging in sex with minors, arresting 3,094 people, some of whom were involved with trafficked children. Of these, 440 were prosecuted and 336 were convicted. The Child and Family Protection Unit of the national police, with NGO assistance, trained over 200 police officers on the proper investigation of these complaints. Police also conducted "sweeps" of areas frequented by children in prostitution. One person was arrested when police raided a bar where six women trafficked from India were being exploited.

Military operations against the LRA significantly increased in both northern Uganda and southern Sudan in 2004. Military cooperation between the Governments of Sudan and Uganda to deprive the LRA of bases in southern Sudan also increased. President Museveni supported attempts to negotiate a peaceful end to LRA abductions through two cease-fires, offering an agreement for the cessation of hostilities and return of abductees. To date, the LRA has refused to sign such an agreement or begin returning abductees. The government also granted blanket amnesty, through a law passed in 2000, which absolves returnees, including abductees, from criminal liability if they renounce rebellion. As a result of this policy, however, the government has not prosecuted or convicted LRA rebels (most of whom were also victims of abduction) for trafficking-related offenses.

***Protection***

The government provided assistance to former LRA abductees, including children. The Uganda Peoples Defense Force's Child Protection Unit operated two centers that facilitated receiving, debriefing, processing, and assessing the medical needs of former child soldiers, as well as their subsequent transfer to NGO-run reintegration centers. Child soldiers who surrendered or were captured were provided with shelter and food during the short period before they were transferred to NGO custody. In the past two years, 7,329 former abductees have been rescued. The Amnesty Commission gave orientation and training to Ugandan officials working to assist former abductees in

Sudan. The Ministry of Gender, Labor, and Social Development and ILO-IPEC conducted a joint study on Ugandan children engaged in commercial sexual exploitation in four districts.

### ***Prevention***

The Ugandan military is deployed in an extensive effort to defeat the LRA, which would prevent future abductions. The Amnesty Commission, the Office of the President, and the Ministry for Internal Affairs are concurrently involved in seeking a peaceful resolution to the conflict, which would also end abductions. In northern Uganda, the government made extensive use of local-language radio broadcasts to persuade abducted children and their captors to accept amnesty and return from the bush. In March 2005, a national anti-trafficking working group was established.

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## **UKRAINE (TIER 2 – WATCH LIST)**

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Ukraine is primarily a source country for men, women, and children trafficked to Europe, the Middle East, and Russia for the purposes of sexual exploitation and forced labor. Recent studies indicate an increase in internal trafficking for all forms of exploitation and a growing problem of trafficking in minors. Ukraine continued to serve as a significant transit country for Asian and Moldovan victims trafficked to Western destinations.

The Government of Ukraine does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Ukraine has been placed on Tier 2 Watch List because of its failure to show evidence of increasing efforts and its commitment to take additional future steps over the next year, particularly in the area of victim protection and prosecution of trafficking-related complicity. Ukraine's new government, which assumed power in late 2004, is expected to respond more effectively to institutional weaknesses and corruption, which hindered the previous government's anti-trafficking efforts. The government should create a special witness protection program for trafficking victims, expand the legal definition of trafficking to conform with international requirements, ensure the appropriation of consistent resources for the anti-trafficking unit, and conduct sensitivity training to reduce victim blaming and breaches of victim confidentiality.

### ***Prosecution***

Ukraine's Criminal Code remained inadequate to address the full range of trafficking in Ukraine over the reporting period. The Ministry of Interior initiated 269 new cases, completed 72 investigations, and charged 138 persons with trafficking crimes. A total of 68 trafficking prosecutions were started. The courts convicted traffickers in 67 cases, an increase from the previous year.

Regrettably, only 22 persons were sentenced to time in prison, the rest receiving probation. During the reporting period, the government successfully dismantled 17 organized crime groups involved in trafficking cases. Trafficking-related complicity and official involvement continued to be a problem; there were persistent reports of high-level official intervention, which may have resulted in significant sentence reductions. The government did not investigate or prosecute any cases of trafficking-related corruption during the year.

### ***Protection***

The Government of Ukraine failed to provide adequate protection and rehabilitation services to victims of trafficking in 2004. The lack of a credible victim witness protection program impaired the

government's ability to protect victims, and as a result few victims were willing to cooperate in prosecutions. Ukrainian courts showed a lack of sensitivity to victims during court proceedings; trafficking victims were characterized as prostitutes, rather than victims of a serious crime. The Ministry of Family and Youth Affairs coordinated some rehabilitation services, but the majority of funding for these programs came from international donors. Commendably, the government screened all victims repatriated or deported from abroad to the port of Odesa and referred them to a local NGO for services. The government instructed all diplomatic officials abroad to accelerate procedures for identifying Ukrainian victims and providing them with appropriate travel documents.

### *Prevention*

Ukraine's trafficking prevention efforts were woefully inadequate over the last year. The country's Comprehensive Program for Combating Trafficking was not implemented well in 2004, as it lacked both financing and practical measures needed for its effective implementation. As a result, internal trafficking was not addressed. In December 2004, the government established an advisory anti-trafficking working group to improve coordination of the largely ineffectual Inter-Ministerial Group. The government continued to rely on NGOs and international organizations to conduct the bulk of prevention programs. However, it provided minor support for their activities, primarily by distributing literature throughout the government and in public schools. In 2004, the Ministry of Family and Youth Affairs conducted outreach to some rural youth and provided mortgage assistance to young families.

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## UNITED ARAB EMIRATES (TIER 3)

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The United Arab Emirates (U.A.E.) is a destination country for women trafficked primarily from South, Southeast, and East Asia, the former Soviet Union, Iran and other Middle Eastern countries, and East Africa, for the purpose of sexual exploitation. A far smaller number of men, women, and teenage children were trafficked to the U.A.E. to work as forced laborers. Some South Asian and East African boys were trafficked into the country and forced to work as camel jockeys. Some were sold by their parents to traffickers, and others were brought into the U.A.E. by their parents. A large number of foreign women were lured into the U.A.E. under false pretenses and subsequently forced into sexual servitude, primarily by criminals of their own countries. Personal observations by U.S. Government officials and video and photographic evidence indicated the continued use of trafficked children as camel jockeys. There were instances of child camel jockey victims who were reportedly starved to make them light, abused physically and sexually, denied education and health care, and subjected to harsh living and working conditions. Some boys as young as 6 months old were reportedly kidnapped or sold to traffickers and raised to become camel jockeys. Some were injured seriously during races and training sessions, and one child died after being trampled by the camel he was riding. Some victims trafficked for labor exploitation endured harsh living and working conditions and were subjected to debt bondage, passport withholding, and physical and sexual abuse.

The U.A.E. Government does not collect statistics on persons trafficked into the country, making it difficult to assess its efforts to combat the problem. Widely varying reports, mostly from NGOs, international organizations, and source countries, estimated the number of trafficking victims in the U.A.E. to be from a few thousand to tens of thousands. Regarding foreign child camel jockeys, the U.A.E. Government estimated there were from 1,200 to 2,700 such children in the U.A.E., while a respected Pakistani human rights NGO active in the U.A.E. estimated 5,000 to 6,000. The U.A.E. Government has taken several

steps that may lead to potentially positive outcomes, such as requiring children from source countries to have their own passports, and collaborating with UNICEF and source-country governments to develop a plan for documenting and safely repatriating all underage camel jockeys.

The Government of the U.A.E. does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Despite sustained engagement from the U.S. Government, NGOs, and international organizations over the last two years, the U.A.E. Government has failed to take significant action to address its trafficking problems and to protect victims. The U.A.E. Government needs to enact and enforce a comprehensive trafficking law that criminalizes all forms of trafficking and provides for protection of trafficking victims. The government should also institute systematic screening measures to identify trafficking victims among the thousands of foreign women arrested and deported each year for involvement in prostitution. The government should take immediate steps to rescue and care for the many foreign children trafficked to the U.A.E. as camel jockeys, repatriating them through responsible channels if appropriate. The government should also take much stronger steps to investigate, prosecute, and convict those responsible for trafficking these children to the U.A.E.

### ***Prosecution***

During the reporting period, the U.A.E. made minimal efforts to prosecute traffickers. Despite the ongoing trafficking and exploitation of thousands of children as camel jockeys and women in sexual servitude, the government made insufficient efforts in 2004 to criminally prosecute and punish anyone behind these forms of trafficking. The U.A.E. Government announced in April 2005 that it would soon enact a new law banning underage camel jockeys. Currently, the U.A.E. does not have a comprehensive anti-trafficking law. The government can use various laws under its criminal codes to prosecute trafficking-related crimes effectively, but there have been only a few such cases prosecuted. In 2004, U.A.E. officials declared that the 2002 Presidential Decree against the exploitation of children as camel jockeys was legally unenforceable — effectively asserting that the U.A.E. had no legal mechanism to address this serious crime. The U.A.E.'s new law, when enacted and implemented, is expected to enable enforcement of the Decree.

In 2004, according to an NGO, immigration authorities worked with source-country NGOs, embassies, and consulates to rescue and repatriate 400 trafficked former camel jockeys to Pakistan, Bangladesh, and Sudan. The government transferred the anti-trafficking portfolio from the Ministry of Foreign Affairs to the Ministry of Interior — a ministry with a law enforcement authority — and created a designated anti-child trafficking unit within the Ministry of Interior. In December 2004, the government opened a rehabilitation center for the care of rescued child camel jockeys, and from December 2004 to April 2005, rescued approximately 68 children and repatriated 43 of them to their countries of origin, primarily Pakistan. However, the number of rescued and repatriated children through these efforts is insignificant compared to the huge number (estimated in the thousands) openly exploited at camel racetracks throughout the country. Furthermore, there is no evidence that the government investigated, prosecuted, and punished anyone for trafficking, abusing, and exploiting children as camel jockeys.

The U.A.E. Government's efforts to prosecute crimes relating to trafficking for commercial sexual exploitation were equally disappointing. Despite a few arrests and prosecutions of those involved in such crimes, including travel and employment agencies that reportedly facilitate the trafficking of victims, U.A.E. law enforcement efforts during the year focused largely on the arrest, incarceration, and

deportation of over 5,000 foreign women in prostitution, many of whom are likely trafficking victims. The police do not make concerted, proactive efforts to distinguish trafficking victims among women arrested for prostitution and illegal immigration; as a result, victims are punished with incarceration and deportation. Although the U.A.E. criminalized the withholding of employees' passports by employers, there is inconsistent enforcement of the law, and the practice continues to be widespread in both the private and public sectors. The government claims to have taken civil and administrative actions against hundred of employers who abused or failed to pay their domestic employees. The government does not keep data on trafficking and related investigations, arrests, and prosecutions.

### ***Protection***

The U.A.E. Government's efforts to provide protection and assistance to victims of trafficking were minimal during the reporting period. Its efforts to protect child camel jockeys were limited to the opening of one shelter in Abu Dhabi in December 2004 and the repatriation of approximately 443 rescued child camel jockeys. Given the estimated thousands of boys being openly exploited in the country, the total number rescued and repatriated so far is small. Following increased public attention to the camel jockey situation and rescue efforts by the government, an international NGO alleged that some camel owners are hiding a large number of child victims in the desert and in neighboring countries. However, there is no evidence the government has taken action to investigate and prevent this crime. The government is also working with the Governments of Bangladesh and Pakistan to establish U.A.E. Government-funded shelters in those countries to receive and care for rescued and repatriated children.

The government's efforts to protect and assist victims of trafficking for sexual and labor exploitation have also been minimal. U.A.E. police continue to arrest and punish trafficking victims along with others engaged in prostitution, unless the victims identify themselves as having been trafficked. The U.A.E.'s numerous foreign domestic and agricultural workers are excluded from protection under U.A.E. labor laws and, as such, many are vulnerable to serious exploitation that constitutes involuntary servitude, a severe form of trafficking. The government does not have a shelter facility for foreign workers who are victims of involuntary servitude, but relies on housing provided by embassies, source-country NGOs, and concerned U.A.E. residents. The U.A.E. Government states it offers housing, work permits, counseling, medical care, and other necessary support for those labor victims who agree to testify against their traffickers. However, few victims reportedly benefited from these government-provided services. In 2004, the Dubai Police Human Rights Department reported assisting such victims in 18 trafficking cases. The Dubai Police also assigns Victim Assistant Coordinators to police stations to advise victims of their rights, encourage victims to testify, and provide other essential services to victims.

