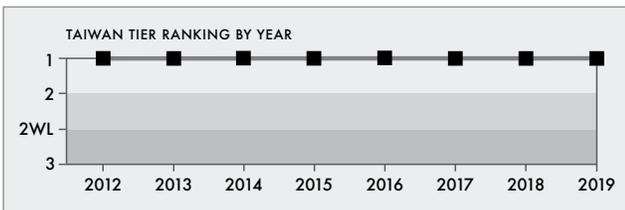


TAIWAN: TIER 1

Taiwan authorities fully meet the minimum standards for the elimination of trafficking. Authorities continued to demonstrate serious and sustained efforts during the reporting period; therefore Taiwan remained on Tier 1. These efforts included investigating significantly more traffickers and labor recruitment agencies than in previous years; for the first time, conducting random inspections of fishing vessels on the high seas; repatriating an increased number of foreign victims; and amending legislation to improve protections for migrant workers. Although Taiwan met the minimum standards, separation of purview between the Ministry of Labor (MOL) and the Fisheries Agency (FA), coupled with insufficient inspection protocols, continued to impede efforts to address forced labor on Taiwan-flagged and -owned fishing vessels in the highly vulnerable Distant Water Fleet (DWF). Authorities detained, investigated, and in some cases charged dozens of Taiwan individuals formally designated by a foreign government as victims of forced criminality.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to prosecute and convict traffickers under the anti-trafficking law. • Sentence convicted traffickers to adequate penalties, which should include significant prison terms. • Increase inspections and, where appropriate, prosecute the senior crew and owners of Taiwan-owned and -flagged fishing vessels suspected of forced labor in the Distant Water Fleet. • Conduct comprehensive, victim-centered interviews to screen foreign fishing crewmembers for forced labor indicators during portside and at-sea vessel inspections, and ensure these interviews take place away from the main vessels, separate from vessel senior crew, and with the assistance of a qualified interpreter. • Train maritime inspection authorities on victim identification, referral, and law enforcement notification procedures. • Reduce the incidence of debt-based coercion among migrant workers in Taiwan by amending relevant policies and legislative loopholes to eliminate the imposition of all recruitment and service fees on workers, and by coordinating with sending countries to facilitate direct hiring. • Strengthen efforts to screen for trafficking among individuals returned to Taiwan in connection with alleged overseas criminal activity, and among foreign workers falling out of visa status within Taiwan after fleeing abusive working conditions and/or surrendering to immigration authorities under the voluntary departure program, and refer them to protective services accordingly. • Allocate increased resources for and streamline the maritime inspection process by requiring Distant Water Fleet vessels to use standard international maritime call signs, and by registering all Taiwan-owned and -flagged fishing vessel names, licenses, authorized operation areas, and foreign-hired crew manifests in a single, standardized database system. • Clearly define roles and responsibilities for, and increase coordination between, the agencies that oversee Taiwan-owned and -flagged fishing vessels. • Enact legislation that would address gaps in basic labor

protections for household caregivers and domestic workers. • Extend trafficking victim identification authority to social workers and labor inspectors. • Improve the effectiveness of anti-trafficking training for prosecutors and judges. • Strengthen efforts to publicize the foreign worker trafficking hotline number among migrant crewmembers of Taiwan-owned and -flagged fishing vessels.

PROSECUTION

Authorities increased some law enforcement efforts. The Human Trafficking Prevention and Control Act (HTPCA) criminalized all forms of trafficking and prescribed penalties of up to seven years' imprisonment and fines up to 5 million New Taiwan Dollars (NT) (\$163,460); these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Observers noted ambiguities in HTPCA provisions could have complicated implementation in cases where victims received some financial compensation. Other HTPCA provisions protected laborers from having to remit "unreasonable payments of debt" to brokers or supervisors but did not clarify what would constitute an unreasonable payment of debt; observers expressed concern that these provisions were too vague to prevent debt-based coercion effectively. Amendments to the HTPCA that entered into force in July increased penalties to a maximum of one year in prison and a possible fine of 300,000 NT (\$9,810) for individuals who, "through recruitment, seduction, shelter, arrangement, assistance, exploitation, or other means, cause a child to act as a host or hostess in a bar or club or engage in acts associated with tour escort and singing or dancing companion services that involve sexual activities." The amendment prescribed a maximum penalty of five years' imprisonment and a possible fine of 1.5 million NT (\$49,040) for such crimes committed by means of "violence, coercion, drugs, fraud, hypnosis, or other means violating the free will of the child or youth concerned." To address some of the aforementioned shortcomings, an interagency working group continued to seek civil society input into additional draft amendments to the HTPCA, and the Judicial Yuan published a series of guidelines including NGO recommendations on sentencing for trafficking cases. Authorities continued to prosecute the majority of trafficking cases under other laws in the criminal code and the Child and Youth Sexual Exploitation Prevention Act (CYSEPA); some penalties prescribed for child sex trafficking offenses under these laws were not sufficiently stringent or commensurate with other grave crimes, such as rape, although other laws retained appropriate penalties.

Authorities conducted 166 trafficking investigations (54 labor trafficking and 112 sex trafficking) in 2018—an increase from 125 total investigations in 2017—and prosecuted 113 individuals (compared to 248 in 2017 and 128 in 2016). This figure included 53 individuals tried under the CYSEPA, 47 under the HTPCA (109 in 2017; 44 in 2016), and 13 under other sections of the criminal code. The 47 individuals tried under HTPCA included 11 charged with sex trafficking, 36 charged with labor trafficking, and one unspecified. Authorities obtained 50 convictions (62 in 2017). Authorities convicted 11 traffickers under the HTPCA (eight in 2017), including six for sex trafficking, five for labor trafficking, and three for both; they convicted the remainder under the CYSEPA and other criminal code provisions. In one case among the 113 prosecutions, authorities arrested seven individuals suspected of using an official travel visa-simplification program to attract 152 Vietnamese nationals to Taiwan with promises of high-paying jobs. The ringleaders of this enterprise reportedly subjected several women among the

group to sex trafficking; others incurred large debts in Vietnam to pay travel fees and were subsequently subjected to debt-based coercion in sex trafficking and forced labor. The Kaohsiung District Prosecutors Office indicted four suspects in the case, including two Vietnamese nationals, on charges ranging from document forgery to violation of the Employment Services Act. The case remained in process at the end of the reporting period.

As in prior years, traffickers convicted under the HTPCA received lighter sentences than defendants convicted under the CYSEPA and other sections of the criminal code. Authorities ascribed the tendency to impose lenient penalties to Taiwan's judicial evaluation and promotion system, which reportedly penalized judges if courts granted convicted individuals' appeals to overturn or shorten their sentences. However, in a departure from trends in previous reporting periods, sentences imposed on the majority of convicted traffickers (at least 32) were greater than one year imprisonment. Taiwan's Mutual Assistance in Criminal Matters Act, which entered into force in May 2018, aimed to facilitate cooperation between Taiwan and other countries on cross-border investigations and prosecutions—a longstanding challenge due to the constraints inherent to Taiwan's unique diplomatic status. Authorities continued to train law enforcement officers, prosecutors, and judges through a wide range of workshops, seminars, and conferences. Nonetheless, authorities and NGOs noted court personnel perceiving cases as labor disputes rather than trafficking crimes hindered effective prosecution of labor trafficking cases.

Authorities reported 2,827 inspections of recruitment brokers in 2018 (up from 2,701 in 2017, 2,429 in 2016, and 1,822 in 2015). In August, the Yilan District Court sentenced an employment broker to five months' imprisonment for illegally deducting food and lodging fees from the wages of eight foreign fishermen—the first conviction of its kind. However, civil society groups continued to decry systemic shortcomings in Taiwan's maritime anti-trafficking law enforcement, exacerbated by DWF ships' ability to operate without using standard international call signs and by the absence of a single electronic database containing vessel names, licenses, crew manifests, and authorized areas of operation. Division of responsibility for foreign fishermen between the MOL and the FA, together with insufficient oversight in Taiwan's highly vulnerable DWF, continued to hinder prosecution of trafficking cases involving forced labor aboard Taiwan-owned and -flagged fishing vessels. The FA reported conducting random inspections on 139 fishing vessels at domestic ports, foreign ports, and for the first time, on the high seas (unreported in 2017). Inspectors uncovered 120 violations relating to contract issues, excessive overtime, and wage discrepancies; although these inspections detected possible trafficking indicators, authorities only referred one wage violation incident to prosecution and issued administrative warnings for the remaining cases. Despite the reported prevalence of forced labor on Taiwan-owned and -flagged fishing vessels, authorities initiated only three formal trafficking investigations into cases involving fishermen. Civil society contacts reported DWF ships' lack of internationally recognized registration systems. Court rulings remained pending for the second consecutive year in a case involving 19 individuals indicted in Kaohsiung for allegedly subjecting over 80 foreign fishermen to forced labor.

PROTECTION

Authorities increased some protection efforts. They identified 302 trafficking victims (191 exploited in sex trafficking and 111 in forced labor), of which 216 were referred to shelters

for assistance, compared to 328 identified and 298 referred to shelters in 2017. Of the 302 victims identified, 183 were foreign and 118 were children. Law enforcement authorities used standardized questions and evaluation forms when interviewing and referring potential trafficking victims, including among foreigners accused of having committed immigration violations. By law, only police and prosecutors could make official victim identifications; believing some victims went undetected under this arrangement, NGOs and prosecutors continued to advocate for authorities to allow social workers and labor inspectors to identify victims as well. NGOs also continued to report cases in which judges disagreed with law enforcement officers' or prosecutors' prior identification of victims and therefore dismissed relevant trafficking charges. Observers were concerned that the MOL's labor broker evaluation system was not sufficiently effective in identifying abuses, including forced labor, because inspections were announced in advance. NGOs continued to stress the need for authorities to pass a long-stalled domestic worker protection bill that would mandate hours of rest, days off, and annual leave. However, during the reporting period, Taiwan enacted an amendment to the Employment Services Act that required employment agencies to report abuses their clients committed against migrant workers—especially foreign household caregivers—or face severe fines. The amendments also banned employers from retaining passports, work permits, or any identity documents of migrant workers without their consent. Lawmakers eased respite care regulations to encourage employers to grant workers annual leave, mitigating a key freedom of movement concern—particularly for migrant workers employed as household caregivers.

The National Immigration Agency (NIA) operated two shelters dedicated to foreign trafficking victims who had not acquired work visas. Citing security concerns, authorities limited shelter access for victims from the People's Republic of China to NIA shelters, while other nationals could access a wider array of NGO shelter services. The NIA increased its budget for victim protection to 10.75 million NT (\$351,450) (10.34 million NT, or \$338,040, in 2017). The MOL subsidized an additional 22 shelters and operated a 24-hour hotline that trafficking victims could access; the hotline received 60 calls from potential victims during the reporting period, and all calls were referred to local authorities for further investigation. However, some NGOs expressed concern that some of its personnel were unresponsive to callers and recommended MOL enhance victim identification and operational training for hotline staff. These groups also noted that migrant crewmembers aboard vessels in the DWF were often unaware of the hotline, or unable to access it due to restrictions on their communication imposed by senior vessel crew. In addition, the NIA ran a 24-hour Chinese-English hotline but did not receive any phone calls during the reporting period, possibly due to similar lack of awareness or access among target beneficiaries. Shelters provided both male and female trafficking victims with medical and psychological services, legal counseling, vocational training, small stipends, language interpretation, and repatriation assistance.

Authorities encouraged victims to participate in their traffickers' criminal investigations by allowing them to testify outside of the courtroom or through video equipment. Authorities conferred 90 temporary residence permits and 88 temporary work permits to foreign victims (a decrease from 126 and 159, respectively, in 2017). MOL authorities reported providing repatriation assistance to 28 victims in Taiwan on work visas, and the NIA reported providing repatriation assistance to 38 victims without work visas (39 total in 2017). Authorities permitted victims to obtain compensation through out-of-court settlements or file

civil suits against traffickers but required them to provide all relevant evidence themselves. One such lawsuit concluded in 2018, culminating in an award to the plaintiff of 400,000 NT (\$13,080). Authorities and the Legal Aid Foundation funded by the Judicial Yuan continued to seek restitution for hundreds of Indonesian caregivers subjected to wage withholding by an unscrupulous broker prior to the enactment of the HTPCA in 2008. In the previous reporting period, the Miaoli District Prosecutors' Office seized the broker's assets—valued at 180 million NT (\$5.9 million)—to be remitted to the victims of the original offense. At year's end, 205 valid applicants had settled with the accused and received an unspecified amount of compensation.

Taiwan's Labor Standards Act did not protect fishing workers hired overseas, who instead fell under the jurisdiction of the FA. In 2017, the FA promulgated new regulations that standardized fishing workers' employment contracts, set a minimum wage with direct payment options, provided medical and life insurance, unified working hours and rest time, and established access to new complaint mechanisms. However, NGOs remained concerned that the minimum compensation established in these regulations remained below Taiwan's broader minimum wage, leaving some foreign fishing workers vulnerable to debt-based coercion. Some NGOs noted the FA's purview over Taiwan fishermen's associations—which typically engaged in labor recruitment—as a possible conflict of interest. Observers reported insufficient FA oversight mechanisms in the DWF were permissive of forced labor and other abuses. In May 2018, South African authorities detained a Taiwan-owned and -flagged vessel under the International Labor Organization's Work in Fishing Convention (C188)—its first implementation. The ship's captain had subjected an all-Indonesian crew to a range of severe abuses, including forced labor. A Taiwan FA inspector traveled to South Africa to interview the crewmembers in response to the C188 detention but did so using questionnaires in a language they could not understand, without an interpreter, and in the presence of the abusive captain. The FA inspector filed a report omitting any mention of abuses and returned to Taiwan, enabling the ship to continue operating. Following public outcry, the authorities reversed their assessment and imposed a total of 3.75 million NT (\$122,600) in fines on the vessel operator and the recruitment brokers; authorities also suspended the licenses of the vessel operator and captain for a period of five months.

More than 2,300 foreign nationals benefited from the NIA's new voluntary departure program during the first month of its implementation in 2019; authorities claimed to have carried out standard trafficking victim identification procedures among these individuals, but they did not report identifying or referring any victims to protection services as part of the process. Roughly a third of the 152 Vietnamese travelers who absconded from a tour group after having being lured to Taiwan with false employment opportunities remained at large, and an investigation into the case was ongoing. Authorities confirmed four of these individuals to be trafficking victims and believed at least seven had served as ringleaders; the latter faced a host of pending charges—including trafficking in persons—at the end of the reporting period. Authorities officially barred the remainder of the missing Vietnamese travelers from the voluntary departure program, raising concerns that the decision may have dissuaded additional trafficking victims from coming forward.

Proposed amendments to the HTPCA improving the victim identification process and expanding victim benefits, including by increasing visa validity to trigger eligibility for national

health insurance, remained in draft at the end of the reporting period. Although victims could receive immunity for unlawful acts their traffickers compelled them to commit, authorities continued to detain, fine, and jail trafficking victims in some cases, in part due to limited or discrepant understanding of the crime among front-line law enforcement officers and judges. In 2018, authorities detained and initiated criminal investigations into 32 Taiwan individuals formally identified by the Slovenian government as victims of forced criminality in telephone scam operations; they remained in detention at the end of the reporting period. Taiwan authorities rejected their prior victim designation, after district attorneys conducted two interviews during which they reported carrying out standard victim identification procedures.

PREVENTION

Authorities maintained efforts to prevent trafficking. A cabinet-level minister-without-portfolio continued to implement the national plan of action and oversee an interagency working group that met semiannually. NGO contacts expressed concern that the limited frequency of these meetings had a negative impact on progress and coordination on anti-trafficking efforts. To address NGO concerns, authorities divided the working group into two subgroups—one to focus on domestic workers and the other on migrant fishermen—that convened meetings more frequently and included participation from NGOs and academics. Various agencies continued to fund advertisements, public service announcements, and other materials on trafficking and held trainings for vulnerable populations, including youth, foreign workers, and fishing sector workers. The FA distributed multilingual cards containing information on worker rights and hotline numbers to foreign crewmembers during random inspections of ships docking at certain foreign ports. Authorities continued to operate international airport service counters and foreign-worker service stations around Taiwan to assist foreign workers and educate them on their rights. The FA conducted 215 random inspections of fishing vessels—87 in domestic ports, 99 at foreign ports, and 29 on the high seas—employing a total of 798 crewmembers (unreported in 2017). These inspections did not lead to the identification of any cases of forced labor; civil society contacts and families of forced labor victims criticized these efforts as insufficient to prevent the widespread forced labor occurring in the industry.

A direct hiring service center allowed employers to hire foreign workers without utilizing brokers who may charge excessive fees; however, regulations promulgated in 2017 ostensibly aimed at better protecting foreign fishermen contained provisions allowing brokers to charge unlimited recruitment and service fees, which likely perpetuated debt-based coercion. Taiwan maintained a broker evaluation system initiated in 2015 that could revoke the business licenses of low-scoring brokerage firms. However, human rights groups continued to question the efficacy of this system; in April 2018, roughly 300 Vietnamese women accused a brokerage firm of arbitrarily deducting fees from their salaries after having received an excellent evaluation rating from the relevant authorities. Most employers continued to deem it easier and more expedient to use brokers, and labor rights groups continued to call on the authorities to eliminate legal loopholes that enable these excessive fees. Following increased inspections of labor recruitment operations, authorities fined 242 brokers found to have employed high fee structures (six in 2017) and suspended seven businesses for similar practices (five in 2017). Taiwan's laws criminalized sexual exploitation of children by Taiwan passport holders traveling abroad, but authorities have not investigated or prosecuted

any child sex tourism offenses committed abroad since 2006. Authorities have signed MOUs on trafficking prevention with 20 countries, but contacts report Taiwan's unique diplomatic status limited opportunities for bilateral or multilateral cooperation. Authorities made efforts to reduce the demand for commercial sex acts and forced labor, including through Tourism Bureau awareness campaigns and industry training sessions.

In part to reduce vulnerability to immigration-based coercion, the NIA launched a program in early 2019 offering reduced penalties to foreign individuals overstaying their visas, including a small fine without detention and a shorter re-entry ban, if they willingly turned themselves in. Over 2,300 foreign nationals benefited from this voluntary departure program during the first month of its implementation in 2019, compared to 900 voluntary surrenders under the previous penalties in early 2018.

TRAFFICKING PROFILE

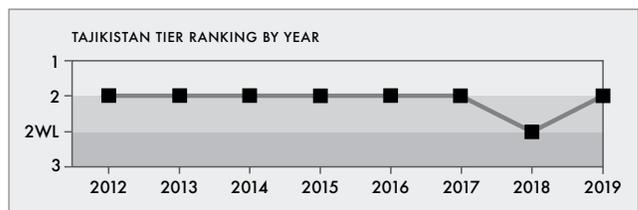
As reported in the last five years, human traffickers subject foreign men and women to forced labor and sex trafficking in Taiwan, and traffickers subject local men and women to forced labor and local women and children to sex trafficking. Taiwan women and children are subjected to domestic sex trafficking, including as part of an increasing trend in which traffickers induce and exploit Taiwan and foreign women's and children's drug addictions. Taiwan traffickers increasingly use the internet, smartphone apps, livestreaming, and other such online technologies to conduct recruitment activities, often targeting child victims, and to mask their identities from law enforcement.

Traffickers lure women from China and Southeast Asian countries to Taiwan through fraudulent marriages and deceptive employment offers for purposes of sex trafficking. Many trafficking victims are migrant workers from Indonesia, the Philippines, Thailand, Vietnam, and, to a lesser extent, individuals from China, Cambodia, and Sri Lanka. Taiwan is host to more than 700,000 foreign workers, most of whom are hired in their home countries through recruitment agencies and brokers—including some from Taiwan—to perform low-skilled work as home caregivers and domestic workers, or in farming, manufacturing, meat processing, construction, and fishing. To pay brokers' often exorbitantly high recruitment fees, some foreign workers incur substantial debts, which the brokers or employers use as tools of coercion to obtain or retain their labor. After recruitment fee repayments are garnished from their wages, many foreign workers in Taiwan earn significantly less than the minimum wage. Foreign workers who flee from their contracted positions—more than 50,000, by some estimates—are at particularly high risk of trafficking because they lose their immigration status and access to formal sector employment; some of them initially flee due to abusive work conditions, including forced labor. Domestic workers and home caregivers are also especially vulnerable to exploitation, since they often live in their employers' residences, making it difficult to monitor their working and living conditions. Brokers in Taiwan sometimes assist employers in forcibly deporting "problematic" foreign employees should they complain, enabling brokers to fill the empty positions with new foreign workers facing continued debt-based coercion. Some traffickers use Indonesian-owned stores in Taiwan as illegal remittance channels, confining Indonesian workers and subjecting them to sex trafficking. Traffickers reportedly take advantage of Taiwan's "New Southbound Policy" visa-simplification program to lure Southeast Asian students and tourists to Taiwan and subject them to forced labor and sex trafficking.

Documented and undocumented Chinese, Indonesian, Filipino, and Vietnamese fishermen working on Taiwan-owned and -flagged fishing vessels experience non- or under-payment of wages, long working hours, physical abuse, lack of food or medical care, denial of sleep, and poor living conditions while indebted to complex, multinational brokerage networks. Migrant fishermen have reported senior crewmembers employ such coercive tactics as threats of physical violence, beatings, withholding of food and water, and wage deductions to retain their labor. These abuses are particularly prevalent in Taiwan's DWF, comprising over 2,000 Taiwan-owned and -flagged fishing vessels operating thousands of miles from Taiwan and without adequate oversight. Senior crew force migrant workers to fish illegal stock, including threatened, endangered, and protected species, placing them at higher risk of criminal repercussions. Many ships remain at sea for years at a time, selectively disabling their transponders and stopping at "refrigeration mother ships" or remote, uninhabited islands to resupply, transfer victims to other ships, and offload illegally caught fish while avoiding detection by law enforcement. Men and women from Taiwan engaged in telephone scams overseas reportedly present indicators of trafficking.

TAJIKISTAN: TIER 2

The Government of Tajikistan does not fully meet the minimum standards for the elimination of trafficking but it is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Tajikistan was upgraded to Tier 2. These efforts included assuming oversight and financial responsibility for a trafficking shelter; amending the criminal code to eliminate inconsistencies with the 2014 victim protection law and remove a demonstration of force, fraud, or coercion for child sex trafficking; facilitating the return of Tajik children from Iraq and Syria; identifying significantly more trafficking victims; and collaborating with local and international civil society groups on the development and review of trafficking laws and the draft 2019-2021 national action plan. However, the government did not meet the minimum standards in several key areas. Endemic corruption contributed to the transport of victims across borders, yet the government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. Although the government continued to publicize the ban on child labor in the cotton harvest, adults and children continued to be at risk of forced labor in the harvest.



PRIORITIZED RECOMMENDATIONS:

Adopt and implement standard operating procedures for identifying trafficking victims and referring them to care, including any victims of forced labor in the cotton harvest.

- Train law enforcement to screen for signs of trafficking among vulnerable groups, including adults in prostitution and foreign migrant workers.
- Ensure victims are not penalized

for crimes committed as a direct result of being subjected to trafficking.

- End the use of forced child and adult labor in public works projects and in the annual cotton harvest.
- While respecting due process, vigorously investigate and prosecute suspected traffickers, including officials complicit in trafficking, and convict and appropriately sentence perpetrators.
- Continue to contribute funding and in-kind support to provide comprehensive care to victims.
- Encourage victims' assistance in the investigation and prosecution of traffickers either directly or via partnerships with NGOs.
- Ensure screening among children returned from Iraq and Syria for child soldiering indicators and provide with rehabilitation and reintegration support.
- Improve the collection of anti-trafficking law enforcement data.
- Continue to provide anti-trafficking training or guidance for diplomatic personnel and other government employees, including law enforcement officers, border guards, and customs officials, to prevent their engagement or facilitation of trafficking crimes.
- Monitor private employment agencies for recruitment fees charged to workers and take steps to eliminate the charges.

PROSECUTION

The government increased its anti-trafficking law enforcement efforts. Throughout 2018, the government utilized provisions under its criminal code, which criminalized all forms of labor trafficking and some forms of sex trafficking. Article 130.1 criminalized labor trafficking and some forms of sex trafficking and prescribed penalties of five to eight years' imprisonment, which were sufficiently stringent and, with regard to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. Inconsistent with international law, Article 130.1 required a demonstration of force, fraud, or coercion to constitute a child sex trafficking offense and therefore did not criminalize all forms of child sex trafficking. Article 167 prohibited the buying and selling of children and also prescribed five to eight years' imprisonment; this provision could be applied to some, but not all, trafficking cases involving child victims. In January 2019, the government adopted amendments to the criminal code, which addressed this gap. Specifically, Article 167 was expanded to apply to all child trafficking and did not require a demonstration of force, fraud, or coercion. The amended Article 167 defined child trafficking broadly to include illegal adoption without the purpose of exploitation.

The government investigated 21 cases involving 38 suspected traffickers in 2018, compared to 42 cases involving 65 suspected traffickers investigated in 2017. The government prosecuted nine criminal cases in 2018 involving 18 defendants, compared to 30 cases involving 52 suspects in 2017. Two cases involving nine individuals were dismissed by presidential amnesty. The courts convicted 19 traffickers in 10 separate criminal cases and sentenced offenders to between four and 10 years' imprisonment; the government did not provide complete conviction data, but reported that all convicted traffickers received prison sentences. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses; however, corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action during the year. Endemic corruption facilitated transport of victims across borders and through inspection points. The Ministry of Internal Affairs (MIA) continued to conduct training on human trafficking for new staff as part of its training academy curriculum. In partnership with NGOs, the government trained investigators, prosecutors, and judges on the 2014 victim protection law, victim-centered approaches, investigative techniques, and the national referral mechanism. The government continued to pursue a 2017

investigation of four private employment agencies, which facilitated the trafficking of Tajik victims in Saudi Arabia.

PROTECTION

The government increased protection efforts. The government identified 53 trafficking victims in 2018, an increase from 15 in 2017; the government did not provide additional information, such as the victims' nationality, gender, and type and location of exploitation. An international organization reported assisting 20 victims of international trafficking, 11 of whom were referred by Tajik law enforcement, seven by NGOs, and two by embassies; all were Tajik citizens. Women constituted 19 of the 20 referrals; 12 of the victims were sexually exploited, eight were trafficked in forced labor. The government facilitated the repatriation of one of two citizens identified as trafficking victims in Saudi Arabia. The government reported it began to implement the 2014 victim protection law, which set forth the provision of victim services; formalized the roles of agencies tasked with providing services; established government standards for service delivery among providers, including governmental agencies and NGOs; and mandated a national referral mechanism in 2016, but for most of the reporting period the referral mechanism was inconsistent with victim protection provisions. Authorities remained without a formal system for identifying trafficking victims and referring them to services. Nonetheless, in 2018, a legislative reform working group, which included representatives from the justice sector, law enforcement, Presidential Administration, parliament, and civil society, developed draft guidelines for victim identification, which it submitted to the government for approval.

The government assumed operational responsibility for the country's sole trafficking shelter in November 2018, after establishing a commission with government, civil society, and international organization representatives that planned the phased transfer from an international organization to the government between August and November. The government spent 50,000 Tajik somoni (\$5,350) on renovations to the shelter. The government contracted an NGO to provide victim services, and provided 190,000 Tajik somoni (\$20,320) for the center's operating costs, medical assistance for victims, legal consultations, and partial funding of staff salaries. Victim protection services were funded by an international organization. The shelter assisted six victims in 2018.

Law enforcement officials routinely deported foreign migrant workers and did not attempt to identify trafficking victims proactively among men and women in prostitution or forced labor. Law enforcement officials sometimes temporarily detained sex trafficking victims with their traffickers but later released and referred victims for assistance. Women in prostitution reported instances of sexual violence by law enforcement officials. It was possible officials penalized trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking.

The government coordinated with an international organization to repatriate Tajik minors, including potential trafficking victims, whose parents were alleged fighters with the Islamic State in Iraq and Syria (ISIS). ISIS was known to use child soldiers and perpetrate other forms of trafficking. The government did not report screening specifically for indicators of trafficking. The children were generally housed with family members, and an international organization provided psycho-social services.

Despite provisions in the 2014 law for security measures for trafficking victims, the government did not keep victims'

personal information confidential or provide protection for victim witnesses or their advocates. The law provided foreign victims the right to request temporary residency, which could be extended for one year following the completion of a criminal case, based on the victims' cooperation with law enforcement agencies, although no such cases were reported in 2018. There was no formal policy encouraging victims' voluntary participation in legal proceedings; the 2014 victim protection law did not link other benefits to a victim's participation in a trial and provided services regardless of legal status or prior consent to participate in subsequently identified trafficking crimes. Amendments made to Article 352 of the criminal code made in 2018 absolve victims of criminal liability for failure to report a crime, giving false testimony with regard to a trafficking-related crime, refusal to appear in court, or refusal to give evidence related to trafficking crimes.

PREVENTION

The government maintained efforts to prevent human trafficking. The 2014 law established a framework for the government to address human trafficking and a national anti-trafficking commission tasked with coordinating the government's anti-trafficking efforts and developing a national plan. The government did not report any efforts of the commission or any actions related to the implementation of the national action plan in 2018. The anti-trafficking commission, in consultation with stakeholders and an international organization, drafted a new national action plan for 2019-2021 and in September 2018 hosted a roundtable with international and local civil society organizations to discuss and review the draft.

The Ministry of Education continued to disseminate letters to local governments highlighting prohibitions against the use of child labor in the cotton harvest. Government-funded campaigns targeted potential victims, local officials responsible for preventing trafficking, and school authorities who had previously mobilized children in the cotton harvest. The government assigned an unspecified number of inspectors to conduct monitoring for child labor in the cotton harvest, continuing a practice begun in 2010 in cooperation with NGOs. NGOs also reported independently monitoring the fields on an informal basis for safe work concerns. There were no reports of efforts to monitor for forced adult labor in the annual cotton harvest.