### ***Prevention***

The U.A.E. slightly increased its trafficking prevention efforts over the past year, particularly efforts to prevent the trafficking of children to work as camel jockeys. Prevention measures reportedly included closer screening of visa applications by U.A.E. embassies in source countries, distributing informational material directly to newly arrived foreign workers, supplying brochures to source-country embassies and consulates to warn potential victims, conducting specific anti-trafficking training for police and various government personnel, and conducting training for immigration inspectors in document fraud detection methods.

In March and April 2005, the U.A.E. Government announced a variety of measures to begin to address the country's serious trafficking problems more effectively. The government announced in

April that a new law, similar to the Presidential ban already in place but not enforced since September 2002, would be enacted soon. The law reportedly would ban jockeys under age 16 from participating in camel races and stipulate that a jockey's weight must exceed 45 kilograms (99 pounds). At the time of this writing, the law had not been enacted. The U.A.E. Government also announced in April new procedures to facilitate the repatriation of those underage foreign camel jockeys already in the country and to prevent new ones from entering. Beginning on March 31, 2005, camel farm owners would have two months to repatriate all underage foreign camel jockeys working on their farms. After this grace period, the government would begin levying fines against anyone harboring underage camel jockeys. The government stated in March 2005 that it would enforce a new requirement that all source-country expatriate residents, including children, have their own passports. The government reportedly instructed ports of entry to ensure that no underage children enter the country for the purpose of being used as a camel jockey. It also stated that a medical committee would begin conducting tests on all jockeys as part of the pre-race handicapping. The government reported that it had identified adequate shelters in Pakistan and Bangladesh to assist underage camel jockeys who had been repatriated to those countries, and that it would provide financing to source country organizations to handle such repatriations. From October 2002 to January 2005, the U.A.E., through the use of iris recognition technology and document fraud detecting methods, prevented 26,000 potential illegal immigrants from coming into the country, some of whom were likely trafficking victims.

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## UNITED KINGDOM (TIER 1)

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The United Kingdom is primarily a country of destination for trafficked women, children, and men from Eastern Europe, East Asia, and West Africa. Women are trafficked primarily for the purposes of sexual exploitation and involuntary domestic servitude, while men are trafficked for the purpose of forced labor in agriculture and sweatshop industries. The United Kingdom may also play a role as a transit country for foreign victims trafficked to other Western European countries.

The Government of the United Kingdom fully complies with the minimum standards for the elimination of trafficking. The United Kingdom handed down significant anti-trafficking prosecutions and sentences during 2004. The first prosecution under recent legislation that specifically criminalized trafficking for sexual exploitation resulted in a sentence of 18 years for the main offender. The parliament enacted new legislation to criminalize labor trafficking. The government continued to fund assistance to adult victims; however, its inability to accommodate the number of victim referrals was problematic. The government should prioritize establishment of a more stable mechanism to regularize victims' status to ensure consistent delivery of services and protection. Moreover, differentiation of trafficking and smuggling statistics is recommended to better gauge year-to-year improvements.

### ***Prosecution***

In July 2004, the Government of the United Kingdom enacted legislation to criminalize human trafficking for exploitation, including labor exploitation. This law, taken together with the Sexual Offenses Act of 2003, strengthens and broadens the coverage of the United Kingdom's anti-trafficking laws. To underscore the seriousness of trafficking crimes, the Crown Prosecution Service successfully sought heavy penalties in cases of both sexual exploitation and forced labor. In 2004, the government reported 60 law enforcement operations resulting in 572 arrests and 66 convictions. Prosecution and conviction data from 2003 showed 340 prosecutions and 98 convictions. Both sets

of data, however, include both alien smuggling and human trafficking. In 2004, the government launched a trafficking prosecution toolkit, which now serves as a compilation of U.K. laws that can be used to prosecute traffickers and seize their assets. During 2004, the government continued to engage in and support a number of bilateral and multilateral anti-trafficking efforts.

### ***Protection***

In 2004, a newly established shelter for child trafficking victims was closed after only two months because it received no referrals. The government continued to fund and evaluate a specialized project that provided space in shelters for adult trafficking victims. However, the project only supports 25 victims at a time and, as a result, could not accommodate all incoming referrals. Victims' lack of status reduced the effectiveness of victim protection efforts. NGOs indicated the problem resulted from the government's inability to provide long-term residency status for victims. As a result, victims are forced to apply to remain as asylees — a long process that may ultimately not be successful for many victims. Furthermore, while applying for asylum status, victims cannot work. A governmental review of the victim care situation continued late in the reporting period. Some victims continued to receive assistance from other social service agencies; NGOs advocated the need to better track child victims in care of Social Services.

### ***Prevention***

In 2004, the government took important steps to improve the collection of comprehensive trafficking statistics by consolidating regional and national level data. The government continued to provide specialized programs to police, social services, and other government communities via the revised and updated anti-trafficking toolkit on the Home Office website. Police and immigration authorities continued to screen passengers at Heathrow Airport to systematically identify children entering the U.K. who may be at risk. In early 2005, the Solicitor General initiated a new focus to target men who solicit sexual services of trafficked women, but it is too early to detect whether this has had an effect in preventing trafficking.

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## **URUGUAY (TIER 2)**

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Uruguay increasingly is a source country for women and children trafficked for the purpose of sexual exploitation and a destination and transit country for some forced labor. Traffickers target young women and minors for commercial sexual exploitation in urban areas and popular tourist destinations. Children from poor rural families are sent by their parents, sometimes involuntarily, to work at ranches in conditions of involuntary servitude. Organized groups force some children to beg. Uruguayan women are also trafficked to Europe, Brazil, and Argentina for sexual exploitation. Uruguay serves as a transit point for trafficking routes in the region and women and children from Argentina, Brazil, and other countries are trafficked across Uruguay's poorly controlled borders for commercial sexual exploitation and forced labor. Chinese migrants have been trafficked into forced labor in Uruguay. Newly available information indicating a growing concern over the number of minors in the country who fall victim to trafficking, and particularly trafficking for commercial sexual exploitation, has made it possible to include Uruguay in this report for the first time.

The Government of Uruguay does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government does not consider trafficking to be widespread in Uruguay but has acknowledged increasing concern. During the

reporting period it enacted laws against commercial sexual exploitation of minors and joined neighboring countries in efforts to identify and take remedial steps against commercial sexual exploitation of children. The government should update national laws to address all forms of trafficking, and increase efforts to educate the public, prevent child sex tourism, and protect trafficking victims.

### ***Prosecution***

The government's law enforcement efforts against traffickers were limited during the reporting period. Two laws enacted in 2004 strengthened provisions and penalties related to commercial sexual exploitation of children. Uruguay's anti-trafficking laws do not address trafficking of adults, but most trafficking-related crimes fall under existing fraud and slavery statutes. Businesses employing forced laborers are fined or closed – sanctions that could not be applied against groups that forced children to beg. During the reporting period, courts convicted two traffickers for prostitution of minors. In January 2005, police arrested five and issued warrants for two more suspected traffickers who smuggled Chinese migrants and exploited them for forced agricultural labor. The government extradites suspected traffickers and cooperated with Interpol and foreign governments on transnational cases during the reporting period. The government investigated suspected public corruption; in the January 2005 Chinese forced labor case, the government indicted eight and removed four immigration and police officials.

### ***Protection***

The Government of Uruguay lacked programs for assisting trafficking victims during the last year. The government funded programs and NGOs that targeted assistance to street children, victims of abuse, and at-risk children in general, but none focused on trafficking victims. Courts did not prosecute victims and victims could bring suit against traffickers. The government provided no victim-oriented training for police, but some officials received NGO training on proper techniques for interviewing children.

### ***Prevention***

The government ran no education campaigns focused on trafficking; officials need to learn more about the trafficking problem in Uruguay and work with civil society to educate the public. The government funded an ILO program to keep children in school, and supported NGOs and ran hotline and leaflet campaigns regarding child abuse and exploitation in general. In 2004, the Ministry of Interior created a special office to address child trafficking. In August 2004, the Crime Prevention Office started a database to track trafficking-related cases.

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## **UZBEKISTAN (TIER 2 – WATCH LIST)**

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Uzbekistan is primarily a source, and, to a lesser extent, a transit country for people trafficked to the United Arab Emirates (U.A.E.), Israel, Turkey, Egypt, South Korea, Bahrain, India, Thailand, Malaysia, Western Europe, and other former Soviet states. Typically women are trafficked to those countries for the purpose of sexual exploitation; men end up trafficked in Kazakhstan and Russia for labor exploitation in construction, agriculture, and the service sector. IOM reported an increase of trafficked victims from the Fergana Valley in 2004. Internal trafficking occurred from rural to urban areas primarily for labor exploitation.

The Government of Uzbekistan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government has been placed



on Tier 2 Watch List based on commitments by the country to take additional steps over the next year, including the adoption of comprehensive anti-trafficking legislation, criminal code amendments to raise anti-trafficking penalties, support to the country's first trafficking shelter, and approval of a national action plan. During 2004, the government created an anti-trafficking unit, improved Uzbek consulate efforts to free trafficked victims abroad, and increased trafficking convictions.

### ***Prosecution***

While the Government of Uzbekistan increased trafficking convictions to 251 in 2004 (up from 80 in 2003), a majority of convicted traffickers were amnestied. The government extended a general amnesty to anyone convicted of crimes with prison terms of less than ten years. Uzbekistan's law on trafficking prescribes prison sentences of five to eight years, which meant that most traffickers qualified for general amnesty during 2004 and thus served little to no jail time, unless they were convicted for additional offenses or were repeat offenders. The government amnestied in December 2004 two women convicted earlier in the Fall for their role in trafficking 14 women to Georgia for onward movement to the U.A.E. Proposed legislation that would comprehensively address trafficking and raise penalties for cross-border trafficking to ten to 15 years' imprisonment remained pending during the reporting period. In 2004, the Uzbek Government established contacts with anti-trafficking counterparts in the U.A.E., the top destination for Uzbek women trafficked for sexual exploitation. Still, the government acknowledged that it needed more cooperative relationships with destination countries for effective trafficking prosecutions. Ministry of Internal Affairs participants in a May 2004 anti-trafficking training course used their skills to train an additional 1,500 officers throughout Uzbekistan. Allegations of local officials falsifying or selling travel documents continued, although the government reported no actions taken against this corruption in 2004.

### ***Protection***

The Uzbek Government provided no direct support to trafficking victims, due in part to limited resources. However, the Ministry of Foreign Affairs assisted some with obtaining the necessary identification documents to return to Uzbekistan. Following an Uzbek delegation's visit in December 2004 to the U.A.E. — where it interviewed 119 women in five prisons — and an ensuing consular officers' training in January 2005, the Ministry of Foreign Affairs changed the identification policy for trafficking victims, compressing the process into weeks as opposed to months. Airport police continued to refer identified trafficking victims to an NGO in Tashkent. The state-run Uzbekistan Airways issued tickets at a 50 percent discount to destitute citizens abroad, including trafficking victims. Authorities did not jail or prosecute trafficking victims in 2004. The government encouraged victims to assist with investigations, but no formal programs existed to protect victims of any crime who served as witnesses in criminal prosecutions.

### ***Prevention***

The government continued to support anti-trafficking educational programming via state-controlled mass media and informational posters in public and government spaces. It paid to translate trafficking awareness posters into the Karakalpak language for those in western Uzbekistan. The Uzbek Government allowed free advertising on local television stations of seven regional anti-trafficking hotlines, run by IOM's partner organizations. Members of the anti-trafficking unit traveled to each region of Uzbekistan during the summer of 2004 to assess regional anti-trafficking measures; consequently, regional units were formed to better coordinate local anti-trafficking measures. At the end of 2004, Uzbekistan reconstituted its anti-trafficking working group in which three government agencies participated.