In January 2018, the government launched a hotline service for potential victims that operated 24 hours a day; the government reported identifying 11 cases via the hotline in 2018 and referring the victims to an international organization. A foreign-donor-funded and NGO-run hotline focused on aiding migrants, including potential trafficking victims, reported assisting 9,730 individuals; most calls were related to legal rights as migrants. In 2018, the government provided funding to a local NGO for trafficking awareness-raising. The government continued to conduct anti-trafficking courses for officials, school administrators, and law students. The government did not report any other anti-trafficking training for its diplomatic personnel. Tajik law required entities engaged in recruitment of workers for employment abroad to obtain licenses from migration authorities and provided punitive measures for violations; however, Tajikistan is not a member of the ILO Convention on Private Employment Agencies and does not monitor for recruitment fees. The Ministry of Labor operated four pre-departure counseling centers in different regions of the country that provided migrants with information on the risk of trafficking prior to travel abroad. The government

developed a road map for reintegrating returning migrants banned from re-entering Russia, and sought to assist migrant laborers diversify geographical options for work abroad; the government signed recruitment agreements with Qatar and the UAE. The stateless population in Tajikistan, mostly consisting of former Soviet citizens, was vulnerable to trafficking; in 2018, the government registered 5,006 persons with undetermined nationality, granting them the rights and freedoms on par with foreign citizens in country, and confirmed the Tajik nationality of 10,090 individuals at risk of statelessness. The government made no efforts to reduce the demand for commercial sex acts or forced labor.

TRAFFICKING PROFILE

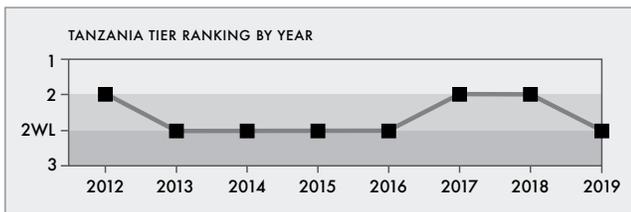
As reported over the past five years, traffickers exploit domestic and foreign victims in Tajikistan, and traffickers exploit victims from Tajikistan abroad. Extensive economic migration exposes Tajik men, women, and children to the risk of human trafficking. Tajik men and women are subjected to forced labor in agriculture and construction in Russia, UAE, Kazakhstan, Saudi Arabia, and, to a lesser extent, in other neighboring Central Asian countries, Turkey, and Afghanistan. Men are subjected to labor trafficking in agriculture, construction, and at markets in Tajikistan; there are limited reports of domestic sex trafficking of men. Women and children from Tajikistan are subjected to sex trafficking primarily in Turkey, UAE, and Russia, and also in Saudi Arabia, Kazakhstan, and Afghanistan, as well as within Tajikistan. The government required its citizens to participate in manual labor, such as cleaning roads and park maintenance.

Women and minors are increasingly vulnerable to trafficking. In some cases, migrant laborers abandon their families, making women more vulnerable to trafficking as sole providers for their families. The Russian re-entry ban has changed the nature of labor migration in Tajikistan. As of February 2019, 240,000 Tajik migrants remain banned, and although government data indicates a decline in the departure of prospective male labor migrants, Tajik women are departing in search of work at an increased rate—from 2015 to 2016, there was a 27 percent increase observed among women. Other migrants prefer to stay in irregular status in Russia and face greater risks of exploitation and deportation, rather than risk being banned after visiting family in Tajikistan. International organizations estimate that the number of Tajik citizens living and working in Russia is approaching one million. Some women who traveled to Syria or Iraq with promises of marriage were instead sold into sexual slavery. Children of Tajik ISIS combatants in Iraq and Syria were vulnerable to child soldiering. Traffickers transport Tajik women and girls to Afghanistan for the purpose of forced marriage, which can lead to domestic servitude, sex trafficking, and debt bondage. Traffickers exploited Tajik children in sex trafficking and forced labor, including forced begging, in Tajikistan and Afghanistan. Tajik children and adults may be subjected to forced labor in agriculture—mainly during Tajikistan's fall cotton harvest—and in dried fruit production. Afghan and Bangladeshi citizens are vulnerable to forced labor in Tajikistan, including in the construction industry.

TANZANIA: TIER 2 WATCH LIST

The Government of Tanzania does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated

significant efforts during the reporting period by adopting a new national action plan and maintaining prosecution efforts. In partnership with international organizations, the government also facilitated but did not fund several trainings for law enforcement officials and magistrates. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. The government did not fully implement its standardized victim identification and referral policies or the protection provisions of the 2008 anti-trafficking law, leading to the government identifying, referring, and repatriating significantly fewer trafficking victims and limiting the availability of protective services. The government did not report investigating any trafficking crimes, convicted fewer traffickers than last reporting period, and continued to offer convicted traffickers the option of a fine in lieu of imprisonment. Therefore Tanzania was downgraded to Tier 2 Watch List.



PRIORITIZED RECOMMENDATIONS:

Fully implement the protection provisions of the 2008 anti-trafficking act, as outlined in the implementing regulations and the national action plan, including by allocating resources to the victim assistance fund.

- Increase funding and training to law enforcement authorities for proactive victim identification and the implementation of standardized policies and procedures related to victim identification and referral to protective services.
- Amend the 2008 anti-trafficking act to remove sentencing provisions that allow fines in lieu of imprisonment and align the procedural law pertaining to trafficking-related arrests within the act with the requirements for other serious crimes.
- While respecting the rule of law and human rights, increase efforts to investigate, prosecute, and convict trafficking offenders, including complicit officials, and impose adequate penalties.
- Implement strong regulations and oversight of recruitment companies that are consistently enforced, including prosecuting for fraudulent labor recruitment.
- Increase migrant worker protections by eliminating recruitment fees charged to migrant workers, increasing employer security deposits, minimum salaries and pre-departure training for migrant workers, and establishing a mutually enforceable standard contract, a complaints mechanism for returning workers, a public blacklist of abusive employers, and requiring exit interviews and embassy approval of residency permits of migrant workers.
- Implement a systematic victim-witness support program.
- Institutionalize the use of the national centralized anti-trafficking data collection and reporting tool and consider increasing information sharing.
- Increase funding for the anti-trafficking committee and anti-trafficking secretariat to implement the national action plan to combat trafficking.

PROSECUTION

The government decreased anti-trafficking law enforcement efforts. The 2008 Anti-Trafficking in Persons Act criminalized sex trafficking and labor trafficking and prescribed punishments of two to 10 years' imprisonment, a fine between five million and 100 million Tanzania shilling (TZS) (\$2,180 to \$43,570),

or both for offenses involving adult victims and 10 to 20 years' imprisonment, a fine between five million and 150 million TZS (\$2,180 to \$65,360), or both for those involving child victims. These penalties were sufficiently stringent but, with regard to sex trafficking, by allowing for a fine in lieu of imprisonment, the penalties were not commensurate with those for other serious crimes, such as rape. The Anti-Trafficking Secretariat (ATS) submitted a proposal to eliminate the alternative sentence of fines, which remained pending in Parliament; however, the government did not report any concrete progress in amending this provision during the current period. The government also reported that the 2008 anti-trafficking act contains a separate procedural provision that requires police to obtain a warrant before making a trafficking-related arrest. This provision creates a higher threshold for law enforcement that does not exist for other similarly serious crimes, which may hinder prosecution efforts.

The government did not report any investigations of trafficking crimes during the reporting period, nor did it report the number of investigations during the previous period. The government reported prosecuting at least 24 defendants and convicting at least three traffickers under the 2008 anti-trafficking act for sex trafficking, compared with 24 prosecutions and four convictions in the previous period. The government sentenced one convicted trafficker to 10 years' imprisonment and two traffickers to seven years' imprisonment; however, the traffickers were given the option of a fine, which they were unable to pay, resulting in prison sentences. The government did not report any investigations, prosecutions, or convictions of officials complicit in trafficking offenses; however, corruption within the judicial system and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action during the year. Last reporting period, multiple NGOs reported the identification of 14 Indonesian trafficking victims aboard a Malaysian-flagged fishing vessel and 12 Tanzanian trafficking victims aboard a Chinese-flagged fishing vessel, both in Tanzanian territorial waters; there were no further reports indicating whether these victims were assisted and the government did not report undertaking law enforcement efforts to address these cases of trafficking.

With support from an international organization, the government continued limited use of a national centralized anti-trafficking data collection and reporting tool. The tool allowed the government to upload information on trafficking cases and victim and trafficker profiles; however, despite receiving additional training during the reporting period, data input was limited and was not shared. The government continued to include human trafficking components in standard police academy training, but the government did not report how many new recruits received this training during the reporting period. The government reportedly incorporated information on how traffickers target vulnerable victims and effective use of victim referral manuals into the standard law enforcement training curriculum. In partnership with an NGO, the government facilitated the training of 86 law enforcement officials, including prosecutors, magistrates, police officers, NGOs, immigration officers, and social welfare officers, on anti-trafficking measures. In partnership with an international organization, the government helped facilitate a training for 53 law enforcement officials, including immigration and prison officers, on utilizing the centralized data collection tool, as well as a three-day anti-trafficking workshop for 38 judges. In partnership with other international organizations, the government also facilitated trainings for 96 police and 150 police, magistrates, social welfare workers, immigration officers, and prosecutors.

PROTECTION

The government decreased protection efforts. The government reported identifying 13 potential trafficking victims, but did not report referring any victims to assistance; a significant decrease from the 59 victims the government identified and referred in the previous reporting period. However, an NGO shelter reported the government identified and referred at least 10 victims to care. NGOs reported assisting 90 victims during the reporting period. An international organization reported that the government facilitated, but did not fund, the repatriation of eight Tanzanian trafficking victims during the reporting period; this compared to 33 facilitated repatriations in the previous reporting period. An international organization reported identifying, funding, and facilitating the repatriation of two Tanzanian sex trafficking victims from Thailand and providing assistance; the Ministry of Home Affairs and ATS met the victims at the airport and escorted them to the shelter. Thirteen potential trafficking victims from Nepal and India were identified by immigration officials; they were voluntarily repatriated but the government did not report providing the victims with assistance and did not facilitate or fund their repatriations.

The government continued limited use of a centralized data collection tool during the reporting period, which allowed officials to track and compile information on victims identified and supported law enforcement efforts. The implementing regulations of the 2008 anti-trafficking act required police and immigration authorities to follow standardized procedures and use standardized forms for case investigation and victim identification and referral; however, the procedures were not widely used because the government did not fund their dissemination. The 2008 anti-trafficking act mandated the government provide victims with psycho-social counseling, family tracing, family reunification, and temporary shelter, but the government did not report providing those services to any victims during the reporting period. The government continued to rely on NGOs to provide the vast majority of victim assistance. The government did not operate any domestic trafficking shelters, but it previously published a nationwide guidebook with information on NGOs and had referral agreements to four vetted and accredited NGO shelters. NGO-run shelters provided medical care, psycho-social counseling, and family tracing for victims. The government placed children in special shelters, where they were enrolled in government schools or given vocational training, and had separate accommodations for boys and girls. However, NGOs reported that while female adult trafficking victims could seek assistance at a shelter dedicated to young girls, there were no shelters available for adult men; furthermore, it was unclear which ministry was responsible for assisting adult trafficking victims. An international organization reported that the Tanzanian embassy in Oman provided temporary shelter to an unknown number of migrant workers, including potential trafficking victims.

Without national implementation of standard identification procedures or proactive screening of vulnerable populations by immigration officials, it is likely authorities detained and deported many unidentified trafficking victims for smuggling or illegal immigration charges. For example, in February 2019, the Government of Tanzania reported initiating the return of more than 2,000 Ethiopian nationals held in detention centers in Tanzania; however, the government did not report screening any detainees to determine if any were trafficking victims. The government also reported that children and adults are frequently incarcerated in the same detention centers, a practice the ATS continued to advocate changing. Thirteen

trafficking victims from Nepal and India were detained by police for illegal immigration; they were eventually repatriated but the government did not report providing the victims with assistance or facilitating or funding their repatriations. Despite requirements in the 2008 anti-trafficking law, the government did not fund the anti-trafficking fund for victims during the reporting period and has not to date. The anti-trafficking law provides foreign victims legal alternatives to their removal to countries where their safety or that of their families may be endangered; however, during the reporting period, the government did not grant residency or temporary stay to trafficking victims. Victims typically testify in trafficking cases, but the Whistle Blowers and Witness Protection Act of 2015 and the 2008 anti-trafficking act gave any victim of crime and trafficking victims the option to refuse to participate in prosecution efforts. The government does not have a witness protection program, which has deterred some victims from testifying in court. Trafficking trials may be held in private or by camera to protect victim confidentiality and privacy. The anti-trafficking law entitled victims to restitution from convicted traffickers; however, the government did not report awarding compensation during the reporting period.

PREVENTION

The government maintained efforts to prevent trafficking. The government allocated a budget of 100.5 million TZS (\$43,790) to the ATS, the working level anti-trafficking body, a similar amount as the year prior. The Anti-Trafficking Committee, responsible for the oversight and direction of the ATS, met twice during the reporting period. The government adopted a new national action plan, effective from 2018-2021; however, efforts to implement the new plan or allot funding for its implementation remained minimal throughout the reporting period. Due to lack of adequate funding, the ATS did not conduct any public awareness campaigns on trafficking during the reporting period. The government funded a national hotline operated by a local NGO to report child abuse, including trafficking victims.

Several government agencies in Tanzania and Zanzibar conducted periodic inspections of large employers to detect cases of forced labor but did not report whether any investigations or prosecutions had been initiated as a result of the inspections. During the reporting period, the Ministry of Labor, Employment, and Youth Development (MOL) in Tanzania suspended the registrations of all labor recruitment agencies and required them to reapply to ensure proper vetting; the MOL had approved 17 of 100 registration applications by the end of the reporting period. In accordance with the Non-Citizens (Employment Regulations) Act of 2015, the MOL temporarily closed three labor recruitment agencies due to a lack of proper regulations and controls. During the reporting period, the government did not report pursuing any investigations or prosecutions for fraudulent labor recruitment. The government recognized that additional bilateral labor agreements with destination countries, a comprehensive labor migration law, pre-departure and vocational skills training, and funding for labor attachés at diplomatic missions abroad were critical protections that needed to be implemented for Tanzanian migrant workers who remained vulnerable to trafficking; however, the government did not report efforts made toward the implementation of these migrant worker protections.

In January 2018, the government suspended the issuance of travel documents to all departing Tanzanian migrant workers, due to concerns over migrant worker safety abroad. In August

2018, it narrowed the scope of the suspension to exclude migrant workers who could provide a relevant training certificate for the overseas job, which left intending migrant workers with no legal means to travel abroad for work, increasing their vulnerability to trafficking. For migrant workers with the necessary training certificate, the government continued to require Tanzanians to have valid passports and labor contracts with salary, leave, and health care provisions in order to obtain a letter of permission and an exit permit. The government also required recruitment agencies to provide migrant workers with training on worker rights and destination countries' laws prior to departure and the Companies Act of 2002 required recruitment agencies to be registered and licensed by the government. Tanzanian embassies abroad required employers to submit security deposits to the embassy; the purpose of this was to ensure that the employer would present the migrant worker upon arrival, so the embassy could verify that the worker arrived and possessed the proper documentation, including contract and passport. However, the government reported that in practice, recruitment agencies were not providing pre-departure training to migrant workers and an NGO argued the deposit amount was too small and an insufficient incentive for employers to present migrant workers upon arrival to the Tanzanian embassy. An NGO also reported that Tanzanian contracts were often different from the destination country contract and usually not enforceable, sometimes migrant workers paid recruitment fees, there was no "blacklist" available for migrant workers to avoid previously abusive employers, and recruitment agencies operating in Tanzania would sometimes use "sub-agents," thereby skirting the registration requirements. An NGO reported that there was no complaint mechanism for returning migrant workers and the staff at foreign embassies were not always trained to identify and assist trafficking victims.