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## VENEZUELA (TIER 3)

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Venezuela is a source, transit, and destination country for women and children trafficked for the purposes of sexual exploitation and forced labor. Women and children from countries in the region such as Colombia, Guyana, Brazil, Peru, Ecuador, and the Dominican Republic are trafficked to and through Venezuela and subjected to commercial sexual exploitation. Venezuelans are trafficked internally — typically moving from rural to urban areas — and to Western Europe, particularly Spain, and countries such as Mexico and Trinidad and Tobago, for commercial sexual exploitation. Traffickers lure victims with promises of lucrative jobs or educational opportunities and take advantage of lax border controls or move victims using illegally obtained Venezuelan or false travel documents. Venezuelan children in border areas risk trafficking to mining camps in Guyana for sexual exploitation, or forced soldiering or sexual exploitation by Colombian armed insurgent groups. Venezuela is a transit country for illegal migrants, including Chinese nationals; some are believed to be trafficking victims.

The Government of Venezuela does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The government has devoted insufficient attention and resources to combating human trafficking. It should strengthen law enforcement efforts, educate the public, and develop protection mechanisms for trafficking victims.

### ***Prosecution***

Efforts to address trafficking-related crime remained inadequate during the past year. The Naturalization and Immigration Law passed in 2004 contained provisions that could be used to prosecute transnational trafficking crimes. Other laws, such as the Child Protection Act and various articles of the penal code, could also be used to prosecute traffickers. However, there were no reported arrests related to commercial sexual exploitation of minors and no trafficking cases were prosecuted during the reporting period. The Criminal Investigative Police (CICPC) worked with Interpol on three cases of trafficking of women and girls for commercial sexual exploitation to Mexico, Trinidad and Tobago, and Spain. Police and intelligence forces arrested two suspected alien smugglers in a case with possible trafficking implications. Although there was no evidence that the government participated in or condoned human trafficking, corruption among immigration, identification, and border patrol officials is widespread and could facilitate trafficking.

### ***Protection***

The government provided no specialized assistance for trafficking victims during the reporting period and funded no NGO programs geared toward victims of trafficking. Authorities assisted in the repatriation of four Venezuelan victims. In theory, victims could seek civil action against their traffickers, but laws made no provision for victim restitution.

### ***Prevention***

The government launched no anti-trafficking public awareness campaign and prevention efforts were inadequate throughout the year. There were no attempts to study the extent of trafficking within the country. In the absence of government action to educate the public about the dangers of trafficking, most of Venezuelan society remained uninformed about the issue. Some government officials were aware of trafficking as an international problem and acknowledged the problem in Venezuela. The government activated an interdepartmental anti-trafficking working group, led by the Ministry of Interior and Justice, that designed a National Plan of Action and tasked each agency in the working

group with creating its own anti-trafficking training and programs. The Ministry of Foreign Affairs hosted IOM and the Organization of American States for anti-trafficking workshops in January 2005 to raise public officials' and NGOs' awareness of the problem. Consulates were tasked to report on Venezuelan trafficking victims but had received no previous training regarding the issue.

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## VIETNAM (TIER 2)

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Vietnam is a source and destination country for men, women, and children trafficked for the purposes of forced labor and sexual exploitation. Vietnamese women and girls are trafficked to Cambodia, the People's Republic of China (P.R.C.), Hong Kong, Macau, Malaysia, Taiwan, and the Czech Republic for commercial sexual exploitation. A large percentage of the Vietnamese women who are trafficked to Taiwan are lured by fraudulent offers of employment or marriage to Taiwanese men. Labor export companies recruit and send workers abroad. Although there were no confirmed reports during the rating period, some of these laborers were victims of abuses that constitute "involuntary servitude," a severe form of trafficking. To a lesser extent, Vietnam is a destination country for Cambodian children who are trafficked for forced work as beggars. There is also internal trafficking from rural to urban areas.

The Government of Vietnam does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In July 2004, the government issued a national action plan to combat trafficking for commercial sexual exploitation, as well as a five-year national program for addressing all aspects of Vietnam's anti-trafficking efforts including prevention, prosecution, and protection. In addition to implementing strategies to address trafficking for sexual exploitation, the government took steps to provide greater protection for Vietnamese workers sent abroad by labor export companies. It continued to engage neighboring governments to combat trafficking and cooperated on the repatriation of victims and other cross-border issues.

### *Prosecution*

In 2004, the government continued its anti-trafficking law enforcement efforts, actively investigating trafficking cases, and prosecuting and convicting traffickers. Vietnam has a statute that prohibits commercial sexual exploitation and the trafficking of women and children with penalties ranging up to 20 years' imprisonment. Trafficking for the purpose of labor exploitation is covered under Vietnam's Penal Code. Over the past year, the government's crime statistics office reported 142 prosecutions and 110 convictions specifically related to trafficking in women and children. While some local government officials reportedly profited from trafficking, there were no reported prosecutions of officials for complicity in trafficking. The government does not effectively control its long and porous borders.

### *Protection*

The Vietnamese Government improved its efforts to provide protection to victims during the reporting period by strengthening protections for Vietnamese workers sent abroad by labor export companies. It stationed labor attaches in the nine top labor export receiving countries to look after the welfare of workers and to assist in resolving workplace disputes. The government also increased its oversight of labor export companies, and imposed penalties and sanctions against companies that violated labor laws or regulations. Vietnam's revised labor code has provisions that allow workers to negotiate set-

tlements from labor export companies in cases of fraud or abuse, although precise statistics on these actions were not provided. Trafficking victims in Vietnam are usually not detained, arrested or otherwise punished. However, the government routinely sends women who engage in prostitution within the country to “rehabilitation” detention centers that provide medical treatment, vocational training, and counseling, and seek to deter the women’s return to prostitution. The government’s rehabilitation efforts lack adequate financial resources and usually take place at the provincial and local levels.

### ***Prevention***

While the Vietnamese Government did not implement specific anti-trafficking awareness campaigns in 2004, it raised the issue of trafficking in combination with other information and education programs. In 2004, it cooperated with the Chinese Government and UNICEF on a mass communications effort to educate the public and local government leaders on trafficking. The year-long campaign included workshops on local laws regarding the commercial sexual exploitation of women and children and training on how to counsel trafficking victims.

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## **YEMEN (TIER 2)**

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Yemen is a country of origin for internationally trafficked children, and reportedly a destination for foreign women trafficked into Yemen for the purpose of sexual exploitation. Yemeni children, primarily boys, are trafficked to Saudi Arabia for exploitation as beggars, street vendors, and unskilled laborers. Some Iraqi women are reportedly trafficked into Yemen for the purpose of sexual exploitation. There were some reports of Yemeni women and underage girls being trafficked internally from rural areas to cities for the purpose of sexual exploitation.

The Government of the Republic of Yemen does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Trafficking in persons is a new issue in Yemen, and the government has few resources to devote to combating trafficking. Nevertheless, in 2004 it made positive progress, including working with UNICEF to produce a report that assesses child trafficking and utilizing a new entry visa requirement for Iraqis traveling into Yemen. Yemen should build on these positive achievements by taking similar steps against trafficking for the purpose of sexual exploitation and appointing a national coordinator to oversee its overall anti-trafficking efforts, including the development of a national plan of action against trafficking.

### ***Prosecution***

The Government of Yemen made some efforts to prosecute trafficking cases during the reporting period. Yemen does not have an anti-trafficking law; however, it has provisions in its criminal code to prosecute and punish traffickers. It investigated 12 trafficking cases, prosecuted two alleged traffickers, and produced one trafficking-related conviction over the last year. Yemeni security forces interdicted and curtailed several child trafficking attempts and conducted sweeps in Sanaa and Aden. As a result of the sweeps, the government deported several foreign women in prostitution, though they may have been trafficking victims. Yemen should craft and implement a screening procedure to identify trafficking victims.

### ***Protection***

The Government of Yemen provided limited assistance to trafficking victims over the reporting period. It trained some police officers on techniques to recognize and properly handle trafficking cases. It res-

cued and returned child victims to their families and repatriated women suspected of involvement in prostitution, some of whom may have been trafficking victims. It worked closely with UNICEF to establish a reception center for trafficked children in the Harath region, and operated four additional centers in the north. There were reports that some child victims were arrested and possibly abused while in the government's custody. If true, authorities should take steps to investigate the incidents, prosecute offenders, and prevent future abuses. The government should build on existing programs that attempt to prevent the re-trafficking of repatriated or rescued child victims.

### ***Prevention***

During the reporting period, the Government of Yemen took positive steps to prevent trafficking, including conducting, together with UNICEF, a study on the problem of child trafficking; hosting a high-profile two-day conference to highlight the study's findings; instituting an entry visa requirement for Iraqis to prevent the trafficking of Iraqi women into Yemen; increasing the monitoring of its border with Saudi Arabia and agreeing with Saudi Arabia to establish a bilateral committee to combat child trafficking; sponsoring limited anti-trafficking public awareness campaigns; and conducting anti-trafficking training for its security officials.

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## **ZAMBIA (TIER 2)**

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Zambia is a source and transit country for women and children trafficked for the purpose of sexual exploitation. Driven by homelessness and poverty, indigenous children in prostitution are found in most cities and constitute the country's most significant trafficking problem. Anecdotal reports suggest that Zambian women are trafficked to South Africa for sexual exploitation. It is likely that Zambia is also a transit point for regional trafficking of women to South Africa.

The Government of Zambia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the past year, Zambia has demonstrated significant progress in its efforts to combat trafficking in persons. While Zambia's existing laws are adequate to criminalize the full scope of trafficking in persons offenses, prevention and detection of trafficking by law enforcement officials would likely improve if trafficking were specifically defined as a crime. To further strengthen its anti-trafficking efforts, the government's inter-ministerial human trafficking committee should take concrete steps to prevent trafficking, including the institution of a broad public awareness campaign.

### ***Prosecution***

Zambia has made substantial progress in furthering its anti-trafficking law enforcement efforts. While there is no specific anti-trafficking law, the country's laws criminalize the full scope of trafficking in persons, including trafficking for sexual exploitation and fraudulent labor recruitment. In November 2004, the Zambian Parliament passed comprehensive child protection legislation that prohibits all forms of slavery, as well as procuring or offering a child for illicit activities, including prostitution. The government actively investigated reports of trafficking in persons and police and the courts successfully intervened in several cases. In July 2004, police arrested a man who offered to sell two children to a local businessman. In October, police intercepted 14 Congolese girls between the ages of five and 17 bound for South Africa, where they were promised jobs. The Congolese woman accompanying the children was arrested for trafficking the girls. The government

continued its ongoing prosecution of two Congolese nationals accused of trafficking two girls to Ireland in 2003 and commenced prosecution in two local child abduction cases that involved child prostitution. The Victim Support Unit of the Zambian Police now monitors reports of trafficking and is able to report on its anti-trafficking efforts. The government is currently working with IOM to implement a program to train police and immigration officers in border areas to recognize and investigate trafficking in persons.

### ***Protection***

The government took significant steps to implement a strategy for providing shelter and protection to vulnerable children, including trafficking of children into prostitution. Through its social welfare agencies, the government provided counseling, shelter, and protection to approximately 20 victims of trafficking for prostitution or referred victims to NGO service providers. It provided premises for NGOs assisting such victims and civil servants actively assisted these organizations with their work. The government also funded numerous NGOs and faith-based organizations across the country to provide temporary accommodation for at-risk children. Based on the results of needs assessments, the youth are reintegrated with their families, provided long-term shelter and education by civil society organizations, or relocated to a Zambia National Service camp for skills training.

### ***Prevention***

Zambia lacks a public information and awareness program to prevent trafficking in persons. In September 2004, the government announced the formation of an inter-ministerial human trafficking committee designed to focus attention, strategies, and resources to combat the practice. The committee is comprised of representatives from the Drug Enforcement Commission, the Zambia Police Service, and the Ministries of Home Affairs, Foreign Affairs, and Sports, Youth, and Child Development. A coordinator of all anti-trafficking in persons activities has been designated. During the year, the government began drafting a national action plan to address trafficking in persons.