The government had a bilateral labor agreement in place with Qatar but did not report implementing the agreement or signing any new agreements with other destination countries. The government did not make efforts to reduce the demand for commercial sex acts or child sex tourism during the reporting period. The government provided anti-trafficking training to its diplomatic personnel. The government did not provide anti-trafficking training to its troops prior to their deployment abroad on international peacekeeping missions.

TRAFFICKING PROFILE

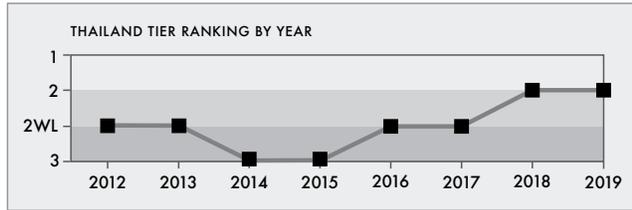
As reported over the past five years, human traffickers exploit domestic and foreign victims in Tanzania, and traffickers exploit victims from Tanzania abroad. Internal trafficking is more prevalent than transnational trafficking and characteristically facilitated by the victims' family members, friends, or intermediaries offering assistance with education or securing employment in urban areas. Impoverished children from the rural interior remain most vulnerable to trafficking. Traffickers exploit girls in domestic servitude throughout the country and in sex trafficking particularly in tourist hubs and along the border with Kenya. An NGO stated that traffickers target young girls from rural and impoverished villages, pay their parents a small fee, and exploit the girls in sex trafficking to businessmen who believe a myth that having intercourse with a "virgin" will allow their business to prosper. Traffickers subject children to forced labor on farms—including as cattle herders and occasionally as hunters—and in mines and quarries, the informal commercial sector, and on fishing vessels operating on the high seas. Some unscrupulous individuals manipulate the traditional practice of child fostering—in which poor parents entrust their children into the care of wealthier relatives

or respected community members—who subject children to forced labor as domestic workers.

Drug traffickers will sometimes hold humans as "bond" for varying amounts of time until payments are fulfilled. In 2017, an NGO reported that 14 Indonesian trafficking victims were identified aboard a Malaysian-flagged fishing vessel and in 2018, another NGO reported that 12 Tanzanian trafficking victims were identified aboard a Chinese-flagged fishing vessel, both in Tanzanian territorial waters; there were no further reports indicating whether these victims were assisted or whether the government undertook law enforcement efforts to address these cases of trafficking. Previous media reports indicate that traffickers transported Tanzanian children with physical disabilities to Kenya and forced them to work as beggars or in massage parlors. In 2018, the Kenyan government identified 29 female Tanzanian potential victims in Kenya; the girls were to be taken to the United Arab Emirates and to pay for their transportation fees with a kidney. Traffickers sometimes subject Tanzanians to forced labor, including domestic servitude, and sex trafficking in other African countries, the Middle East, Europe, Asia, and the United States. In 2018, in an attempt to protect its migrant workers from various abuses reported abroad, the government suspended the issuance of travel documents to some migrant workers who could not provide a relevant training certificate for the job abroad—leaving those migrant workers with no legal means to travel abroad for work, and therefore without access to protection mechanisms available through authorized travel, increasing their vulnerability to trafficking. In February 2019, the governments of Tanzania and Ethiopia reported initiating the return of 541 Ethiopian nationals and several weeks prior, the Ethiopian diplomatic mission announced the release of 1,900 Ethiopian nationals held in detention centers in Tanzania; however, the government did not report screening any detainees to determine if there were trafficking victims. Citizens of neighboring countries may transit Tanzania before traffickers subject them to domestic servitude or sex trafficking in South Africa, Europe, and the Middle East.

THAILAND: TIER 2

The Government of Thailand does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Thailand remained on Tier 2. These efforts included identifying more victims, sentencing convicted traffickers and complicit officials to significant prison terms, developing several manuals in partnership with civil society to standardize anti-trafficking trainings and policies. Labor inspectors, for the first time, identified and referred potential victims to multidisciplinary teams, resulting in the identification of labor trafficking victims. However, the government did not meet the minimum standards in several key areas. The government prosecuted and convicted fewer traffickers and investigated only 43 cases of labor trafficking. The government restricted the movement and communication of victims residing in government shelters, official complicity continued to impede anti-trafficking efforts, and officials did not consistently identify cases of trafficking, especially labor trafficking.



PRIORITIZED RECOMMENDATIONS:

Improve the capacity of law enforcement to proactively prosecute and convict labor traffickers and identify labor trafficking victims. • Proactively investigate and prosecute officials allegedly complicit in facilitating trafficking, and convict and punish those found guilty with adequate sentences. • Ensure government and NGO-run shelters provide victims with adequate trauma-informed care, including legal assistance and psychological care. • Increase the ability of victims, especially adults, to move freely in and out of shelters and access communication devices. • Support the development of victim-centric and trauma-informed approaches among judges overseeing trafficking cases. • Increase collaboration with local civil society organizations in migrant worker assistance centers, post-arrival centers, and government shelters, including in the provision of services to victims. • Increase efforts to ensure employers provide workers copies of contracts in a language they understand. • Increase the provision of financial compensation and restitution to victims. • Increase potential victims' access to government services before they are formally identified by multidisciplinary teams. • Consistently staff government hotlines and shelters with interpreters. • Foster an environment conducive to reporting human trafficking crimes without fear of criminal prosecution, including spurious retributive charges pursued by employers. • Inspect employment locations in border regions with workers employed under border-employment arrangements for trafficking. • Enforce regular payment of wages, requirements that employers pay recruitment fees of migrant workers, and the rights of employees to retain possession of their own identity and financial documents.

PROSECUTION

The government maintained law enforcement efforts. The 2008 anti-trafficking law, as amended, criminalized sex trafficking and labor trafficking and prescribed penalties of four to 12 years' imprisonment and a fine of 400,000 to 1.2 million baht (\$12,360-\$37,090) for offenses involving an adult victim, and six to 20 years' imprisonment and a fine of 600,000 to 2 million baht (\$18,550-\$61,820) for those involving a child victim. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. The government reported investigating 304 trafficking cases (302 in 2017), prosecuting 438 suspected traffickers (638 in 2017), and convicting 316 traffickers (466 in 2017) in 2018. The government reported investigating only 43 cases of forced labor—including six cases of trafficking in the fishing sector—compared to 47 in 2017 and 83 in 2016. Courts sentenced 58 percent of convicted traffickers to five or more years of imprisonment. The government reported that law enforcement made arrests in a number of major sex and labor trafficking networks. Thai authorities held bilateral meetings with neighboring countries to facilitate information sharing and evidence gathering in trafficking cases. In addition, law enforcement officials cooperated with foreign counterparts to investigate Thai traffickers abroad and foreign suspects in Thailand; these efforts resulted in the arrests of suspected

traffickers in Cambodia, Malaysia, and the United States.

Corruption and official complicity facilitated trafficking and continued to impede anti-trafficking efforts. Some NGOs' perceptions of high levels of corruption made them reluctant to work with the government or certain agencies in some cases. Although authorities have prosecuted some boat captains in prior years, observers continued to report a reluctance by some law enforcement officials to investigate boat captains whom they perceived to have connections with politicians. In 2018, the government convicted 16 officials complicit in trafficking crimes (12 in 2017), sentencing them to terms of imprisonment ranging from five to 50 years; 10 of 16 convicted officials were sentenced to more than 15 years' imprisonment. The Public Sector Anti-Corruption Commission referred seven officials to prosecutors, of which the government initiated four prosecutions. The government utilized administrative punishments against some suspected complicit officials, such as suspensions or transfers to new positions, rather than subjecting them to criminal prosecutions; the government expelled seven officials suspected of complicity from government service in 2018 but only reported initiating prosecutions against three. The government continued to investigate 20 officials suspected for their involvement in child sex trafficking in a case initiated during the previous reporting period. The government did not report vigorously investigating or prosecuting immigration officials who facilitated trafficking by accepting bribes at border checkpoints.

In 2018, the anti-money laundering office (AMLO) issued restraint and seizure orders for assets worth more than 509 million baht (\$15.73 million) in trafficking cases, compared to 14 million baht (\$432,770) in 2017. The government operated specialized anti-trafficking divisions within the Bangkok Criminal Court, office of the attorney general (OAG), and the Royal Thai Police (RTP). The OAG required all prosecutors to expedite the submission of trafficking cases to the Courts of Justice. The Thailand Anti-Trafficking in Persons Task Force (TATIP), which specialized in investigating complex cases and comprised law enforcement, social workers, and NGOs, investigated 29 cases in 2018, resulting in the prosecution of 69 offenders. In addition, the Thai Internet Crimes Against Children Task Force (TICAC) investigated 19 cases of internet-facilitated child sex trafficking (18 in 2017). The government allocated 3.6 million baht (\$111,280) to TATIP and 11.84 million (\$366,000) to TICAC, compared to 9 million baht (\$278,210) allocated to TICAC in 2017. During the reporting period, the RTP announced it would no longer accept female cadets into its academy, which may result in a decrease in gender diversity in the police force and negatively affect anti-trafficking law enforcement efforts.

Some victims continued to report reluctance to participate in prosecutions due to fears of detention and extended shelter stays, fears of experiencing retaliation from traffickers, and language barriers. In an attempt to increase victims' willingness to participate as witnesses, Thai courts admitted advance and video testimony as evidence in trials; courts conducted 24 advanced witness hearings in 2018, four of which utilized video conferencing. In one case, the RTP coordinated with Cambodian authorities to bring 15 repatriated Cambodian victims to a Thai border provincial court to provide video testimony. Prosecutors also worked with NGOs to prepare victims to testify and courts allowed NGO lawyers to serve as co-plaintiffs in some cases to legally support victims. The government provided approximately 2.4 million baht (\$74,190) for witness protection services for 15 witnesses in trafficking cases in 2018, compared to 4.3 million baht (\$132,920) for 52 witnesses in 2017.

The government worked with foreign law enforcement officials, international organizations, and NGOs to develop several manuals and guidelines to institutionalize and standardize trainings related to human trafficking. This included handbooks for police and prosecutors to guide the investigation and prosecution of trafficking cases. In addition, the government issued guidelines on the prosecution of individuals who violate laws protecting sea fishers, which provided labor inspectors with standard operating procedures for filing suspected cases of labor trafficking to police. The government conducted numerous training sessions, seminars, and workshops for police, prosecutors, and judges; trainings focused on anti-trafficking laws, improving efficiency of investigations, prosecution of labor trafficking cases, and victim identification. The Office of the Judiciary also organized a seminar for interpreters working on trafficking cases in the courts. However, first responders, prosecutors, and judges sometimes did not properly interpret or apply trafficking laws, especially for labor trafficking. Prosecutors frequently looked for evidence of physical force in labor trafficking cases. While interagency coordination was effective in major cities, in some provinces observers reported ineffective communication among agencies and civil society.

PROTECTION

The government increased efforts to protect victims. The government identified 631 victims in 2018 (455 in 2017), 401 of whom the Ministry of Social Development and Human Security (MSDHS) reported assisting in government shelters (360 in 2017). Those identified and assisted by MSDHS included 152 Thai and 249 foreign victims, 186 victims of sex trafficking and 66 of labor trafficking; it was unclear what form of exploitation the remaining 149 victims faced. Authorities assisted in repatriating 201 foreign victims exploited in Thailand (111 in 2017) and facilitated the return of 103 Thais exploited abroad (45 in 2017) by providing funding for travel expenses, legal assistance, job placement, and other reintegration services. NGOs reported the government did not consistently provide repatriation assistance to victims who declined to participate in law enforcement investigations. In collaboration with a foreign government, the government published a handbook for social workers to streamline the reintegration process for Thai victims. MSDHS reported it assigned social workers to maintain contact with victims for at least one year after their reintegration. The government trained law enforcement officials, labor inspectors, interpreters, and MSDHS staff on victim identification and interview techniques and trauma informed care, sometimes in cooperation with NGOs. MSDHS coordinated with TATIP to train multidisciplinary team (MDT) participants as victim specialists to improve victim identification and evidence collection. Advocates reported a need for the government to increase training of front-line police to better identify potential victims. In addition, some judges lacked sufficient understanding of trauma-informed care, which resulted in harmful treatment of victims during court proceedings. The government opened two new child advocacy centers, which served as child-friendly spaces where law enforcement, NGOs, and social workers could conduct forensic interviews of child trafficking victims; this brought the total number of centers to five. NGOs reported a decline in the prevalence of forced child begging following the passage of the 2016 Beggar Control Act, which provided for health and social services to beggars, including trafficking victims. The government identified and assisted 334 beggars but reported identifying only two as victims of trafficking; NGOs reported a lack of government efforts to assist children selling items on the street who were vulnerable to exploitation.

Officials did not consistently screen cases of labor violations for potential indicators of trafficking and sometimes encouraged workers to remedy their situation through their employer. MDTs, which comprised government agencies and NGOs, utilized standard screening guidelines to formally identify victims and refer them to services. The government could only provide temporary assistance to potential victims for up to eight days, and formal identification by MDTs was necessary for victims to obtain a legal right to services. Consequently, before they were physically or psychologically prepared to undergo the MDT identification process, victims frequently sought temporary care from NGOs, rather than government agencies. Observers reported MDTs were sometimes reluctant to make identifications unless a case was likely to result in a successful prosecution. Implementation of identification procedures by MDTs continued to be inconsistent, especially outside major cities. Labor inspectors screened migrant workers for trafficking during inspections and were required to refer all potential trafficking victims to MDTs for formal identification and service referral. Observers reported the capacity of some provincial labor inspectors to identify potential victims improved. For the first time, MOL referred suspected cases of labor trafficking to MDTs, resulting in the identification of six labor trafficking victims in 2018. Nonetheless, officials did not adequately identify victims of trafficking and anecdotal reports suggested some provincial government officials were hesitant to identify them due to fears of public shame that trafficking occurred in their provinces. Labor inspectors could be held personally liable for claims of abuse of power under Thai law, which may have discouraged them from reporting suspected exploitation. Some officials failed to recognize trafficking cases that did not involve physical force or overt signs of coercion; officials did not routinely identify victims who initially consented to travel to Thailand or consented to work in the industry in which they were later exploited. The government increased efforts to screen migrants for trafficking, including those held in immigration detention centers; these efforts resulted in the identification of 150 victims.

The government continued to refer victims to government-operated shelters where they had access to counseling, legal assistance, medical care, civil compensation, financial aid, witness protection, education or vocational trainings, and employment. MSDHS operated 76 short-stay shelters and nine long-term regional trafficking shelters, including four dedicated to adult male victims and families, four for female victims, and one for male child victims. The government distributed a new handbook in seven languages informing victims of their legal rights under the trafficking law, including access to services. The government only permitted foreign victims who held a valid visa or work permit at the time of their identification to stay outside government shelters during legal proceedings against their traffickers. Undocumented foreign victims of trafficking were required to remain in shelters while the government processed applications for permits to stay and work in Thailand. MSDHS trafficking shelters did not allow victims—including adults—to leave or carry personal communication devices without permission. Only victims who received permission to work outside shelters could leave the shelter on a regular basis for work. The government permitted 65 victims to work outside shelters—a decrease from 149 in 2017—and was less likely to grant female victims this right to work. While the government made efforts to reduce the length of prosecutions and thereby decrease the amount of time victims had to stay in shelters, NGOs reported the required shelter stays deterred victims from cooperating with law enforcement. The government registered three NGO shelters during the reporting period that were able

to provide services to victims under government authority, although it did not provide these shelters with additional funding to support their operations. Thai law permitted foreign trafficking victims and witnesses to stay and work in Thailand for up to two years upon the completion of legal proceedings against their traffickers; however, the government did not report if any victims received this benefit during the reporting period.

MSDHS employed 251 interpreters, but government shelters often lacked sufficient numbers of interpreters, which weakened their ability to provide adequate services to victims, particularly psychological care. MSDHS introduced a handbook for interpreters on assisting trafficking victims. NGOs reported difficulty accessing victims they had supported once they entered MSDHS shelters; this, combined with insufficient communication from shelter staff, discouraged NGOs from further cooperating with the government or referring victims to authorities. Authorities did not consistently identify male child victims, which resulted in some being sent to immigration detention facilities or treated as law violators, rather than being offered victim services. MSDHS shelters did not provide specialized care to boys and LGBTI victims; in addition, authorities required transgender victims to stay in shelters based on their sex assigned at birth. NGOs also reported MSDHS shelters lacked culturally appropriate services for victims originating from outside Southeast Asia; however, the government allowed a group of African victims to reside in one of the NGO-registered shelters that provided culturally appropriate care during the reporting period. MSDHS approved a daily allowance of 200 baht (\$6.18) to victims working inside government shelters; an hourly compensation of 100 baht (\$3.09) was paid to victims who received interpretation skills training and served as interpreters during recreational or vocational training activities in the shelters. However, observers reported inadequate options for vocational training and work offered in shelters.

In 2018, the government provided 6.15 million baht (\$190,110) to trafficking victims from its anti-trafficking fund, compared to 5.6 million baht (\$173,110) in 2017. Thai law legally obligated prosecutors to file restitution claims when a victim expressed intention to make a claim. The Human Trafficking Criminal Procedures Act allowed judges to award compensation or restitution to victims, including in the absence of a victim request for these funds. In 2018, prosecutors filed restitution claims on behalf of 116 victims for 77.56 million baht (\$2.4 million); however, the government did not report how many victims successfully obtained restitution. MSDHS introduced the use of victim impact statements in courts to assist in obtaining compensation and in 2018 six victims filed statements. Legal advocates and NGOs reported traffickers rarely paid compensation and restitution orders, thus discouraging other victims from cooperating in prosecutions. MSDHS operated a unit under its anti-trafficking division to provide victims legal assistance and file compensation claims and developed guidelines to enhance the efficacy of filing such claims. In addition, MSDHS signed MOUs with relevant government agencies to improve the execution of court orders for offenders to pay compensation and restitution.

The law protected victims from prosecution for unlawful acts their traffickers compelled them to commit; however, flaws in the government's implementation of victim identification procedures increased the risk of authorities penalizing victims, including for prostitution and immigration violations. In addition, the government's criminal defamation laws allowed companies to pursue criminal charges against potential

victims and advocates during the reporting period, and the government did not report investigating company owners for subjecting these workers to exploitation. Employers reportedly convinced Thai law enforcement to bring criminal charges against exploited workers for theft when workers attempted to leave or change jobs. Such practices deterred victims and advocates from reporting abuses to authorities. The government amended the anti-trafficking law in 2015 to provide protection to whistleblowers but did not report applying this new provision.

PREVENTION

The government increased efforts to prevent trafficking. The Prime Minister oversaw the government's anti-trafficking efforts through the Supervisory Policy Committee on Addressing Trafficking in Persons and Illegal, Unreported, and Unregulated (IUU) Fishing. The Prime Minister's office appointed two new senior advisory positions to supervise the government's anti-trafficking activities and the government continued to monitor its progress to combat trafficking through data collection and annual reports to the Prime Minister and the Cabinet. It conducted campaigns through newspapers, television, radio, social media, billboards, and handouts to raise public awareness throughout the country. MSDHS and MOL operated hotlines with operators fluent in 12 foreign languages. In 2018, government hotlines received 161 calls related to possible trafficking cases, including at least 18 involving forced labor (172 calls in 2017 and 269 calls in 2016), leading to the prosecution of 63 cases (73 cases in 2017). The government employed 84 language coordinators (74 in 2017) and 69 interpreters (74 in 2017) in 2018. Nonetheless, NGOs reported MSDHS did not consistently staff hotlines with interpreters.

Thai law permitted recruitment agencies to charge recruitment fees to Thais seeking overseas employment and excessive fees incurred by some workers made them vulnerable to debt bondage or other exploitative conditions. Through government-to-government formal migration channels, the government assisted 28,820 Thais to obtain employment abroad in 2018, including by providing job placement assistance. In addition, 14 provincial employment offices provided training, including on trafficking risks, to 4,624 Thai workers prior to their overseas employment. MOL officers screened the travel documents of departing Thai workers at border checkpoints and denied their departure if they deemed the documentation suspicious. In 2018, the government inspected 364 employment agencies that recruited Thai workers and found unlawful practices in seven, resulting in license suspensions and monetary seizures. It initiated prosecutions against 416 illegal brokers (287 in 2017) under the Employment and Job-Seeker Protection Act. The government continued to grant citizenship to stateless persons in 2018.

Weaknesses in Thailand's labor laws preventing migrant workers from forming labor unions may have contributed to exploitation. The lack of a requirement that employment contracts be written in both Thai and workers' languages, lack of clear guidance to measure work and rest hours for workers aboard fishing vessels, and difficulty for workers to change employers heightened the risk of trafficking. In addition, NGOs and international organizations widely reported the government did not adequately enforce minimum wage laws and lacked legislation mandating minimum wages in sectors with high employment of migrant workers, such as seasonal agriculture. A UN report found the median monthly wage for seasonal agricultural workers was 6,000 baht (\$185), which was below the minimum wage in Thailand, which ranged from 8,008-8,580 baht (\$248-\$265) per month.

The Royal Ordinance on Management of Migrant Workers, which took effect in March 2018, required employers to provide workers a copy of their employment contracts and to cover costs (excluding personal expenses such as passports, medical checks, and work permits) associated with bringing migrant workers to Thailand and back to their home countries when employment ends, such as recruitment fees and transportation costs. The decree prohibited employers from deducting more than 10 percent of workers' monthly salaries for personal expenses and the retention of travel or other personal documents; the law prescribed penalties of fines ranging from 10,000-100,000 baht (\$309-\$3,090) and up to six months' imprisonment for employers who violated these rules. However, NGOs reported the regulations on recruitment fees were poorly defined and enforced, and recruitment agencies and brokers still required workers to pay recruitment fees and transportation costs. The government did not report investigating illegal salary deductions. In addition, employers rarely provided workers a contract to keep or in their language.

To facilitate the ability of undocumented migrant workers to register with the government, twelve "one stop" service centers operated by the governments of Burma, Cambodia, and Laos in Thailand conducted nationality verification for migrant workers, which allowed them to obtain identity documents without leaving Thailand. The government coordinated with these service centers to provide health checks, collect biometric and personal data, and issue work permits to 1,187,803 workers in 2018. The complicated nature of government registration and, in many cases, low levels of literacy resulted in reliance on brokers who often overcharged workers to obtain documents, thereby increasing their vulnerability to debt bondage. Observers reported government policies contributed to the exploitation of migrants employed in Thai border regions, including within the 10 developing special economic zones. For example, the government allowed migrants to obtain 30-day and 90-day border passes to work in non-seasonal agricultural or manufacturing jobs but such temporary working arrangements did not provide workers access to social protections. NGOs reported employers increasingly encouraged workers to obtain these border passes.

While the number of migrant workers entering Thailand through bilateral MOUs continued to increase, high costs, difficulties in obtaining identity documents in home countries, and administrative barriers to change employers continued to impede greater usage of this mechanism. Provincial labor offices required workers recruited under MOUs to present many documents that workers often could not provide without brokers' assistance in order to approve job changes. By law, MOU employers could recover costs associated with recruiting a migrant worker from the new employer when a worker requested to change jobs before the end of their employment contract; however, some employers charged these employees 20,000 baht (\$618) to obtain their documents, making workers susceptible to debt bondage. The government did not report investigating employers who illegally charged fees to such migrant workers. The government opened two new post-arrival and reintegration centers (five total) that assisted migrant workers who entered Thailand through the MOU process by providing information on labor rights, Thai culture, employment contracts, trafficking awareness, and complaint mechanisms; in 2018, 442,736 migrant workers received assistance at these centers. Nonetheless, observers reported labor officials interviewed workers in the presence of their employers and brokers at post-arrival centers, which could deter workers from reporting exploitation. MOL also worked with NGOs to provide

services at 10 migrant worker assistance centers; however, observers reported minimal efforts by these centers to increase outreach and build trust with local civil society organizations tended to deter NGOs from referring exploited workers to the centers. The government worked with NGO-operated centers located near fishing markets to provide skills training, health screenings, and other resources to raise awareness of workers' rights. In 2018, the government inspected 67 migrant worker recruitment agencies (compared to 97 in 2017) and found four operating in violation of the law.

The Ministerial Regulation on Labor Protection for Sea Fishers, which took effect in April 2018, required Thai vessels operating outside Thai waters to provide messaging data to workers for communicating with government agencies and personal contacts. It also required employers to pay salaries at least once per month through electronic deposits and to share catch profits. While the electronic payment system increased the ability of labor inspectors to verify wage payments, observers reported concerns that some workers were unable to access their funds due to a lack of ATMs near some ports, insufficient training on how to use the system, and the withholding of workers' ATM cards and PINs by vessel owners, captains, or brokers.

The Command Center for Combatting Illegal Fishing (CCCIF), led by the Royal Thai Navy, operated 32 port-in port-out (PIPO) centers and 19 additional forward inspection points, which performed inspections to verify whether fishing vessels were operating legally. CCCIF implemented a system to inspect vessels based on risk assessments and reported it inspected all vessels placed in the "high-risk" category, as well as a percentage of medium- and low-risk vessels. Labor inspectors working in PIPO teams verified crew lists using biometric data and worker interviews. The government required fishing vessels operating in Thai waters to return to ports every 30 days and strictly regulated long-haul Thai-flagged vessels from operating in international waters. PIPO centers conducted 78,623 inspections in 2018 and found 511 vessels operating in violation of the law. However, the government did not report whether labor inspections resulted in the identification of any trafficking victims. Civil society organizations noted inconsistent interview practices, inspections conducted without interpreters, and inspection practices that enabled owners, captains, or brokers to determine which workers reported exploitation to inspectors, thereby deterring workers from revealing information due to fears of retaliation. Civil society and government officials expressed concerns that varying levels of enforcement at PIPO centers encouraged some boat captains to choose ports with weaker inspections and enforcement.

Officials inspected 7,497 adult entertainment businesses in 2018, leading to the prosecution of seven trafficking cases and the five-year suspension of licenses of 97 businesses for unspecified violations of law. In 2018, the Department of Labour Protection and Welfare conducted 1,906 inspections at high-risk workplaces, including sugarcane farms, garment factories, shrimp and fish processing facilities, pig farms, and poultry farms, finding 388 workplaces operating in violation of labor laws. In 2018, the government conducted 259 labor inspections at on-land seafood processing workplaces and found 88 cases of labor law violations. The government made efforts to reduce the demand for commercial sex acts. To discourage child sex tourism, the government coordinated with foreign governments to deny entry to known sex offenders, and produced and displayed a video discouraging child sex tourism in Thai airports and on Thai airline flights. The Ministry of Tourism organized a seminar with government officials,

businesses, tourism professionals, and others to raise awareness of trafficking in tourism industries.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Thailand, and traffickers exploit Thai victims abroad. Traffickers subject Thai nationals to forced labor and sex trafficking in Thailand and in countries in North America, Europe, Africa, Asia, and the Middle East. Members of ethnic minorities, highland persons, and stateless persons in Thailand have experienced instances of abuse indicative of trafficking. Labor and sex traffickers exploit women, men, LGBTI individuals, and children from Thailand, other Southeast Asian countries, Sri Lanka, Russia, Uzbekistan, and some African countries in Thailand. Traffickers use Thailand as a transit country for victims from China, North Korea, Vietnam, Bangladesh, India, and Burma whom traffickers subject to sex trafficking and forced labor in countries such as Malaysia, Indonesia, Singapore, Russia, South Korea, the United States, and countries in Western Europe. Children from Thailand, Burma, Laos, and Cambodia are victims of sex trafficking in brothels, massage parlors, bars, karaoke lounges, hotels, and private residences. Traffickers increasingly induce young Thai girls and boys to perform sex acts through videos and photos on the internet, sometimes by blackmailing victims with explicit images. Children in orphanages are vulnerable to trafficking. Some parents or brokers force children from Thailand, Cambodia, and Burma to sell flowers, beg, or work in domestic service in urban areas. As recently as 2015, there were reports of separatist groups in southern Thailand recruiting and using children to commit acts of arson or serve as scouts. Unconfirmed reports indicated insurgent groups may have trained a small number of Cambodian children in schools in southern Thailand to serve as combatants; initial statements by Thai authorities, however, denied any evidence of insurgent links.

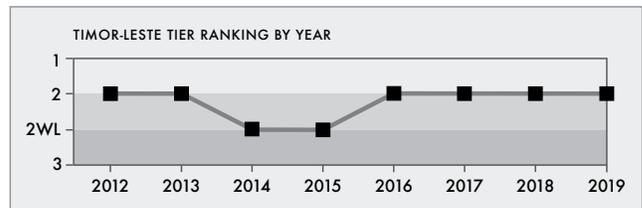
Labor traffickers exploit migrant workers in commercial fishing and related industries, the poultry industry, manufacturing, agriculture, domestic work, and street begging. Traffickers exploit some migrants in labor trafficking often through debt-based coercion and fraudulent promises of well-paid employment; brokers and other recruitment agencies impose excessive fees on workers before they arrive in Thailand. Thai-based brokers and employers administer additional fees after arrival—in some cases causing debt bondage. Some migrants are kidnapped by traffickers and held for ransom, and some are subsequently subjected to sexual servitude or forced labor. Labor traffickers subject Thai, Burmese, Cambodian, Vietnamese, and Indonesian men and boys to forced labor on Thai and foreign-owned fishing boats. Some are paid little or irregularly, incur debts from brokers and employers, work as much as 18 to 20 hours per day for seven days a week, and without adequate food, water or medical supplies. Some boat captains threaten, beat, and drug fishermen to work longer hours. Some trafficking victims in the fishing sector had difficulty returning home due to isolated workplaces, unpaid wages, and the lack of legitimate identity documents or safe means to travel.