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## **ZIMBABWE (TIER 2 – WATCH LIST)**

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Zimbabwe is a source and transit country for small numbers of women and children trafficked for the purposes of forced labor and sexual exploitation. Women and children were reportedly sexually exploited in towns on the Zimbabwe border with South Africa. There were also reports of Zimbabweans being lured by false job promises to other countries, particularly the United Kingdom, where, upon arrival, they were debt-bonded, had their passports confiscated and movement restricted, and were exploited in sweatshops or brothels. There was also evidence of trafficking of Zimbabwean children into exploitative labor conditions, including children forced to work long hours in Zimbabwe and bordering countries as unpaid domestic or agricultural laborers without access to schooling. There were unconfirmed reports that trafficking victims from other African nations transited Zimbabwe on their way to South Africa.

The Government of Zimbabwe does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Zimbabwe is placed on the Tier 2 Watch List for a second consecutive year reflecting the need for additional progress in its efforts to eliminate trafficking. To further its efforts to combat trafficking, the government should continue taking steps to gather comprehensive trafficking data, including prosecution statistics, and establish additional mechanisms for providing victim services.

### ***Prosecution***

The government made modest progress in its anti-trafficking law enforcement efforts over the last year. While there is no law specifically criminalizing trafficking in persons, existing codes criminalize transporting people across borders for sex, procuring a person for prostitution, allowing children to frequent brothels, abduction, and forgery of travel documents. The constitution prohibits slavery, servitude, and forced labor. During the year, the Attorney General's office began developing an anti-trafficking education and training program for prosecutors and judges to equip them to better utilize existing law to address trafficking-related issues in prosecutions. Statistics were unavailable on the prosecution of trafficking-related cases; however, the government actively investigated false employment scams that led to trafficking, a crime syndicate producing fake passports, and multiple cases of Asian girls transported to Zimbabwe and exploited for pornography. In November 2004, the government co-hosted a regional working meeting on trafficking in persons in Harare that focused on regional cooperation between law enforcement and NGOs to conduct investigations and identify and provide care for victims. The government is also collaborating with international organizations and the governments of neighboring countries to develop a regional plan of action that will focus on assessing the scope of the problem and formulating anti-trafficking legislation.

### ***Protection***

The government made modest progress in protecting trafficking victims during the reporting period. The Ministry of Public Service, Social Welfare, and Labor began construction of a transit center at the border town of Beitbridge to assist deportees from South Africa in returning to their homes, including temporary shelter and counseling for those who are victims of sexual exploitation. Victims of sexual abuse and exploitation have the option to have their cases heard in the Victim Friendly Courts, which were created in 1997 to accommodate children and victims of sexual offenses.

### ***Prevention***

The government demonstrated a commitment to prevent trafficking during the last year, and officials publicly expressed the government's determination to work on the issue. The state-run media prominently featured articles about trafficking in persons, describing employment scams and other types of trafficking. A national police point of contact was established to coordinate anti-trafficking efforts. The government, through the Ministries of Education, Home Affairs, and Public Service, Labor, and Social Welfare, worked with a children's home to provide schooling and vocational training to orphans at risk of child labor and trafficking in persons. In 2004, the government opened new birth registration centers around the country to make it easier for parents to obtain birth certificates for their children, who are less vulnerable to exploitation because they can then access social services more easily.



Children are often trafficked to big cities where they are forced to beg by organized gangs.



## SPECIAL CASES

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### DJIBOUTI

Trafficking in persons is an undocumented problem in Djibouti. There is a dearth of solid evidence or statistics to make a concrete case that trafficking is a significant problem in the country, though anecdotal evidence suggests some trafficking occurs. Insufficient or non-existent monitoring of migration and labor statistics makes it difficult at this time to substantiate the magnitude of trafficking occurring within the country's borders.

**Scope and Magnitude.** Djibouti may be a country of transit and destination for women and children trafficked for the purposes of forced sexual exploitation. Local and international NGO sources indicate that persons trafficked into Djibouti, or persons who migrate to Djibouti and become victims of trafficking, come from Ethiopia and Somalia. The same sources indicate that individuals are occasionally trafficked onward to Arab countries or Somalia. Djibouti has numerous children exploited in prostitution, mostly economic migrants from neighboring countries. Some estimates place the total number of prostitutes in Djibouti at between 500 and 600, a small portion of which are believed to be under the age of 18. Children in prostitution work in the streets, apartments, or brothels. Older children reportedly forced younger children to engage in prostitution in order to collect their earnings. Individuals acting as pimps or protectors are frequently used to set up transactions.

**Government Efforts.** The government does not see trafficking in persons as a problem and there is currently no political will to address or combat the issue. Djibouti does have laws against prostitution, pimping, abduction, and exploitation of a person's weakness or ignorance; however, these laws do not cover the full extent of trafficking in persons. Djibouti also lacks the resources to sufficiently train its security forces to recognize trafficking, establish prevention programs, investigate and prosecute traffickers, or protect trafficking victims. Undocumented foreigners are typically deported to their countries of origin; trafficking victims may be among those deported. Approximately 20 Ethiopians are deported each week from Djibouti; further information about these individuals is unknown.

### IRAQ

Iraq was in political transition during the reporting period and is therefore not ranked in this Report. Elections were held in January 2005 for a Transitional National Assembly, and the new government is currently taking shape to draft a constitution and formulate government policies.

Iraq is a country of origin for women and girls trafficked to Yemen, Syria, Jordan, and Gulf countries for the purposes of sexual and labor exploitation. Some Iraqi women and underage girls are reportedly trafficked from rural areas to cities within Iraq itself. According to diplomatic and international organization sources in Syria and Yemen, there are thousands of Iraqi women working in prostitution in the two countries under conditions that constitute severe forms of trafficking in persons. In Damascus, many women and girls are exploited in commercial sexual situations in nightclubs and other establishments in Iraqi-populated areas, with some living and working under coercive conditions. Due to the special circumstances in Iraq, it is difficult to appropriately gauge the human trafficking situation in the country.

**Government Action.** In 2004, Iraq investigated major crimes against women, some involving activities related to trafficking. Earlier versions of the 2004 Basic Police Course included a section on trafficking. However, this course was substituted with additional security training in order to address ongoing insurgent activities. As the security situation stabilizes, this training should be re-instituted to give Iraqi police the necessary tools to identify, develop, and prosecute trafficking cases. The Iraqi Interest Section in Syria works regularly with Syrian police to help Iraqi women accused of engaging in prostitution. Iraqi border controls are improving and are expected to stem illegal migration and trafficking of persons across the border. Although there are no NGOs or international organizations working on trafficking specifically, the NGO Women-for-Women promotes women's programs, which indirectly help trafficking victims. Additionally, some NGOs have established safe houses in Baghdad and northern Iraq to shelter abused women, including possible trafficking victims.



**Areas for Improvement.** The post-Saddam era is marked with significant challenges. As Iraq moves forward on the path to democracy and builds its internal security, administration, and infrastructure, the government should develop and integrate mechanisms for combating trafficking. This process must begin with an assessment of the situation. Similarly, consular officers in Iraqi Interest Sections in destination countries need training to better assist victims. Iraqi police and immigration officers should also be given appropriate training to identify and assist trafficking victims.

## JORDAN

Jordan is considered a special case because full and accurate data on the extent and magnitude of its trafficking problem, which may be significant, is not available.

Jordan may be a destination country for women and girls trafficked from South Asia and South East Asia, primarily from the Philippines, Sri Lanka, and Indonesia, for the purpose of labor exploitation. According to the Jordanian Ministry of Labor, 218,000 permits were issued for foreign workers in 2004. Of this, 20,000 represent foreign domestic workers, a small number of whom might end up victims of involuntary servitude. Some domestic servants suffer conditions that meet the definition of involuntary servitude, which is a form of trafficking. These conditions include but are not limited to: extended forced working hours, unpaid wages, sexual and physical abuse, and restrictions on freedom of movement, including the withholding of passports. Some abused foreign domestic workers run away from their abusive employers and seek shelter and protection at their embassies.

**Government Action.** A government steering committee that includes representatives from UNIFEM, NGOs, and source countries monitors and evaluates the conditions of domestic workers in the country. However, it is unclear if the committee systematically differentiates trafficking cases

from labor disputes. It needs to do so and compile data to better understand the trafficking situation and recommend appropriate remedial action. In 2004, the Government of Jordan prosecuted some employers found to be abusing foreign domestic workers, closed down three recruiting agencies, and provided various forms of assistance to some trafficking victims. The government does not, however, provide shelter to trafficking victims. Such victims usually rely on their own embassies or friends for shelter. In an effort to raise awareness among employees and employers, the government is working with UNIFEM to produce a pamphlet highlight the rights of foreign workers in Jordan.

The Government of Jordan should conduct an assessment of the trafficking situation and, if appropriate, develop and implement a comprehensive anti-trafficking national plan of action that includes appropriate protection and prevention measures. It should also train its law enforcement personnel to systematically identify and prosecute trafficking crimes.

## LIBERIA

The National Transitional Government of Liberia (NTGL) took office in October 2003, ending 14 years of armed conflict. It is primarily composed of corrupt armed faction leaders who cannot serve in a post-election government, have a limited mandate, and possess almost no ability or willingness to resolve significant issues. Absent firmly established authority, the NTGL relies on the United Nations Mission in Liberia (UNMIL) for effective control of the country and preservation of the fragile peace. UNMIL has the de facto lead on combating trafficking in Liberia.

***Scope and Magnitude.*** Liberia was formerly a significant source and destination country for men, women, and children trafficked for the purposes of forced labor and sexual exploitation. Former government and rebel forces trafficked men, women, and children to serve as porters, laborers, combatants, and sex slaves during the civil war. UNICEF estimates that the former warring factions included more than 15,000 children. Armed groups also compelled people to mine gold and diamonds. During the year, however, the overall situation dramatically improved as factions disbanded. The majority of trafficking victims returned to their homes, many with the repatriation assistance of NGOs and UN organizations. There is currently no evidence of widespread trafficking in persons.

In May 2004, several Moroccan, Russian, Ukrainian, and Filipino women were discovered in a Monrovia nightclub and determined to be victims of commercial sexual exploitation. The nightclub owner reportedly confiscated the women's passports and withheld their income. The women were given protection in an UNMIL safe house for several months and subsequently repatriated to their respective countries. The court case is still pending, but, given the state of the Liberian judiciary, may not soon be brought to conclusion.

***Government Efforts.*** The National Transitional Government of Liberia lacks both funding and trained personnel to cope with the issue of trafficking in persons. The NTGL consists of people who led or served in rebel groups which were egregious offenders in the practice of trafficking in persons for the purposes of forced and bonded labor, soldiering, and using girls and women as sex slaves. Because involvement among government officials, including ministers, was so widespread, it is unlikely that any action will be taken against these individuals. Some senior officials are also known to have patronized clubs where trafficked women were employed; in the current post-conflict environment there is little motivation to confront the problem. The government is not devoting any resources to combating trafficking in persons in terms of prevention, protection, or prosecution. Funding for the

police is inadequate, and corruption is a serious problem. This situation is unlikely to change until after the October elections and the inauguration of the new government in January 2006. In the interim, UNMIL, through its civilian police and trafficking units, serves as an effective deterrent to the resumption of all but small-scale trafficking in persons activities.

### MACAU

Macau is not listed on the report this year because available information does not substantiate a significant number of victims originating in, destined to, or transiting the country. Anecdotal reporting, however, suggests that existing organized crime groups operating in Macau are involved in trafficking of women to Macau's many brothels.

**Scope and Magnitude.** Macau is a destination for women trafficked for the purpose of commercial sexual exploitation. Most of the women are from Russia, Eastern Europe, Vietnam, Thailand, South Korea, and the People's Republic of China (P.R.C.). There were no reports of child trafficking or trafficking for the purpose of forced labor. Macau authorities believe that Chinese, Russian, and Thai criminal syndicates are involved in the movement of women into Macau for the purpose of sexual exploitation.