Corruption continues to undermine anti-trafficking efforts. Some government officials are directly complicit in trafficking crimes, including through accepting bribes or loans from business owners and brothels that exploit victims. Corrupt immigration officials facilitate trafficking by accepting bribes from brokers and smugglers along Thai borders. Credible reports indicate some corrupt officials protect brothels, other

commercial sex venues, and fishing vessel owners from raids and inspections and collude with traffickers. Some government officials profit from bribes and direct involvement in extortion from and exploitation of migrants.

TIMOR-LESTE: TIER 2

The Government of Timor-Leste does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Timor-Leste remained on Tier 2. These efforts included increasing the number of trafficking indictments and investigating and referring to prosecutors a case of an allegedly complicit official. The Minister of Justice directed the legal training center to institutionalize trafficking-specific curriculum for new judges, prosecutors, and defense attorneys and to conduct trainings for existing members of the judiciary and, in partnership with an international organization, the government disseminated the 2017 trafficking law in multiple districts for public awareness. However, the government did not meet the minimum standards in several key areas. For the third consecutive year, the government had not obtained any trafficking convictions. Victim protection services remained inadequate and the government did not finalize or approve standard operating procedures for victim identification—a critical need as official understanding of trafficking remained low and authorities continued to detain and deport potential trafficking victims for immigration violations without performing screening procedures.



PRIORITIZED RECOMMENDATIONS:

Adequately fund law enforcement agencies to conduct thorough investigations of trafficking offenses, proactively initiate prosecutions, and convict and punish traffickers, including complicit officials, in accordance with anti-trafficking laws. • Finalize, implement, and train officials on formal procedures for victim identification among vulnerable populations, including individuals in prostitution, domestic workers, and migrant workers on fishing vessels, and employ proper screening procedures upon detention or prior to initiating deportation. • Strengthen efforts to protect victims from arrest, deportation, or other punishment for unlawful acts which traffickers compelled them to commit. • Increase resources for protective services focusing on trafficking victims and proactively offer male victims the same services offered to female victims. • Amend the anti-trafficking provision of the penal code to ensure that force, fraud, or coercion are not a required element of sex trafficking cases involving 17 year old children. • Establish standard operating procedures on referring victims to appropriate care and train officials on their use. • Establish the human trafficking commission. • Develop a current national action plan on trafficking and adequately fund its implementation. • Conduct training for prosecutors

and judges, including on how to integrate victim protection throughout the duration of court proceedings. • Finalize data collection procedures.

PROSECUTION

The government maintained law enforcement efforts. Articles 163 and 164 of the criminal code criminalized all forms of labor trafficking and some forms of sex trafficking and prescribed penalties of eight to 25 years' imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Inconsistent with international law, the law requires a demonstration of force, fraud, or coercion to constitute a sex trafficking offense involving a 17 year old child, and therefore does not criminalize all forms of child sex trafficking. In 2017, the government amended the criminal code, through the Law on Preventing and Combating Human Trafficking, to extend criminal liability for trafficking to "legal persons," such as corporations. The law prescribes fines, judicial dissolution, and asset forfeiture as penalties, and authorizes compensation of victims.

The government reported it did not have the capacity, expertise, or financial resources to train law enforcement on trafficking laws and victim identification; therefore, it partnered with an international organization and a foreign government to train some officials. In March 2019, the Minister of Justice directed the Judicial Training Center to institutionalize trafficking-specific curriculum for new judges, prosecutors, and defense attorneys and to conduct trainings for current members of the judiciary; at the close of the reporting period, this had yet to be implemented. In the past, police officers reported using their personal funds to pursue trafficking investigations due to inadequate resource allocation from the government. The government reported it investigated 65 cases—a significant decrease from 267 in 2017 and 176 in 2016. The government confirmed a total of five trafficking cases, a decrease from nine in 2017 and 79 in 2016. Authorities initiated four trafficking indictments in 2018, an increase compared with two in 2017. Seven cases from previous reporting periods remained pending prosecution due to continued evidence gathering and a limited number of judges. For the third consecutive year, the government did not obtain any convictions. During the reporting period, a district administrator was accused of raping a child sex trafficking victim and attempting to bribe her to not report the case; at the end of the reporting period the case was with the prosecutor general's office for review while the district administrator remained in his position. In the previous reporting period, the government reported referring a case of an immigration official who allegedly facilitated labor trafficking of Bangladeshi workers to the prosecutor's office; the government confirmed the case was ongoing.

PROTECTION

The government maintained efforts to protect victims. For the fourth consecutive year, the Ministry of Justice reported continued efforts to develop standard operating procedures on victim identification. The police did not collect detailed law enforcement data, including on trafficking, and the Ministry of Social Solidarity and Inclusion (MSSI) only collected aggregate data on vulnerable persons and not trafficking-specific data. The government did not report how many of the 65 potential victims of trafficking in 2018 it confirmed as victims, compared with nine sex trafficking victims confirmed from 267 potential victims in 2017. Separately, an NGO, which partnered with the

government stated it identified 12 victims.

The government did not provide rehabilitative services directly to victims. While the government had in past years provided some funding to three NGOs to provide shelter and psycho-social services to trafficking victims, during 2018, the government's nine months without an approved state budget delayed funding to the NGOs. MSSI technical field officers and 97 national police victim protection unit investigators identified and referred victims to services. An international organization continued to assess the availability and the quality of victim care as poor and noted that while the government stated it provided services to both men and women, its existing victim assistance was structured for domestic violence victims, who were overwhelmingly female. Local NGOs also faced large capacity constraints; the government's primary victim assistance provider was only able to provide shelter for four victims at a time. Adult victims may leave shelters unattended.

Law enforcement routinely performed raids on areas known for prostitution, which was legal in the country, in part to assess immigration status. According to immigration officials, police, and media sources, authorities detained en masse foreign women in prostitution—many of whom were possible victims of sex trafficking—during such raids and deported them without proper trafficking screening. For instance, in April 2018, authorities raided two karaoke bars and found 27 women from Cambodia, China, and Vietnam; traffickers had allegedly recruited them online and promised free homestays and food but when they arrived, coerced them to engage in commercial sex acts, made them sleep in the bar, and forced them to pay both the owners of the bars and the recruiter a large portion of the money they received from sex buyers. The government did not identify any of these women as trafficking victims and the immigration director publicly stated the victims had misused their visas. Several of the women returned to their home countries. The government had not yet completed implementing regulations and guidance on the 2017 Law on Preventing and Combating Human Trafficking, which stated trafficking victims may not be detained, accused, or judged for having entered or resided illegally in Timor-Leste, nor for having participated in unlawful acts committed as a direct consequence of the victim's trafficking situation. Observers also noted that in many cases judges did not follow the Law on Witnesses, which provided important protections in court proceedings for victims. The government did not provide foreign victims with alternatives to their removal to countries where they may face hardship or retribution. The government reported it funded the repatriation of one foreign victim to her home country.

PREVENTION

The government decreased efforts to prevent trafficking. The government did not create its commission to combat trafficking as mandated in the 2017 trafficking law. It continued to use the interagency anti-trafficking working group, led by the Office of the Prime Minister and Ministry of Justice (MOJ), to coordinate anti-trafficking efforts; the working group met three times during the reporting period. The government did not update and extend its 2016-2018 national action plan or draft a new one. The government did not approve the working group's request from an earlier reporting period for a budget to implement the action plan. The sub-working group tasked in late 2016 with trafficking data collection had not yet collected or shared data. MOJ, in partnership with an international organization, disseminated and discussed the 2017 law in multiple districts for students, community members, NGOs,

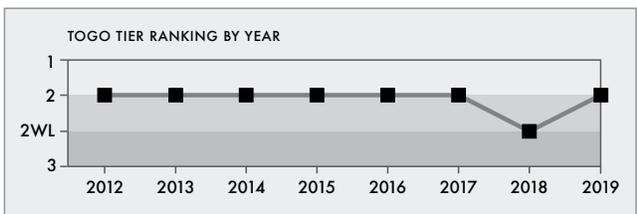
religious organizations, and local leaders to give information on trafficking prevention. The government did not have an anti-trafficking hotline. The government did not take measures to reduce the demand for commercial sex or forced labor.

TRAFFICKING PROFILE

As reported over the past five years, human trafficking of domestic and foreign victims occurs in Timor-Leste and human trafficking of victims from Timor-Leste takes place abroad. Traffickers lead Timorese women, girls, and occasionally young men and boys from rural areas to the capital with the promise of employment or education and exploit them in sex trafficking or domestic servitude. Traffickers exploit Timorese men in forced labor in construction. Some Timorese family members place children in bonded household and agricultural labor, primarily in domestic rural areas but also abroad, to pay off family debts. Traffickers deceive young men and women and adult women with promises of scholarship opportunities or high-paying jobs in other countries; often traffickers take the victim to a different country than promised, withhold their passports, pay them little to nothing, and force them into labor, including domestic servitude. Frequently Timorese victims overseas first transit through the porous border with Indonesia; some remain and are exploited in Indonesia. Foreign women from East and Southeast Asia are vulnerable to sex traffickers in Timor-Leste. Transnational traffickers may be members of Indonesian or Chinese organized crime syndicates, who rotate foreign victims of sex trafficking in and out of the country for the length of a 90-day tourist visa in order to avoid raising the suspicions of law enforcement officers through visa overstay violations. Traffickers also recruit Timorese women, send them to China or Indonesia, and force them into prostitution. Police accept bribes from establishments involved in trafficking or from traffickers attempting to cross borders illegally. Police have been identified as clients of commercial sex venues investigated for suspected trafficking. Traffickers exploit foreign fishing crews as forced labor on foreign-flagged vessels that transit Timor-Leste waters.

TOGO: TIER 2

The Government of Togo does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Togo was upgraded to Tier 2. These efforts included prosecuting and convicting more suspected traffickers; identifying more victims; and increasing funding for awareness raising activities. However, the government did not meet the minimum standards in several key areas. The government did not develop victim identification standard operating procedures (SOPs); enact legislation including victim protections; or update its national action plan from 2008.



PRIORITIZED RECOMMENDATIONS:

Update existing victim referral manuals to include victim identification SOPs, and train law enforcement and justice sector personnel on those procedures to increase the number of victims identified and referred to protective services. • Provide anti-trafficking training to regional criminal courts to increase their ability to effectively prosecute trafficking cases. • Enact anti-trafficking legislation that includes provisions for victim protection, and implement measures that incentivize victims to participate in the law enforcement and judicial process, including witness protection as well as the provision of shelter, medical care, and psycho-social services. • Work with NGOs and international organizations to increase the provision of protective services to all trafficking victims. • Council of Ministers finalize and adopt the pending decree to create a Trafficking in Persons National Committee to improve governmental coordination. • Draft and implement an updated national action plan that incorporates adult victims and increases coordination with NGOs, neighboring countries, and regional organizations. • Develop a data collection and information management system to more effectively organize law enforcement and victim referral data, in collaboration with NGOs.

PROSECUTION

The government increased law enforcement efforts. Articles 317 through 320 of the penal code criminalized sex trafficking and labor trafficking and prescribed penalties of 10 to 20 years' imprisonment and fines between 10 million and 50 million West African CFA francs (FCFA) (\$17,590 and \$87,930) for offenses involving an adult victim, and 20 to 30 years' imprisonment and fines between 20 million and 50 million FCFA (\$35,170 and \$87,930) for offenses involving a child victim. These penalties were sufficiently stringent, and with regard to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape.

The government reported investigating 62 suspected traffickers and prosecuting 49 suspects in 2018, compared with investigating and prosecuting eight suspects in 2017. Authorities reported convicting eight traffickers in 2018, compared with seven traffickers in 2017; officials reported sentencing the eight traffickers to sentences from one to three years' imprisonment. The government did not report investigating, prosecuting, or convicting any officials complicit in human trafficking offenses.

The government continued to provide written instructions on victim identification to its law enforcement and immigration officials through the course of their basic training. Officials did not report any transnational investigations, prosecutions, or law enforcement cooperation with foreign governments, despite cross-border trafficking remaining a concern. In 2018, the government created regional criminal courts in Lome and Kara intended to increase the justice sector's prosecutorial efficiency—including on trafficking cases—although it did not share data on prosecutions or convictions in these courts.

PROTECTION

The government increased victim identification efforts, but demonstrated limited efforts to refer victims to care. In 2018, the government reported identifying 204 victims of trafficking—118 minors and 86 adults—compared to identifying 126 total victims during the previous reporting period. Officials reported using written manuals to refer victims to services in coordination with NGOs; however, the manuals did not include SOPs for identifying victims. The government did not report the total

number of victims it referred to care or directly assisted, nor the scale of dissemination of its existing written procedures. While officials did not collect comprehensive victim referral statistics, NGOs reported effective collaboration between the government and civil society on victim protection and referral efforts.

The government partnered with an international organization and foreign government to repatriate nine child trafficking victims from Gabon. Officials from the National Committee for the Reception and Social Reinsertion of Trafficked Children (CNARSEVT) assisted the nine victims with their *laissez passer* documentation and referred them to NGOs for care. During the reporting period, the government provided in-kind support to NGOs providing victim assistance. In December 2018, the government partnered with an NGO and international organization to repatriate 51 Togolese forcibly returned from Gabon; while screening the returnees, they identified three women as potential victims of trafficking.

In Lome, the Ministry of Social Affairs (MSA) continued to run a toll-free helpline, Allo 10-11; officials reported the hotline received approximately 118 trafficking-specific calls in 2018, and resulted in the identification of an unknown number of child trafficking victims. Helpline data has been unreliably reported in the past, making comparison to the number of calls from previous years a challenge. CNARSEVT continued to operate an ad hoc referral system to respond to hotline tips, in conjunction with NGOs, social workers, and the police.

MSA continued to operate two shelters; the Tokoin Community Center served as an intermediary shelter for child trafficking victims referred by the Allo 10-11 hotline before transfer to care facilities managed by NGOs, while another shelter, CROPESDI, provided shelter, legal, medical, and social services to an unknown number of child abuse victims (including victims of trafficking) up to age 14. The government did not report how many victims these shelters served during the reporting period. The government did not offer temporary or permanent residency status to foreign victims facing hardship or retribution upon return to their country of origin.

The government did not have a formal process to encourage victims' participation in the investigation and prosecution of their traffickers, and it is unclear whether any victims did so during the reporting period. While there were no reports the government penalized any trafficking victims for unlawful acts traffickers compelled them to commit, authorities may have arrested or deported some victims due to the lack of victim identification SOPs and understanding of the crime among officials.

PREVENTION

The government maintained efforts to prevent trafficking in persons. The government coordinated its anti-child trafficking efforts and dissemination of information through CNARSEVT, which routinely convened during the year. CNARSEVT acted as a central hub of information for trafficking in Togo; however, data collection and reporting remained weak during the reporting period and the government has not updated its anti-trafficking national action plan since 2008.

The government employed a network of "vigilance committees" in nearly every village in the country to provide education on trafficking and report cases to the government, although the effectiveness of these committees varied greatly. In 2018, the government allocated approximately \$300,000 to the

Directorate for Child Protection to implement a nationwide awareness campaign. In September 2018, the campaign reached approximately 20,000 citizens in areas with populations vulnerable to trafficking.

Despite reports highlighting fraudulent recruiters trafficking Togolese abroad, authorities did not report investigating any foreign labor recruiters for trafficking crimes. The ministries of Labor and Social Action regulated labor recruitment firms, but did not collect comprehensive enforcement statistics. The government worked to reduce the demand for forced child labor by continuing to partner with traditional religious leaders to eliminate exploitation in religious "apprenticeships." These "apprenticeships" involve parents entrusting their children to religious leaders for education and employment purposes, who exploit them in forced domestic work, or sexual slavery when parents are unable to pay school fees. The government distributed birth certificates with the assistance of NGOs; the lack of identification documents contributed to an increased vulnerability to trafficking in persons. An NGO reported labor inspectors often did not address obvious cases of child labor in large, open-air markets in urban centers, nor did they investigate these cases as potential trafficking crimes.

In September 2018, the Ministry of Foreign Affairs signed a bilateral agreement with Gabon to increase coordination on victim repatriations and cross-border trafficking investigations; the accord resulted in the repatriation of nine Togolese girls identified in Gabon. The government did not take any discernible measures to reduce the demand for commercial sex acts. Officials provided anti-trafficking training to Togolese troops prior to their deployment abroad on international peacekeeping missions. The government did not provide anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

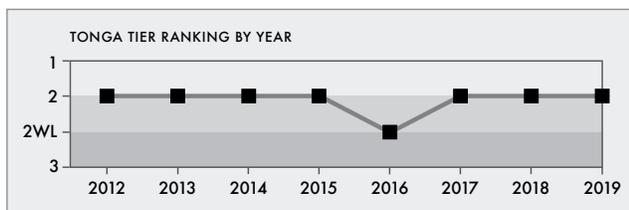
As reported over the past five years, human traffickers exploit domestic and foreign victims in Togo, and traffickers exploit victims from Togo abroad. The western border of the Plateau region, which provides easy access to major roads between Lome and Accra, Ghana, was a primary source traffickers used to transport victims during the reporting period. Families and trusted intermediaries take advantage of high levels of poverty throughout the country to exploit many Togolese trafficking victims. Traffickers force children to work in the agricultural sector—particularly on coffee, cocoa, and cotton farms—as well as in stone and sand quarries, where children and adults break rocks by hand.

Traffickers visit rural areas in the north and central regions to recruit children from impoverished parents. These illicit recruiters promise lucrative employment for the children and pay parents an advance, before transporting the minors to Lome, where traffickers subject minors to forced labor as domestic servants, roadside vendors, and porters, or exploit them in child sex trafficking. Togolese businesspeople subject boys to forced labor in construction, salvage yards, mines, and as mechanics, often involving hazardous machinery. Traffickers recruit children from Benin and Ghana and transport them to Togo for forced labor. Illicit networks exploit Ghanaian girls in sex trafficking in Togo. International criminal groups transport Togolese boys and girls to Benin, Cote d'Ivoire, Democratic Republic of the Congo, Gabon, Ghana, and Nigeria and force them to work in the agricultural sector. From September to April, many Togolese adults and children migrate in search of economic opportunities to Benin, Burkina Faso, Mali, and

Niger, where criminal elements may subject them to labor and sex trafficking. Nigerians subject Togolese men to forced labor in agriculture and Togolese women to domestic servitude in Nigeria. Fraudulent labor agencies recruit Togolese women for employment in Saudi Arabia, Lebanon, the United States, and Europe, where traffickers subject them to domestic servitude or sex trafficking.

TONGA: TIER 2

The Government of Tonga does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Tonga remained on Tier 2. The government demonstrated increasing efforts by providing increased funding for an NGO available to assist trafficking victims and training new police recruits on victim identification and trafficking investigations. However, the government did not meet the minimum standards in several key areas. Authorities did not conduct any new trafficking investigations, develop procedures to proactively identify victims, or effectively coordinate governmental anti-trafficking efforts.



PRIORITIZED RECOMMENDATIONS:

Develop and fully implement procedures for proactive identification of trafficking victims among vulnerable groups.

- Increase efforts to proactively investigate and prosecute trafficking crimes.
- Amend trafficking laws to criminalize the full scope of trafficking crimes, including offenses lacking cross-border movement.
- Utilize the Asian liaison position to facilitate proactive identification of foreign victims and their referral to care.
- Develop a national action plan.
- Provide explicit protections and benefits for trafficking victims, such as restitution, legal and medical benefits, and immigration relief.
- Develop and conduct anti-trafficking information and education campaigns.
- Accede to the 2000 UN TIP Protocol.

PROSECUTION

The government slightly increased law enforcement efforts. The Counter Terrorism and Transnational Organised Crime Act of 2013 did not criminalize all forms of trafficking because it required transnationality to constitute a trafficking offense. Additionally, inconsistent with the definition of trafficking under international law, the law did not include force, fraud, or coercion as an essential element of the crime. The law prescribed penalties of up to 15 years' imprisonment for trafficking offenses involving adult victims and 20 years' imprisonment for offenses involving children; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties for other serious crimes, such as rape. The government investigated one potential trafficking case during the reporting period, compared with no new investigations

in 2017. Since convicting its first trafficker in April 2011, the government has not prosecuted or convicted any trafficking cases. The Tongan police force provided trafficking training to new police recruits. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses.

PROTECTION

The government maintained efforts to protect victims. The government did not identify any victims during the reporting period. The government did not develop or employ systematic procedures for victim identification among at-risk groups, such as migrant workers or women in prostitution. Tongan police utilized an Asian liaison officer trained to speak Mandarin Chinese to engage with Chinese citizens living in Tonga who may be vulnerable to trafficking. The government had procedures to refer victims of crime, including potential trafficking victims, to an NGO. The government provided 60,000 pa'anga (\$27,610) to an NGO for operations to assist adult female and child victims of crime, including shelter, counseling, and legal services, the same amount provided in 2017. Although none were identified, adult female and child victims of trafficking would be eligible for these services. There were no shelter facilities available to male victims older than 14 years old. Under the immigration act, the principal immigration officer had broad discretionary authority to grant victims permits to stay in the country for any length of time necessary for their protection. Victims could receive asylum in Tonga if they feared retribution or hardship in their country of origin, although no trafficking victim has ever requested asylum.

PREVENTION

The government maintained efforts to prevent trafficking. The government's trafficking task force was responsible for leading anti-trafficking efforts alongside the transnational crime unit of the police force. The government did not develop a national action plan to combat trafficking or conduct awareness campaigns. The lack of a national action plan or formal interagency policies reportedly hindered governmental anti-trafficking coordination. The government provided Fijian domestic workers with temporary work permits while their employers applied for permanent permits. Authorities provided briefings to Tongans participating in seasonal worker programs overseas, which included information on workers' rights. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government did not provide anti-trafficking training to its diplomatic personnel. Tonga is not a party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE

As reported over the past five years, some Tongan and foreign individuals are vulnerable to trafficking in Tonga, and some Tongans are vulnerable to trafficking abroad. East Asian women, especially those from China, who are recruited from their home countries for legitimate work in Tonga, are vulnerable to sex trafficking in clandestine establishments operating as legitimate businesses. Some Tongan women and children are vulnerable to domestic servitude; Tongan children were vulnerable to sex trafficking. Reports indicate Fijians working in the domestic service industry in Tonga experience mistreatment indicative of labor trafficking. Tongan adults working overseas, including in Australia and New Zealand, are vulnerable to labor trafficking, including through withholding of wages and excessive work hours. Employers rush some workers to sign employment

contracts they may not fully understand and others are unable to retain copies of their contracts, exacerbating the potential for employers to exploit these workers in labor trafficking.

TRINIDAD AND TOBAGO: TIER 2

The Government of Trinidad and Tobago does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Trinidad and Tobago remained on Tier 2. These efforts included increasing anti-trafficking training for its officials, initiating investigations against three potentially complicit officials, initiating more prosecutions, establishing a new intelligence task force to improve investigations, and developing a new memorandum of understanding between its children's authority and anti-trafficking unit to better protect child victims. However, the government did not meet the minimum standards in several key areas. The government had yet to secure a conviction under its 2011 anti-trafficking law. Public officials, media, and experts noted increasing reports of potential government complicity in trafficking cases, with insufficient government attention to the issue. Due to a lack of screening, the government penalized some trafficking victims, including children, for immigration offenses as a result of the trafficking crime. It did not adequately screen migrants, asylum-seekers, or refugees for trafficking indicators, including among Venezuelans. The government decreased the amount of funding for victim services and did not provide adequate victim care in some cases.



PRIORITIZED RECOMMENDATIONS:

Increase efforts to investigate, prosecute, and convict traffickers, including complicit officials. • Increase proactive victim identification and screening among migrants, asylum-seekers, and refugees. • Ensure trafficking victims are adequately screened so that they are not penalized for crimes that occurred during their exploitation. • Provide adequate funding for robust trafficking investigations and victim services, including accommodations. • Improve cooperation between the Counter Trafficking Unit, prosecutors, and NGOs to increase the number of cases that proceed to trial. • Increase funding and services for language interpreters available to law enforcement and victim care. • Provide specialized care to child trafficking victims. • Strengthen oversight and regulation of private labor recruitment agencies and domestic workers. • Increase training on trafficking for NGOs and shelter staff to improve their ability to identify and care for potential trafficking victims. • Increase the ability to accept victim video testimony in court proceedings. • Consider increasing NGO representation to the anti-trafficking task force. • Begin drafting a national action plan for the period beyond 2020.

PROSECUTION

The government maintained law enforcement efforts. The Trafficking in Persons Act of 2011 criminalized sex trafficking and labor trafficking and prescribed penalties of no less than 15 years' imprisonment and a fine of no less than 500,000 Trinidad and Tobago dollars (TTD) (\$73,860) for offenses involving an adult victim, and no less than 20 years' imprisonment and a fine of no less than 1 million TTD (\$147,710) for those involving a child victim. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. The government's anti-trafficking unit investigated 39 possible cases of trafficking, compared with 38 cases in 2017. The government initiated four prosecutions under the anti-trafficking law (compared with two in 2017 and five in 2016). The government reported no convictions for trafficking during the reporting period and had not yet convicted a trafficker under its 2011 anti-trafficking law. The government's new intelligence-led task force, established in the Ministry of the Attorney General and Legal Affairs, increased intelligence collection relating to trafficking, which led to seven investigations, as well as the identification and continued monitoring of additional suspicious establishments. The Counter Trafficking Unit (CTU) participated in a series of anti-trafficking operations in February 2019 that resulted in the identification of 19 potential victims and the arrest of 10 potential traffickers. Law enforcement filed 30 charges against six suspects following trafficking investigations; however, only one of these charges was under the Trafficking in Persons Act, and law enforcement charged the others with lesser crimes.

During the reporting period, the CTU changed its investigation procedures to allow for parallel financial and trafficking investigations; this allowed authorities to charge suspects of sex trafficking for various offences. Observers noted the CTU faced organization and management challenges, limited capacity and resources, reduced ties with international partners and other law enforcement agencies, which hindered its efforts, and limited coordination between the CTU and Department of Public Prosecutions. The government did not provide specific figures for its budget allocations to the CTU for fiscal year 2018-2019, but officials confirmed the budget was lower during this report period; this compared to 7 million TTD (\$1.03 million) in 2017-2018, 3 million TTD (\$443,130) for 2016-2017, and 8 million TTD (\$1.18 million) for 2015-2016. During the reporting period, the CTU referred three possibly complicit police officers to the relevant authorities for further investigations. The case of a 2017 government employee charged with trafficking was still pending. Public officials, the media, and outside observers raised concerns about other government officials involved in sex trafficking. The government collaborated with INTERPOL and Venezuela on investigations of four potential trafficking cases. Newspapers reported police apprehended members of a trafficking ring involving Colombian victims; this involved cooperation between the Colombian Embassy and non-CTU government entities. The CTU institutionalized a training course for new police recruits and investigators of the child protection unit; police units also had a monthly training session in which 300 officers received training. The CTU provided anti-trafficking training to the police, judiciary, and NGOs. The government provided in-kind assistance for various training courses offered by international organizations; 10 magistrates and judges and 35 senior public officers received these trainings. In addition, the government provided financial assistance for senior officials from the CTU, judiciary, and immigration to participate in an international training in the United States.

PROTECTION

The government maintained protection efforts. The government identified 14 trafficking victims (13 sex trafficking victims, including one minor and one labor trafficking victim) and referred them all to care; all were Venezuelan. This compared to 14 trafficking victims in 2017 and 13 in 2016. The government reported all victims assisted with criminal investigations during the reporting period; two victims received permission to work. In total, 29 victims (including those from previous reporting periods) received care; this compared to 14 victims in 2017. NGOs reported identifying many additional victims and referred them to the CTU, but the NGOs did not receive assistance or follow-ups on the referred cases. As a result, NGOs reported working directly with victims instead of referring them to the CTU.

The CTU spent approximately 203,100 TTD (\$30,000) on victim care and protection, compared to 198,900 TTD (\$29,380) in 2017 and 700,000 TTD (\$103,400) in 2016. The government provided additional funding to NGO care providers through the Ministry of Social Development and Family Services. Observers, however, noted there was insufficient government funding for comprehensive victim care. The government, working primarily through the CTU, the children's protective services agency, and the Office of the Prime Minister's Gender and Child Affairs Office provided victim care services, sometimes in conjunction with local NGOs. However, observers reported victims often did not receive these services and noted the government did not adequately screen undocumented migrants or refugees for trafficking indicators before placing them in detention. As a result, some observers indicated that following police actions or immigration raids, officials, without screening potential victims for trafficking indicators, detained some foreign victims for violating immigration laws—even though those unlawful acts occurred as part of being trafficked and traffickers may have compelled victims to commit them. Others reported the government kept these unscreened trafficking victims in the immigration detention facility instead of shelters for trafficking victims and without providing them victim care. The government housed adult female victims of trafficking at domestic violence shelters run by vetted NGOs who worked with the CTU. The government placed adult male victims at safe houses run by the security services. Observers reported an absence of appropriate shelters with adequate staff and security personnel. The government housed child victims in homes run by the child protective services agency. However, observers noted the government detained at least two child victims of trafficking in the youth detention center on immigration charges that occurred as a result of the trafficking crime. Reports indicated the government did not provide specialized care for these child trafficking victims. The CTU and the children's authority signed a memorandum of understanding in August 2018 to enhance the identification of placement options for child trafficking victims. The social services committee comprising officials of the CTU, ministry of social development and family services, ministry of health, office of the prime minister, as well as several NGOs, began drafting a victim care manual.

Domestic violence shelters did not permit victims to leave unchaperoned or at will. Observers reported victim access to telephones to call family or request assistance was limited, or in some cases denied. While the law allowed victims to work, observers noted that, in practice, the government did not allow the large majority of victims to work. Because of these conditions, observers noted some victims ran away from shelters or asked to be repatriated before investigations completed. Language interpretation services were not always

available for counseling sessions and police interviews; experts reported shelters did not have bilingual staff or volunteers. In addition, some government officials noted a shortage of interpreters available to assist with foreign national victim care and testimony. The CTU provided 24/7 security for victims who participated in court proceedings. Experts noted working-level staff at NGOs and shelters needed more training on trafficking indicators to better identify potential trafficking victims.