**Government Efforts.** Macau has a statute that outlaws trafficking in persons, and the government enforced the law, though it provided no data on the numbers of trafficking-related investigations, prosecutions, or convictions — if any. Penalties for trafficking carry sentences of from two to eight years' imprisonment. There is cooperation between the local government, police, immigration officials, and local NGOs in dealing with trafficking issues. There are no government assistance programs designed specifically for trafficking victims, and no local NGOs that work on trafficking issues. However, there are government programs and charitable organizations that provide assistance and shelter to women who are victims of abuse.

### MALTA

Malta is not listed on the report this year because information available does not indicate a significant number of victims.

Malta is primarily a country of destination for women trafficked for the purpose of sexual exploitation. Women are trafficked primarily from Eastern Europe, Ukraine, and Russia.

The government recognizes that trafficking is a problem, and has addressed trafficking through law enforcement means over the last year. Available information indicated that victims typically arrive in Malta legally on a tourist visa and are trafficked into private homes or into street prostitution. In addition, Malta has developed a higher profile as a destination for potentially vulnerable populations illegally migrating from Libya and Tunisia. A more complete picture of trafficking in Malta is warranted. The government should focus specifically on understanding the nature of the problem better, provide specific law enforcement training to raise awareness and increase recognition, and develop a screening mechanism to ensure victims are assisted and protected.

#### **Prosecution**

The government has laws criminalizing international trafficking, child labor, and sexual exploitation.

Malta's White Slave Traffic (Suppression) Ordinance applies to anyone who forces another person over the age of 21 to leave Malta for the purpose of prostitution by violence, threats, or deceit. This law provides for imprisonment of up to two years. For the crime of trafficking in minors, the law provides for sentences of from 18 months to four years. Aggravating circumstances such as bodily harm, generating a large profit, or involvement with a criminal network allow for a higher degree of punishment. When the government detected trafficking in 2004, the government arrested 13 Maltese men for trafficking 30 to 40 women from Eastern Europe. In 2004, two police officers were charged with and convicted of trafficking.

### ***Protection***

While there is no formal screening or referral process in place for victims of trafficking, the government made informal referrals and provided services to trafficking victims within the context of services available for victims of domestic violence. The government reported providing five victims identified in the 2004 case with social services, including housing and counseling. In 2004, the government provided funding for first-line responders to attend victim assistance training seminars in Europe. The government maintained a 24-hour hotline for many types of victims, including possible victims of trafficking.

### ***Prevention***

The government has indicated willingness to address trafficking in Malta. In April 2004, the government completed a survey of Malta's laws on trafficking and the organizations that assist victims. Further, Malta's NGO community has become increasingly vigilant to possible trafficking victims within the country's refugee population. The police monitored immigration for trafficking patterns and trends and conducted some informal screening for indications of possible trafficking.

## **SOMALIA**

Somalia has been without a central government since 1991. Its geographic area is divided among the self-styled independent Republic of Somaliland, the Autonomous Puntland Administration, and the remainder of the country, which is without any recognizable administration or government. Despite the formation of a Transitional Federal Government (TFG) in October 2004, Somalia continues to be without a functioning central government. The TFG remains resident in Nairobi and lacks the necessary means to identify, investigate, or address the country's many issues, including those relating to trafficking in persons. The TFG's capacity to address human trafficking will not increase without tangible progress in reestablishing governance and stability in Somalia.



**Scope and Magnitude.** Somalia is a country of origin and destination for trafficked women and children. Armed militias reportedly traffic Somali women and children for sexual exploitation and forced labor. Some victims may be trafficked to the Middle East and Europe for forced labor or sexual exploitation. Trafficking networks are also reported to be involved in transporting child victims to South Africa for sexual exploitation.

**Government Efforts.** Individuals presenting themselves as political authorities within Somaliland and Puntland have expressed a commitment to address trafficking, but corruption and a lack of resources prevent the development of effective policies. Many of these individuals are known to condone human trafficking. In the absence of effective systems of revenue generation, as well as any legal means to collect resources and then distribute them for some common good, no resources are devoted to preventing trafficking or to victim protection across the majority of the Somali territory. Various forms of trafficking are prohibited under the most widespread interpretations of Sharia and customary law, but there is no unified policing in the territory to interdict these practices, nor any authoritative legal system within which traffickers could be prosecuted. Self-styled government officials are not trained to identify or assist trafficking victims. NGOs work with internally displaced persons, some of whom may be trafficking victims.

## TUNISIA

Tunisia is a special case because of lack of information differentiating illegal immigrants from possible trafficking victims.

Tunisia may be a country of transit for some trafficked sub-Saharan Africans and South Asians attempting to reach continental Europe. According to press reports, thousands of illegal migrants enter Tunisia annually in transit to Europe. However, since the government does not systematically differentiate trafficking victims from illegal immigrants, it is difficult to determine how many of these cases are trafficking-related. In 2004, the IOM office in Tunis proposed to the Government of Tunisia a survey to determine the extent of illegal migration and trafficking. If implemented, the survey could provide a basis for the Government of Tunisia's counter-trafficking policy.

**Government Action.** In 2004, the Government of Tunisia took positive actions to combat trafficking. It enacted an anti-trafficking law that imposes tougher sanctions on traffickers and accords certain protections to victims. According to media reports, the government has begun enforcing this law. Additionally, Tunisia amended a 1975 law on passports and travel documents and tightened issuance procedures. Press reports also highlighted that, in 2004, Tunisia interdicted illegal migration attempts and arrested and convicted those responsible, including possible traffickers. Also, Tunisia held security talks with Spain, including a discussion of illegal migration and trafficking.

The Governments of Tunisia and Nigeria reportedly plan to sign a special agreement for the repatriation of Nigerian citizens caught illegally transiting Tunisia. The government has good relations with NGOs and international organizations that assist non-Tunisians. The Government of Tunisia should develop and implement a system to differentiate between illegal immigrants and possible trafficking victims. Such an approach should help to compile data and, if necessary, devise an appropriate anti-trafficking response, including a means for according protection to victims of trafficking.



## U.S. GOVERNMENT EFFORTS

The U.S. Government condemns trafficking in persons and remains firmly committed to fighting this scourge and protecting victims who fall prey to traffickers. Our commitment to eradicate trafficking includes:

- Vigorously enforcing U.S. laws against those who traffic in persons;
- Raising awareness about human trafficking and how it can be eradicated;
- Identifying, protecting, and assisting victims exploited by traffickers;
- Reducing the vulnerability of individuals to trafficking through increased education, economic opportunity, and protection and promotion of human rights; and
- Employing diplomatic and foreign policy tools to encourage other nations, the UN, and other multilateral institutions to work with us to combat this crime, draft and enforce laws against trafficking, and hold traffickers accountable.

A compendium of these actions is compiled each year in the Assessment of U.S. Government Activities to Combat Trafficking in Persons, which can be found online at [www.usdoj.gov/trafficking.htm](http://www.usdoj.gov/trafficking.htm). This assessment highlights executive branch efforts to end modern-day slavery and makes recommendations for improvements in our efforts over the next year.

### The PROTECT Act

An important aspect of the U.S. effort is to strengthen law enforcement's ability to investigate, prosecute, and punish violent crimes committed against children, including child sex tourism and the commercial sexual exploitation of children. The PROTECT Act (Prosecutorial Remedies and Other Tools to End the Exploitation of Children Today Act of 2003) was passed by the Congress in April 2003 and signed into law by President Bush. The act serves as a historic milestone for protecting children while severely punishing those who victimize young people. Of particular note, the PROTECT Act allows law enforcement officers to prosecute American citizens and legal permanent residents who travel abroad and commercially sexually abuse minors without having to prove prior intent to commit this crime. The law also strengthens the punishment of these child sex tourists. If convicted, child sex tourists now face up to 30 years' imprisonment, an increase from the previous maximum of 15 years.

The PROTECT Act made several other changes to the law with a focus on protecting children from sexual predators, including: extending the statute of limitations for federal crimes involving the abduction or physical or sexual abuse of a child for the lifetime of the child; expanding the potential reach of federal sex trafficking prosecutions by extending federal jurisdiction to crimes committed in foreign commerce; establishing parallel penalty enhancements for the production of child pornography overseas; and, criminalizing actions to arrange or facilitate the travel of child sex tourists.

### The U.S. Anti-Trafficking Law

The Trafficking Victims Protection Act of 2000 (P.L. 106-386) and the Trafficking Victims Protection Reauthorization Act (P.L. 108-193) provide tools to combat trafficking in persons worldwide. The act authorizes the establishment of the Office to Monitor and Combat Trafficking in Persons and the President's Interagency Task Force to Monitor and Combat Trafficking in Persons to assist in the coordination of anti-trafficking efforts.



### **The Office to Monitor and Combat Trafficking in Persons (TIP Office)**

The State Department's TIP Office is mandated to combat and eradicate human trafficking by focusing worldwide attention on the international slave trade; assisting countries to eliminate trafficking in persons; promoting regional and bilateral cooperation; and supporting service providers and NGOs active in trafficking prevention and victim protection efforts. The TIP Office also assists foreign governments in drafting or strengthening anti-trafficking laws and funds law enforcement and victim assistance training to foreign governments to ensure traffickers are fully investigated and prosecuted to final conviction.

The TIP Office supported more than 50 anti-trafficking programs abroad in fiscal year 2004. The types of assistance offered included economic alternative programs for vulnerable groups; education programs; training for government officials and medical personnel; development or improvement of anti-trafficking laws; provision of equipment for law enforcement; establishment or renovation of shelters, crisis centers, or safe houses for victims; support for voluntary and humane return and reintegration assistance for victims; deterrence projects to address the demand for sex trafficking; and support for psychological, legal, medical and counseling services for victims provided by NGOs, international organizations and governments.

### **Department of State, Bureau of Population, Refugees, and Migration (PRM)**

The State Department's Bureau of Population, Refugees, and Migration (PRM) promotes orderly and humane migration, protects the human rights of vulnerable migrants, and provides assistance to migrants in need, especially victims of trafficking in persons. The Bureau supports anti-trafficking programs focusing on victim protection.

In fiscal year 2004, PRM provided over \$5 million for anti-trafficking initiatives overseas carried out by the Bureau's implementing partner, the International Organization for Migration (IOM), and IOM's partner NGOs. Specific activities included repatriation and reintegration assistance for victims; capacity-building to raise awareness, helping national governments manage migration and provide care for victims; and training non-governmental organizations to provide assistance to victims, including mental health care. With PRM support, IOM developed several training modules on related anti-trafficking activities, which were piloted in the Caribbean, in Indonesia, and in Southern Africa over the past year. Additionally, PRM and IOM launched a pilot project to provide logistical and reunification assistance for family members of trafficking victims in the United States who are eligible to come to the United States on a T-2, T-3, or T-4 visa. This project also offers to assist trafficking victims in the United States who wish to return and reintegrate in their home country.



## OTHER U.S. AGENCY ACTIVITIES

The TVPA commits U.S. federal agencies to implement programs to protect and assist victims of human trafficking and to capture and prosecute their traffickers.

### Victim Assistance and Public Awareness

The success of U.S. Government efforts to combat trafficking in persons centers on protecting and assisting victims. To this end, the TVPA mandates that federally funded or administered benefits and services, such as cash assistance, medical care, food stamps, and housing, be made available for certain non-citizen trafficking victims.

The Department of Health and Human Services (HHS) provides certification and eligibility letters for victims that allow them to access most benefits and services comparable to the assistance provided to refugees. These benefits and services include access to social service programs and immigration assistance needed to help victims safely and securely rebuild their lives in the United States. Trafficking victims also are eligible to receive food stamps through the Department of Agriculture's Food and Nutrition Service.

From April 2004 and March 2005, HHS identified 228 victims, more than double the 108 victims identified the previous year. In fiscal year 2004, HHS issued 163 letters on behalf of victims, of which 144 were certification letters to adults and 19 were eligibility letters to minors. These certification and eligibility letters, combined with the 151 letters issued in fiscal year 2003, the 99 letters issued in fiscal year 2002, and the 198 letters issued in fiscal year 2001, bring to 611 the total number of letters issued during the first four fiscal years in which the program has operated.

HHS also operates a trafficking information and referral hotline. The hotline allows victims and others persons encountering a victim of trafficking to call a national toll-free number (888-3737-888) to obtain a referral to a local organization serving the victims of trafficking and also to obtain advice on discerning a case of human trafficking. Since April 2004, the hotline has received more than 2,000 calls.

In April 2004, HHS launched its *Rescue and Restore Victims of Human Trafficking* public awareness campaign for the purpose of increasing awareness of human trafficking, particularly among intermediaries. Local anti-trafficking coalitions were convened in ten cities to help disseminate the campaign materials to appropriate intermediaries and to sustain local activism on the trafficking issue. As part of the *Rescue and Restore* campaign, a Web-based resource was established; through the end of fiscal year 2004, roughly 40,000 people had visited [www.acf.hhs.gov/trafficking](http://www.acf.hhs.gov/trafficking). The theme of the campaign is "Look Beneath the Surface" in order to communicate that intermediaries may be encountering victims in their daily lives and that they need to look beyond the obvious, asking specific questions or noting certain behaviors of those who may be potential victims.

The goal of the *Rescue and Restore* campaign is to increase the number of trafficking victims identified. Campaign efforts focus on outreach to intermediaries most likely encounter trafficking victims on a daily basis, but who may not otherwise recognize them. The campaign educates these groups about human trafficking, thus enabling them to screen for trafficking victims and equipping them with tools

to assist victims in accessing benefits and services. These intermediaries include local law enforcement; social service providers; health care workers; faith-based organizations; migrant and labor outreach organizations; child and homeless youth advocates and caregivers; and ethnic organizations.

HHS also provides funding to organizations to aid with trafficking-related matters. In fiscal year 2004, HHS awarded approximately \$3.37 million in second-year continuation grants to the 14 organizations awarded grants in fiscal year 2002. Additionally, HHS announced new special outreach grants to help identify trafficking victims and a number of other outreach campaigns aimed at increasing awareness in communities of trafficking in persons.

The Department of Justice also met immediate needs of victims of trafficking in persons through witness assistance programs and services provided by the grantees of the Department of Justice's Office for Victims of Crime (OVC). In January 2003, OVC awarded 12 grants totaling more than \$9.5 million to NGOs for the purposes of providing trafficking victims with comprehensive or specialized services and to provide these grantees with training and technical assistance for program support. From January through December 2004, OVC awarded ten additional grants totaling more than \$5.5 million to expand provision of comprehensive services to victims of human trafficking. OVC administers a total of 18 comprehensive services grants, three supplemental/specialized services grants, and one technical assistance grant.

Comprehensive services grants provide direct services to meet the broad range of needs of trafficking victims, including case management; legal advocacy; medical, dental, and mental health services; shelter; and access to a broad range of job skills training, education, and other social services.

Supplemental or specialized services grants provide a quickly mobilized single service over a broad geographical area, such as housing, legal assistance, and mental health assessment and crisis intervention.

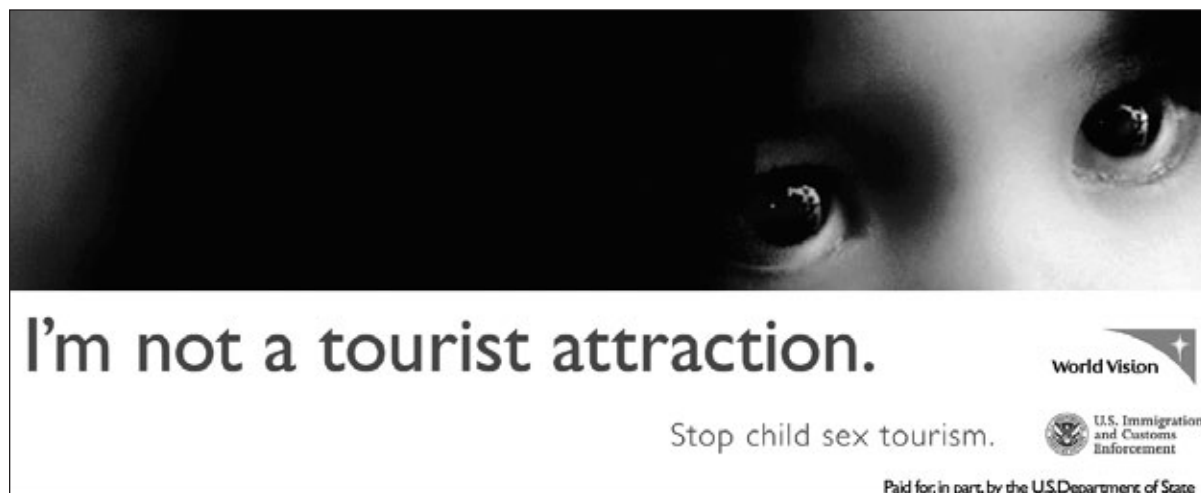
OVC grantees have served a total of 557 victims of human trafficking since the inception of the program in January 2003. OVC grantees also have provided substantive training on trafficking to 24,600 people, including law enforcement officials, prosecutors, civil attorneys, social service providers, physicians, clergy, and other members of their communities. Training topics include the dynamics of trafficking, the legal definition of trafficking under the TVPA, legal rights and services for trafficking victims, and cultural considerations in serving these victims.

Victims of trafficking often need legal assistance with immigration and other matters. Since the passage of the TVPA, the Legal Services Corporation (LSC) must make available legal assistance to trafficking victims. The LSC is a private, non-profit corporation established by Congress to fund legal aid programs around the nation to help indigent Americans gain equal access to the civil justice system. In fiscal year 2004, eight LSC grantees assisted 170 trafficking victims.

### **Immigration Benefits**

There are two immigration benefits available through the TVPA to trafficking victims who meet certain eligibility requirements. Victims may be authorized "continued presence" to temporarily remain in the United States if federal law enforcement determines they are potential witnesses to trafficking.

Victims also may petition the Bureau of Citizenship and Immigration Services within the Department of Homeland Security to receive T visas, which are available to victims who have com-



plied with reasonable requests for assistance to investigate or prosecute acts of trafficking. Victims who receive T non-immigrant status may remain in the United States for three years and then apply for permanent residency.

In fiscal year 2004, the Department of Homeland Security's Vermont Service Center received 520 applications for T non-immigrant status, approved 136, denied 292, and continues to consider 92. Once a trafficking victim has held T non-immigrant status for three years, he or she may apply to adjust status; the first T non-immigrant status recipients will become eligible to adjust status beginning in 2005. The United States is one of the few countries that offers the possibility of permanent residency to victims of trafficking.

### **Investigations and Prosecutions of Traffickers**

In the past four fiscal years (2001-2004), the Department of Justice has initiated more than three times the number of investigations (340 vs. 106), filed almost four times as many cases (60 vs. 16), charged more than twice as many defendants (162 vs. 69), and doubled the number of defendants convicted (118 vs. 59) than in the prior four year period.

In fiscal year 2004, the Department of Justice initiated prosecutions against 59 traffickers, the highest number ever charged in a single year. More than half of those defendants (32) were charged with violations under the Trafficking Victims Protection Act of 2000, and all of those cases involved sexual exploitation.

An example of a U.S. Government investigation and prosecution is the case of *United States v. Carreto, et al.* As the result of an investigation based initially upon information from the U.S. Embassy in Mexico, six defendants have been charged with forced labor and organizing and operating a trafficking ring that smuggled Mexican women and girls into the United States and forced them into prostitution in Queens and Brooklyn, New York. The defendants, most of whom are related to each other, come from a small town in south-central Mexico. They recruited young, impoverished women in Mexico by forming romantic relationships with them, with the ultimate goals of smuggling them into the United States and forcing them into prostitution. Once in the United States, the women were beaten and threatened to keep them working. Proceeds from prostitution were taken by the defendants and wire transferred to the defendants' family in Mexico. Three defendants have pleaded guilty to trafficking charges, and a trial is pending as to the remaining defendants.

Another example is the case of *United States v. Rojas*. In this case, three brothers, using pseudonyms, engaged in a sex trafficking scheme to seduce young Mexican women and girls and lure them to the United States with promises of gainful employment. The defendants smuggled the victims from Mexico to the Atlanta metropolitan area and then forced them into prostitution through a combination of psychological coercion, threats, and physical abuse. Upon their arrival in the United States, the victims were told never to leave the apartment. The defendants threatened to call the victims' parents and tell them the girls were working as prostitutes, and threatened to abandon the girls without money or support. Thereafter, the victims were made to work nearly every night of the week, used in prostitution by upwards of 20 men per night. Arrangements were made for the girls to be taken to various apartments by taxi drivers. At the end of each night, the taxi driver would keep half the money earned, and the defendant brothers would keep the other half. The defendants were charged with conspiracy, sex trafficking, importing and harboring aliens for the purpose of prostitution, alien smuggling, and interstate transportation of illegal aliens. Two brothers pleaded guilty in 2004 and were sentenced to 71 months and 57 months in prison. The third brother fled and is now a fugitive.

The U.S. Department of Justice also led a comprehensive initiative to form 20 multi-disciplinary task forces led by U.S. attorneys in various cities across the country to address trafficking in areas of known concentration. Under this initiative, the Department of Justice and its partners, the Departments of Health and Human Services and Homeland Security, have formed, trained, equipped, and funded teams of state, local, and federal law enforcement, prosecutors, and victim services providers in a coordinated and proactive effort to investigate criminal organizations, rescue victims, and hold perpetrators accountable.

An essential part of the initiative was the convening of a national training conference called Human Trafficking into the United States: Rescuing Women and Children from Slavery, held July 14-16, 2004, in Tampa, Florida. Hosted by the Justice Department, the conference brought together more than 500 attendees composed of 21 teams of about 20 state, local, and federal officials who could work together to combat human trafficking in their respective communities across America. President Bush joined Attorney General John Ashcroft and other senior Bush Administration officials at the conference.

Teams came from 21 municipalities across the United States. The teams learned how to uncover and investigate cases, as well as how to provide services to trafficking victims. The conference emphasized the importance of combating trafficking using a victim-centered approach that requires proactive law enforcement strategies and an understanding of the collaborative approach to human trafficking that includes community members, first responders, restorative care service providers, victim advocates, as well as state, local, and federal law enforcement.

The next step of the initiative was to follow up with attendees, conduct initial task force meetings, provide additional training, and make an announcement of the newly formed task force. Between June and December, task forces were formed in Philadelphia; Atlanta; Phoenix; New Jersey; Northern Virginia; Connecticut; San Francisco; Houston; St. Louis; Tampa; Miami; Orlando; Washington, D.C.; Portland; Albuquerque; Seattle; Las Vegas; San Antonio; El Paso; Los Angeles; and New York.

The final step, initially announced at the national conference by the Attorney General, was the Department of Justice's Office of Justice Programs (OJP) and its Bureau of Justice Assistance (BJA) award of \$7,674,614 to 18 communities to participate in the newly formed multi-disciplinary task forces to address the problem of human trafficking and rescue its victims. These 18 communities were among

those identified by the Department of Justice's Civil Rights Division as having a high number of trafficking operations and victims. These local law enforcement task forces will join forces with victim service providers, as well as with the local U.S. attorneys and other federal agencies, including the Department of Homeland Security's Bureau of Immigration and Customs Enforcement, to identify and rescue trafficking victims, including women and children. Applicants were specifically encouraged to partner with service providers supported by existing grants from the OVC or Department of Health and Human Services' Office of Refugee Resettlement. In early 2005, BJA plans to add three jurisdictions to this list, making the number of funded task forces 21. In turn, OVC, working in partnership with BJA, will make awards to develop victim services at task force sites with insufficient capacity.

All of the task forces are operational, and many have initiated important investigations.

### **The Human Smuggling and Trafficking Center**

In July 2004, the Secretary of State, the Secretary of Homeland Security and the Attorney General established the interagency Human Smuggling and Trafficking Center. To emphasize its importance, the Center was established under Section 7202 of the Intelligence Reform Act and Terrorism Prevention Act of 2004. The Center will achieve greater integration and overall effectiveness in the U.S. Government's enforcement and other response efforts, and work with other governments to address the separate but related issues of alien smuggling, trafficking in persons, and smuggler support of clandestine terrorist travel.

### **International Grant Activity**

The ideal way to combat trafficking is to prevent the victimization of people in the first place. Because the United States is a destination country for trafficked people, prevention activities in which the U.S. Government engages abroad are particularly important.

Through the State Department, the Department of Labor's Bureau of International Labor Affairs, and the U.S. Agency for International Development, the U.S. Government offers a substantial amount of international assistance to help prevent trafficking in persons and to improve the treatment of victims and the prosecution of traffickers abroad. The State Department's Office to Monitor and Combat Trafficking in Persons also is piloting programs to address the demand for victims of sex trafficking in Mexico, India, Cambodia, Costa Rica, and Thailand.

In fiscal year 2004, the U.S. Government supported approximately 251 international anti-trafficking programs totaling \$96 million and benefiting more than 86 countries. This amount reflects part of President Bush's anti-trafficking initiative announced at the United Nations General Assembly in September 2003. The Government of the United States has invested approximately \$295 million in anti-trafficking efforts over the last four fiscal years. These international programs run the gamut from small projects to large multi-million-dollar projects to develop comprehensive regional and national strategies to combat trafficking, improve law enforcement capacity to arrest and prosecute traffickers, enhance support to victims of trafficking, and increase awareness of at-risk populations and policy makers to trafficking.

Based on U.S. Government findings over many years of international development work, assistance that has had a positive impact on anti-trafficking efforts includes: development or improvement of anti-trafficking laws; provision of equipment for law enforcement; economic alternative programs for vulnerable groups; education programs addressing both the supply and demand sides of traffick-

ing in persons; training for government officials and medical personnel; anti-corruption measures; establishment or renovation of shelters, crisis centers, or safe-houses for victims; establishment of hotlines, support for voluntary and humane return and reintegration assistance for victims; and support for psychological, legal, medical, and counseling services for victims provided by NGOs, international organizations, and governments.

### **Report on the Worst Forms of Child Labor**

The Department of Labor publishes an annual report mandated by the Trade and Development Act of 2000 on efforts governments are taking to meet their international commitments to eliminate the worst forms of child labor, including the trafficking of children for exploitative labor and commercial sexual exploitation. The Trade and Development Act (TDA) added government efforts to address the worst forms of child labor to the list of criteria countries must fulfill to receive trade benefits under the Generalized System of Preferences, the Caribbean Basin Trade Partnership Act, and the African Growth and Opportunity Act. The TDA Report released in 2004 chronicled the nature and incidence of the worst forms of child labor and government efforts to combat this problem in more than 140 countries and territories.

### **International Engagement**

The U.S. Government engages internationally through cooperation with countries that support the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, which supplements the UN Convention Against Transnational and Organized Crime, adopted by the UN General Assembly in November 2000. The United States signed the Convention and Protocol in December 2000, and the President has submitted them to the Senate for advice and consent to ratification.

Three other international instruments that address the trafficking in children have been adopted — ILO Convention 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor (which the United States ratified in February 1999); the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (which the United States ratified in December 2002); and the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (which the United States ratified in December 2002). The Department of Labor works with the ILO to bring international attention to countries' obligations under ILO Convention 150, the Abolition of Forced Labor, as well.

### **Training of NGOs**

NGOs have been vital to the U.S. effort to identify and help trafficking victims as well as to prosecute trafficking cases. The U.S. Government engages in extensive outreach to NGOs, which are often the first point of contact with trafficking victims. These contacts foster constructive relationships with groups that receive and shelter trafficking victims and are often in a position to encourage victims to come forward and report abuse. Additionally, in those situations in which law enforcement is actively involved in liberating victims from servitude, some NGOs can provide safe houses for the victims.

U.S. Government personnel have been working closely with NGOs across the country to train service providers on the provisions of the TVPA. Through such training, federal prosecutors, Federal Bureau of Investigation and ICE agents, immigration officials and Health and Human Services' personnel have learned about potential new cases, acquired NGO assistance in procuring refuge and

support for trafficking victims, educated NGOs on the requirements for identifying a victim of a severe form of trafficking, and trained service providers on the roles they can play to contribute toward the success of a trafficking investigation and prosecution.

### **Labor Programs**

The Department of Labor's International Child Labor Program and the Office of Foreign Relations supported a number of efforts in fiscal year 2004 through nongovernmental and faith-based organizations, as well as the International Labor Organization's International Program on the Elimination of Child Labor, that address trafficking in persons in 16 countries, either as the central focus of the project or a component of a broader project. These projects provide reintegration assistance to adult and child victims of trafficking for exploitive work situations. Project support includes enrollment possibilities in appropriate educational and vocational training programs, and linking adults to legitimate work through partnerships with local employers. Projects promote legislative and policy reform to address trafficking in persons at the local, national, and regional levels.

In the United States, DOL's Employment and Training Administration provides job training grants to states and localities, which may be used to assist victims of severe forms of trafficking regardless of individuals' immigration status. These grants provide job search assistance, career counseling, occupational skills training, and supportive services to eligible participants.

The DOL's Wage and Hour Division is taking aggressive action to identify and eliminate abusive labor practices that affect the most vulnerable in our society. Investigators focus on low-wage industries where labor trafficking victims are most often found. And Wage and Hour staff works with the consulates of Mexico and other countries, along with NGOs, to reach out to immigrant communities.

### **Senior Policy Operating Group on Trafficking in Persons**

In February 2002, President Bush established a Cabinet-level Interagency Task Force to Monitor and Combat Trafficking in Persons. The task force is chaired by the Secretary of State and includes the Attorney General, the Secretary of Labor, the Secretary of Health and Human Services, the Secretary of Homeland Security, the Director of Central Intelligence, the Director of the Office of Management and Budget, and the Administrator of the U.S. Agency for International Development.

The Task Force's responsibilities include coordination and implementation of the Administration's anti-trafficking activities. In December 2003, the Task Force approved the formal establishment of the Senior Policy Operating Group on Trafficking in Persons (SPOG), chaired by the director of the State Department's Office to Monitor and Combat Trafficking in Persons. The purpose of the SPOG is to bring together senior policy officials from task force member agencies. This year the SPOG was responsible for a number of interagency policy developments including:

- Coordination of U.S. agency strategic plans to address trafficking in persons;
- Development and implementation of interagency grant policy and coordination guidelines to help implement the National Security Presidential Directive on trafficking in persons;
- Coordination of public outreach and research efforts, including bringing attention to the dangers of trafficking in persons in South and Southeast Asia following the tsunami disaster; and
- Coordination of the President's \$50 million anti-trafficking initiative.



# RELEVANT INTERNATIONAL CONVENTIONS\*

Country	Protocol to Prevent, Suppress & Punish Trafficking in Persons		ILO Convention 182, Elimination of Worst Forms of Child Labor	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography		Optional Protocol to the Convention on the Rights of the Child in Armed Conflict		Convention on the Elimination of All Forms of Discrimination Against Women	
	Signature	Ratification, Accession (a)	Ratification	Signature	Ratification, Accession (a)	Signature	Ratification, Accession (a)	Signature	Ratification, Accession (a)
Afghanistan					X (a)		X (a)	X	X (a)
Albania	X	X	X						X (a)
Algeria	X	X	X						X (a)
Angola			X		X (a)				X (a)
Argentina	X	X	X	X	X	X	X	X	X
Armenia	X	X		X		X			X (a)
Australia	X			X		X		X	X
Austria	X		X	X	X	X	X	X	X
Azerbaijan	X	X	X	X	X	X	X		X (a)
Bahrain		X (a)	X		X (a)		X (a)		X (a)
Bangladesh			X	X	X	X	X		X (a)
Belarus	X	X	X		X (a)			X	X
Belgium	X	X	X	X		X	X	X	X
Belize		X (a)	X	X	X	X	X	X	X
Benin	X	X	X	X		X		X	X
Bolivia	X		X	X	X		X (a)	X	X
Bosnia & Herzegovina	X	X	X	X	X	X	X		X
Brazil	X	X	X	X	X	X	X	X	X
Bulgaria	X	X	X	X	X	X	X	X	X
Burkina Faso	X	X	X	X		X			X (a)
Burma		X (a)							X (a)
Burundi	X		X			X		X	X
Cambodia	X			X	X	X	X	X	X (a)
Cameroon	X		X	X		X		X	X
Canada	X	X	X	X		X	X	X	X
Chad			X	X	X	X	X		X (a)
Chile	X	X	X	X	X	X	X	X	X
China, People's Rep. of			X	X	X	X		X	X
Colombia	X	X	X	X	X	X		X	X
Congo, Dem. Rep. of the	X		X		X	X	X	X	X
Congo, Rep. of			X					X	X
Costa Rica	X	X	X	X	X	X	X	X	X
Côte d'Ivoire			X					X	X
Croatia	X	X	X	X	X	X	X		X
Cuba				X	X	X		X	X
Cyprus	X	X	X	X					X (a)
Czech Republic	X		X	X		X	X		X
Denmark	X	X	X	X	X	X	X	X	X

Country	Protocol to Prevent, Suppress & Punish Trafficking in Persons		ILO Convention 182, Elimination of Worst Forms of Child Labor	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography		Optional Protocol to the Convention on the Rights of the Child in Armed Conflict		Convention on the Elimination of All Forms of Discrimination Against Women	
	Signature	Ratification, Accession (a)	Ratification	Signature	Ratification, Accession (a)	Signature	Ratification, Accession (a)	Signature	Ratification, Accession (a)
Djibouti		X (a)	X						X (a)
Dominican Republic	X		X			X		X	X
East Timor					X (a)		X (a)		X (a)
Ecuador	X	X	X	X	X	X	X	X	X
Egypt	X	X	X		X (a)			X	X
El Salvador	X	X	X	X	X	X	X	X	X
Equatorial Guinea	X	X	X		X (a)				X (a)
Estonia	X	X	X	X	X	X			X (a)
Ethiopia			X					X	X
Finland	X		X	X		X	X	X	X
France	X	X	X	X	X	X	X	X	X
Gabon			X	X		X		X	X
Gambia, The	X	X	X	X		X		X	X
Georgia	X		X						X (a)
Germany	X		X	X		X	X	X	X
Ghana			X	X		X		X	X
Greece	X		X	X		X	X	X	X
Guatemala		X (a)	X	X	X	X	X	X	X
Guinea		X (a)	X					X	X
Guyana		X (a)	X					X	X
Haiti	X			X		X		X	X
Honduras			X		X (a)		X (a)	X	X
Hungary	X		X	X		X		X	X
India	X					X		X	X
Indonesia	X		X	X		X		X	X
Iran			X						
Iraq			X						X (a)
Israel	X		X	X		X		X	X
Italy	X		X	X	X	X	X	X	X
Jamaica	X		X	X		X	X	X	X
Japan	X	X	X	X	X	X	X	X	X
Jordan			X	X		X		X	X
Kazakhstan			X	X	X	X	X		X (a)
Kenya		X (a)	X	X		X	X		X (a)
Korea, Rep. of	X		X	X	X	X	X	X	X
Kuwait			X		X (a)		X (a)		X (a)
Kyrgyz Republic	X	X	X		X (a)		X (a)		X (a)
Laos		X (a)						X	X

Country	Protocol to Prevent, Suppress & Punish Trafficking in Persons		ILO Convention 182, Elimination of Worst Forms of Child Labor	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography		Optional Protocol to the Convention on the Rights of the Child in Armed Conflict		Convention on the Elimination of All Forms of Discrimination Against Women	
	Signature	Ratification, Accession (a)	Ratification	Signature	Ratification, Accession (a)	Signature	Ratification, Accession (a)	Signature	Ratification, Accession (a)
Latvia	X	X		X		X			X (a)
Lebanon	X		X	X	X	X			X (a)
Liberia		X (a)	X	X		X			X (a)
Libya	X	X	X		X (a)		X (a)		X (a)
Lithuania	X	X	X		X (a)	X	X		X (a)
Macedonia (FYROM)	X	X	X	X	X	X	X		X
Madagascar	X		X	X	X	X	X	X	X
Malawi		X (a)	X	X		X			X (a)
Malaysia			X						X (a)
Mali	X	X	X		X (a)	X	X	X	X
Malta	X	X	X	X		X	X		X (a)
Mauritania			X						X (a)
Mauritius		X (a)	X	X		X			X (a)
Mexico	X	X	X	X	X	X	X	X	X
Moldova, Republic of	X		X	X		X	X		X (a)
Mongolia			X	X	X	X	X	X	X
Morocco			X	X	X	X	X		X (a)
Mozambique	X		X		X (a)		X (a)		X (a)
Nepal			X	X		X		X	X
Netherlands, The	X		X	X		X		X	X
New Zealand	X	X	X	X				X	X
Nicaragua		X (a)	X		X (a)		X (a)	X	X
Niger	X	X	X	X	X				X (a)
Nigeria	X	X	X	X		X		X	X
North Korea									X (a)
Norway	X	X	X	X	X	X	X	X	X
Oman			X		X (a)		X (a)		
Pakistan			X	X		X			X (a)
Panama	X	X	X	X	X	X	X	X	X
Paraguay	X	X	X	X	X	X	X		X (a)
Peru	X	X	X	X	X	X	X	X	X
Philippines	X	X	X	X	X	X	X	X	X
Poland	X	X	X	X	X	X	X	X	X
Portugal	X	X	X	X	X	X	X	X	X
Qatar			X		X (a)		X (a)		
Romania	X	X	X	X	X	X	X	X	X
Russia	X	X	X			X		X	X
Rwanda	X	X	X		X (a)		X (a)	X	X

Country	Protocol to Prevent, Suppress & Punish Trafficking in Persons		ILO Convention 182, Elimination of Worst Forms of Child Labor	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography		Optional Protocol to the Convention on the Rights of the Child in Armed Conflict		Convention on the Elimination of All Forms of Discrimination Against Women	
	Signature	Ratification, Accession (a)	Ratification	Signature	Ratification, Accession (a)	Signature	Ratification, Accession (a)	Signature	Ratification, Accession (a)
Saudi Arabia	X		X					X	X
Senegal	X	X	X	X	X	X	X	X	X
Serbia & Montenegro	X	X	X	X	X	X	X		X
Sierra Leone	X			X	X	X	X	X	X
Singapore			X			X			X (a)
Slovak Republic	X	X	X	X	X	X			X
Slovenia	X	X	X	X	X	X	X		X
Somalia									
South Africa	X	X	X		X (a)	X		X	X
Spain	X	X	X	X	X	X	X	X	X
Sri Lanka	X		X	X		X	X	X	X
Sudan			X		X (a)	X			
Suriname				X		X			X (a)
Sweden	X	X	X	X		X	X	X	X
Switzerland	X		X	X		X	X	X	X
Syria	X		X		X (a)		X (a)		X (a)
Tajikistan		X (a)			X (a)		X (a)		X (a)
Tanzania	X		X		X (a)		X (a)	X	X
Thailand	X		X						X (a)
Togo	X		X	X	X	X			X (a)
Tunisia	X	X	X	X	X	X	X	X	X
Turkey	X	X	X	X	X	X	X		X (a)
Uganda	X		X		X (a)		X (a)	X	X
Ukraine	X	X	X	X	X	X		X	X
United Arab Emirates			X						X (a)
United Kingdom	X		X	X		X	X	X	X
Uruguay	X	X	X	X	X	X	X	X	X
Uzbekistan	X								X (a)
Venezuela	X	X		X	X	X	X	X	X
Vietnam			X	X	X	X	X	X	X
Yemen			X		X (a)				X (a)
Zambia		X (a)	X					X	X
Zimbabwe			X						X (a)

\* Ratification determined when State deposits ratification instruments at the international organization

# TRAFFICKING VICTIMS PROTECTION ACT — MINIMUM STANDARDS FOR THE ELIMINATION OF TRAFFICKING IN PERSONS

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**Trafficking Victims Protection Act of 2000, Div. A of Pub. L. No. 106-386, § 108, as amended.**

## **(A) Minimum standards**

For purposes of this chapter, the minimum standards for the elimination of trafficking applicable to the government of a country of origin, transit, or destination for a significant number of victims of severe forms of trafficking are the following:

- (1) The government of the country should prohibit severe forms of trafficking in persons and punish acts of such trafficking.
- (2) For the knowing commission of any act of sex trafficking involving force, fraud, coercion, or in which the victim of sex trafficking is a child incapable of giving meaningful consent, or of trafficking which includes rape or kidnapping or which causes a death, the government of the country should prescribe punishment commensurate with that for grave crimes, such as forcible sexual assault.
- (3) For the knowing commission of any act of a severe form of trafficking in persons, the government of the country should prescribe punishment that is sufficiently stringent to deter and that adequately reflects the heinous nature of the offense.
- (4) The government of the country should make serious and sustained efforts to eliminate severe forms of trafficking in persons.

## **(B) Criteria**

In determinations under subsection (a)(4) of this section, the following factors should be considered as indicia of serious and sustained efforts to eliminate severe forms of trafficking in persons:

- (1) Whether the government of the country vigorously investigates and prosecutes acts of severe forms of trafficking in persons, and convicts and sentences persons responsible for such acts, that take place wholly or partly within the territory of the country. After reasonable requests from the Department of State for data regarding investigations, prosecutions, convictions, and sentences, a government, which does not provide such data, consistent with the capacity of such government to obtain such data, shall be presumed not to have vigorously investigated, prosecuted, convicted or sentenced such acts. During the periods prior to the annual report submitted on June 1, 2004, and on June 1, 2005, and the periods afterwards until September 30 of each such year, the Secretary of State may disregard the presumption contained in the preceding sentence if the government has provided some data to the Department of State regarding such acts and the Secretary has determined that the government is making a good faith effort to collect such data.
- (2) Whether the government of the country protects victims of severe forms of trafficking in persons and encourages their assistance in the investigation and prosecution of such trafficking, including

provisions for legal alternatives to their removal to countries in which they would face retribution or hardship, and ensures that victims are not inappropriately incarcerated, fined, or otherwise penalized solely for unlawful acts as a direct result of being trafficked.

- (3) Whether the government of the country has adopted measures to prevent severe forms of trafficking in persons, such as measures to inform and educate the public, including potential victims, about the causes and consequences of severe forms of trafficking in persons.
- (4) Whether the government of the country cooperates with other governments in the investigation and prosecution of severe forms of trafficking in persons.
- (5) Whether the government of the country extradites persons charged with acts of severe forms of trafficking in persons on substantially the same terms and to substantially the same extent as persons charged with other serious crimes (or, to the extent such extradition would be inconsistent with the laws of such country or with international agreements to which the country is a party, whether the government is taking all appropriate measures to modify or replace such laws and treaties so as to permit such extradition).
- (6) Whether the government of the country monitors immigration and emigration patterns for evidence of severe forms of trafficking in persons and whether law enforcement agencies of the country respond to any such evidence in a manner that is consistent with the vigorous investigation and prosecution of acts of such trafficking, as well as with the protection of human rights of victims and the internationally recognized human right to leave any country, including one's own, and to return to one's own country.
- (7) Whether the government of the country vigorously investigates, prosecutes, convicts, and sentences public officials who participate in or facilitate severe forms of trafficking in persons, and takes all appropriate measures against officials who condone such trafficking. After reasonable requests from the Department of State for data regarding such investigations, prosecutions, convictions, and sentences, a government which does not provide such data consistent with its resources shall be presumed not to have vigorously investigated, prosecuted, convicted, or sentenced such acts. During the periods prior to the annual report submitted on June 1, 2004, and on June 1, 2005, and the periods afterwards until September 30 of each such year, the Secretary of State may disregard the presumption contained in the preceding sentence if the government has provided some data to the Department of State regarding such acts and the Secretary has determined that the government is making a good faith effort to collect such data.
- (8) Whether the percentage of victims of severe forms of trafficking in the country that are non-citizens of such countries is insignificant.
- (9) Whether the government of the country, consistent with the capacity of such government, systematically monitors its efforts to satisfy the criteria described in paragraphs (1) through (8) and makes available publicly a periodic assessment of such efforts.
- (10) Whether the government of the country achieves appreciable progress in eliminating severe forms of trafficking when compared to the assessment in the previous year.

## **GLOSSARY OF ACRONYMS**

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**NGO** – nongovernmental organization

**IOM** – International Organization for Migration

**ILO** – International Labor Organization

**ILO-IPEC** – International Labor Organization, International Program  
on the Elimination of Child Labor

**UN** – United Nations

**UNICEF** – United Nations Children’s Fund

**UNIFEM** – United Nations Development Fund for Women

**UNHCR** – UN High Commissioner for Refugees

**UNDP** – UN Development Program

**ECPAT** – End Child Prostitution, Child Pornography and Trafficking  
of Children for Sexual Purposes

**EU** – European Union

**OSCE** – Organization for Security and Cooperation in Europe

**ECOWAS** – Economic Community of West African States

## A CLOSING NOTE FROM THE DRAFTERS OF THE REPORT

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**A**nti-trafficking law enforcement efforts made impressive gains in 2004. In many parts of the world, however, the involvement of police and immigration officials in trafficking seriously hobbled efforts to free victims of their misery and prosecute those responsible for modern-day slavery. Too many law enforcement operations were unsuccessful as brothel-keepers, sweatshop owners, or traffickers were tipped off by corrupt officials.

The victims who are lost to corruption are nameless, but they are not faceless. This is the face of one such young girl, estimated to be 13 years old, found with 20 other young girls in a brothel on Lane 12 in a key South Asian city's redlight district, during a police raid on December 2, 2004. She has no name; we shall call her "Renu." She and the other girls were assembled in the upstairs lobby of the brothel and interviewed briefly by the police, before being ushered downstairs to the street into waiting police vans. In the intervening seconds before the police officer in charge could descend to the street after the girls, however, corrupt police officers colluded with the brothel management in whisking the girls into another brothel — they were gone within seconds. Renu is someone's daughter, someone's sister and we can imagine her happy in a life of which she is now deprived. Instead she is confined to a bed, subjected to serial rapes by "clients" in a hell that, barring rescue or escape, will likely lead to death by illnesses brought on by the sustained abuse of her fragile, undeveloped body. Renu and other young girls being raped for profit in the brothel were found crammed into a small compartment behind a false wall — where the brothel keeper had hidden them to avoid detection and rescue.



We dedicate this year's Report to Renu and all the precious lives of trafficking victims who have had their freedom cruelly denied because of corrupt security officials or have been placed into servitude by complicit officials. For their betrayal of the public's trust and for their complicity in rape and slavery, these officials deserve the greatest possible punishment; yet all too often receive a slap on the wrist or no punishment at all. The TVPA requires that governments investigate, prosecute, convict, and sentence officials complicit of facilitating trafficking in persons and we are determined to shine the spotlight brightly on what corrupt police officers prefer to do in the dark — and what governments have failed to stop. Renu deserves nothing less.

### The Staff

U.S. Department of State, Office to Monitor and Combat Trafficking in Persons

*Feleke T. Assefa*

*Chad Bettes*

*Linda M. Brown*

*Carla Menares Bury*

*Jennifer Schrock Donnelly*

*Anthony Eterno*

*Eleanor Kennelly Gaetan*

*Paula R. Goode*

*Deborah Sheldon Kitchens*

*John R. Miller*

*Jessica M. Moniz*

*Sally Neumann*

*Leakmy C. Norin*

*Rachel Owen*

*Lauren Pucci*

*Amy O'Neill Richard*

*Gannon Sims*

*Felecia A. Stevens*

*Mark B. Taylor*

*Caroline S. Tetschner*

*Jennifer Topping*

*Rachel Yousey*





Burmese workers in Thailand's fishing industry  
— at-risk of falling victim to trafficking.

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