PREVENTION

The government increased efforts to prevent trafficking. The CTU, under the Ministry of National Security, was the lead entity for anti-trafficking efforts. The National Task Force Against Trafficking in Persons was the lead body for anti-trafficking efforts. Some experts noted a need for the government to add more NGO representation to the ministerial task force to strengthen government-NGO partnerships and receive more NGO input into government decision-making. The government continued implementation of the 2016-2020 national action plan. The plan had a monitoring and evaluation component involving quarterly and annual reports that authorities presented to parliament and made available via open hearings and press releases. The government conducted a series of awareness campaigns on sex and labor trafficking targeting children and Spanish-speaking communities. The CTU provided funding and assistance in the creation and distribution for a locally produced anti-trafficking film. The labor ministry (MOLSED) conducted a public awareness campaign on forced labor.

Existing laws regulating private labor recruitment agencies were weak and not comprehensive. MOLSED, however, started reviewing laws regarding private labor recruiters and scheduled stakeholder consultations on these laws through September 2019. Observers noted the oversight and regulation of domestic workers remained weak. MOLSED started developing a new labor migration policy; the government created a new inter-ministerial committee that will be involved in the formulation and implementation of this policy. There were 16 labor inspectors trained to identify and report to the CTU on indicators of forced labor. The government operated two hotlines, a national trafficking hotline and a national domestic violence hotline, which could receive trafficking reports; the trafficking hotline received 59 calls, some of which led to investigations. Observers noted the government needed more Spanish language services in the hotlines. The government made efforts to reduce the demand for commercial sex acts. The government did not make efforts to reduce the demand for forced labor.

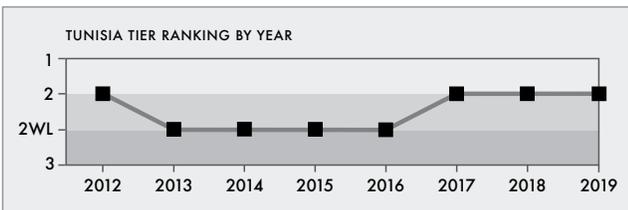
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Trinidad and Tobago, and traffickers exploit victims from Trinidad and Tobago abroad. Traffickers lure women and girls from the Dominican Republic, Venezuela, and Colombia with offers of employment and then subject them to sex trafficking in brothels and clubs. Traffickers are increasingly targeting vulnerable foreign young women and girls between the ages of 15 and 21. Because of deteriorating economic conditions in their home country, Venezuelans are particularly vulnerable to trafficking and there has been a large influx of Venezuelans to Trinidad and Tobago in recent years. LGBTI persons are vulnerable to sex trafficking. Many victims enter the country legally via Trinidad's international airport, while others enter illegally via small boats from Venezuela, which is only seven miles offshore. Migrants from the Caribbean

region and from Asia, in particular those lacking legal status, are vulnerable to forced labor in domestic service and the retail sector. Corruption in police and immigration has been associated with facilitating prostitution and sex trafficking.

TUNISIA: TIER 2

The Government of Tunisia does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Tunisia remained on Tier 2. These efforts included an increase in prosecutions of alleged traffickers under the anti-trafficking law; proactive identification of trafficking victims; and implementation of a pilot program for the national victim referral mechanism, which resulted in more victims receiving care. However, the government did not meet the minimum standards in some key areas. The government did not provide sufficient training for security forces and border control agents to identify potential victims of trafficking. As a result, some trafficking victims may have remained unidentified and therefore vulnerable to punishment for unlawful acts their traffickers compelled them to commit, such as immigration violations and prostitution. Additionally, limited resources and lack of understanding of trafficking among judicial and law enforcement officials inhibited authorities from effectively bringing traffickers to justice.



PRIORITIZED RECOMMENDATIONS:

Implement formal procedures to screen and proactively identify sex and labor trafficking victims—particularly among vulnerable groups such as domestic workers, undocumented migrants, street children, and persons in prostitution—and train officials on their use. • Implement the national victim referral mechanism using a victim-centered approach to ensure all trafficking victims are referred to appropriate protection services, and train law enforcement and judicial authorities on appropriately referring victims to care. • Collaborate with civil society partners to increase training of police, prosecutors, and judges on evidence collection for trafficking cases, witness and victim protection during trial, and alternatives to victim testimony. • Develop procedures, especially for law enforcement, judicial, and border officials, to ensure victims are not punished for unlawful acts traffickers compelled them to commit, such as prostitution and immigration violations. • Provide adequate protection services to male, female, and child victims of all forms of trafficking, including appropriate shelter and rehabilitative services tailored specifically to trafficking victims. • Use the anti-trafficking law to investigate, prosecute, and convict traffickers, and sentence convicted traffickers to significant prison terms. • Train judicial and law enforcement officials on application of the anti-trafficking law. • Improve coordination among government ministries to combat trafficking, and dedicate sufficient financial and human resources to the national anti-

trafficking commission. • Provide funding or in-kind support to NGOs that provide care to trafficking victims. • Train staff at government-operated centers for vulnerable populations to provide trafficking victims with appropriate and specialized care, and increase resources for provision of care at these centers.

PROSECUTION

The government increased its law enforcement efforts to combat trafficking during the reporting period. Tunisia's anti-trafficking law, Organic Law 2016-61, enacted in July 2016, criminalized sex trafficking and labor trafficking and prescribed penalties of 10 years' imprisonment and a fine of 50,000 Tunisian *dinar* (TND) (\$16,620) for offenses involving adult victims and 15 years' imprisonment and a fine of 50,000-100,000 TND (\$16,620-\$33,230) for those involving child victims. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as kidnapping. The national anti-trafficking commission reported the lack of an independent budget and insufficient capacity building hindered the government's efforts to fully implement the law. Civil society organizations reported there continued to be a low level of awareness among police and judicial authorities on the application of the anti-trafficking law and handling of trafficking cases. Furthermore, some judicial officials used other laws that had less stringent sentences to prosecute trafficking offenders, primarily because judges were not familiar with the anti-trafficking law. Observers also reported that courts dismissed several potential trafficking cases for lack of evidence, because details on the exploitative nature of the crime were insufficient. During the reporting period, officials reported difficulty prosecuting and convicting trafficking offenders due to lack of victim or witness testimony.

Despite these deficiencies, from April 2018 to January 2019, the Ministry of Interior (MOI) conducted a total of 349 investigations, which included 39 cases of sex trafficking, 195 of forced labor, and 115 of "economic exploitation" (forced labor); two of these cases were ultimately classified as non-trafficking crimes. In one notable case in January 2019, Tunisian authorities closed an association running an unauthorized Koranic school in Regueb, Sidi Bouzid governorate and arrested its director and administrators on charges of human trafficking and other crimes. The public prosecutor initiated an immediate investigation into allegations that the association's personnel allegedly forced the school-aged boys to work in agriculture, construction, and cleaning; the case was ongoing at the end of the reporting period. The MOI reported it initiated a total of 199 judicial investigations of suspected trafficking crimes, including forced prostitution, forced labor, and forced begging and forced criminality of children. The Ministry of Justice (MOJ) reported it brought 66 alleged perpetrators to trial under the anti-trafficking law. The majority of these cases were ongoing at the end of the reporting period; however, the MOJ reported that one forced labor perpetrator was convicted and sentenced to four months in prison. These statistics compared to 195 judicial investigations, 21 perpetrators brought to trial, and one conviction in the previous reporting period. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses during the reporting period. However, following the investigation of the Koranic association in Regueb, Prime Minister Chahed dismissed the Governor of Sidi Bouzid and several other local officials following allegations that they had allowed the unauthorized school to operate in the governorate with impunity.

Every tribunal in Tunisia had a prosecutor and investigative judge responsible for overseeing human trafficking cases and leading anti-trafficking training programs for judicial officials. The MOJ also continued to monitor and maintain statistics on human trafficking cases brought before the judiciary through a specialized office; this office also had the authority to conduct research on the application of the anti-trafficking law and advise the minister of justice on policies related to the implementation of the law. Additionally, the MOI's special victims unit, established in 2017, included 70 judicial police and 56 National Guard officers throughout the country who were specialized in cybercrimes and assistance to victims of trafficking and gender-based violence.

Throughout the reporting period, the government—in coordination with international and civil society organizations—prioritized anti-trafficking trainings for law enforcement and judicial officials on investigation and prosecution, as well as victim identification techniques. The anti-trafficking commission—in collaboration with an international organization—expanded training for security forces and prepared an anti-trafficking training guide for police officers and a manual of judicial procedures for the MOJ. In addition, the Ministry of Health (MOH) and the Ministry of Women, Family, Childhood, and the Elderly (MWFCE) also conducted trainings to strengthen the prevention and protection of trafficking victims. During the reporting period, the government expanded international cooperation with INTERPOL offices, including Saudi Arabia, the Netherlands, and Germany, in order to exchange information about potential trafficking cases.

PROTECTION

The government significantly increased efforts to proactively identify and refer trafficking victims to care. Between April 2018 and January 2019, the government reported that the National Authority identified 780 trafficking victims from among the potential victims referred to it by government agencies and civil society organizations. The MOI identified 383 trafficking victims. Additionally, child protection specialists from MWFC identified 709 potential trafficking victims among the 10,000 child abuse cases it received in 2018. The MOH also identified 69 potential trafficking victims of sexual and economic exploitation, forced begging, and domestic servitude among patients that received services from the MOH. Despite authorities' efforts during the reporting period to proactively identify trafficking victims, the government lacked formal victim identification procedures to guide officials during much of the reporting period; however, judicial and border police reportedly had practices in place to screen for potential trafficking victims among those that overstayed their legal residency or who were subject to expulsion after serving a prison sentence. In addition, the MSA continued to train all labor inspectors to identify potential trafficking victims; there were 25 labor inspectors and 24 social workers in the MSA's labor inspectorate that were trained as specialized points of contact for child trafficking victims. Government officials continued to work in cooperation with civil society groups to train key law enforcement, judicial, immigration, and social services personnel to identify victims among high-risk populations. Despite these efforts, the national anti-trafficking commission and MOI special victims unit were the only government entities that were authorized to officially identify trafficking victims, thereby allowing victims access to state-run services and providing exemptions from exit visas for foreign victims. NGOs reported that the limited number of ministries who could legally identify a trafficking victim slowed the process for victims to receive care. Moreover, insufficient

interagency coordination and resources reportedly hindered the timely identification and referral to services for trafficking victims. In addition, civil society organizations reported the special victims unit did not have sufficient personnel or resources to provide adequate assistance to trafficking victims, nor did personnel have the cultural understanding or training to communicate with vulnerable migrants from the sub-Saharan African population, including potential trafficking victims. Due to a lack of systematic victim identification procedures and policies, some unidentified victims may have been punished for unlawful acts traffickers compelled them to commit, such as prostitution or immigration violations.

At the end of the reporting period, the government began to implement the national victim referral mechanism, which streamlined all stages of the referral process from victim identification and assistance to civil and criminal proceedings. For example, as part of the investigation into the so-called Koranic school in Regueb, a special victims unit—accompanied by child protection officers and psychologists—referred 42 boys aged 10-18 years old to a specialized care facility near Tunis. Additionally, the MOI provided assistance and accommodation to 50 child trafficking victims and 30 foreign victims. The anti-trafficking commission also assisted 80 victims, 63 of whom were identified by an international organization, by providing them exemption from the exit fee penalty that allowed them to return to their home countries; the government also allowed them access to state-run health and social services. The government also repatriated and provided support and medical care to 35 Tunisian victims, who were exploited in sex and labor trafficking in Saudi Arabia after applying for work through the Agency for Placement Abroad in Private Establishments (EPPA)—a Tunisian government agency. The Ministry of Social Affairs (MSA) reported it provided lodging, medical and psychological assistance, and legal aid to 70 victims of economic exploitation at its centers for vulnerable populations. Two of these MSA-run centers in Sousse and Sfax had designated areas available for victims of all forms of trafficking where victims could enter and exit freely and return on a regular basis for help seeking employment; the MSA—in collaboration with an international organization—continued to provide training for the centers' staff on rehabilitation and care for trafficking victims. In January 2019, the MSA and anti-trafficking commission signed an agreement for the MSA to dedicate one room in all social care centers for victims of trafficking and violence. During the reporting period, the national anti-trafficking commission utilized a center within its national headquarters—established in January 2018—to house trafficking victims while the commission helped victims navigate administrative and judicial procedures. An MOH-operated hospital in Tunis had a unit with trained personnel dedicated to caring for victims of violence, including sexual exploitation, which offered psycho-social support, medical documentation, and legal expertise; the government did not report if this unit assisted any trafficking victims during the reporting period. Seventy-nine government-run youth centers around the country provided psycho-educational services to at-risk children ages six to 18, including child trafficking victims. In April 2018, the MWFCE inaugurated one of these centers near Tunis as the first center solely for child trafficking victims, which provided services to the 42 victims referred by the aforementioned special victims unit. Despite this, civil society contacts reported there were limited services, especially long-term, reintegration, and relocation services, around the country for child trafficking victims.

The government offered foreign trafficking victims legal

alternatives to their removal to countries where they might face hardship or retribution. Under the anti-trafficking law, the government offered all identified foreign trafficking victims relief from deportation, and victims had the right to free legal aid to assist them in engaging in civil and criminal proceedings against their traffickers. The anti-trafficking law also allowed victims and witnesses of trafficking crimes access to psychological and physical protection services.

Despite these available centers and services, the anti-trafficking commission and civil society partners reported the country lacked sufficient shelters to support vulnerable populations, including trafficking victims. Although the commission and NGOs partnered to reintegrate victims into society, the lack of resources, trained personnel, and sufficient shelter beds created challenges in doing so. Additionally, civil society organizations reported that there were not adequate shelter or safe spaces available for male victims of trafficking and other forms of violence; there were only three government-run shelters that could accommodate male trafficking victims, but those shelters did not provide access to trained counselors, economic reintegration programs, or legal support.

PREVENTION

The government maintained strong efforts to prevent trafficking. The MOJ continued to lead the government's national anti-trafficking commission, which included representatives from 12 ministries and experts from civil society. In mid-2018, the government finalized, formally adopted, and publicized its 2018-2023 national strategy to combat trafficking, and it also developed a supplemental plan outlining individual steps to implement the strategy during the 2018-2019 time period. In January 2019, the committee presented its first annual report to Tunisian President Beji Caid Essebsi, which detailed its activities and recommendations on how to improve the government's fight against human trafficking, and subsequently released it to the public. Additionally, President Caid Essebsi established January 23 as the National Day of Celebration to commemorate the abolition of slavery in Tunisia, further emphasizing the need to combat and end modern-slavery. The government continued to conduct numerous anti-trafficking public awareness and information campaigns, at times in partnership with civil society organizations. The MOI also continued to place announcements on social media sites and newspapers to inform the public about fraudulent work contracts and forced labor. Between October 2018 and January 2019, the anti-trafficking commission met six different ministers from countries in the region to discuss ways to fight human trafficking. The government continued to operate a hotline to report potential trafficking cases, which was operational five days a week during regular business hours and operators spoke Arabic, French, and English. During the reporting period, the hotline received 489 calls that resulted in the identification of 10 potential trafficking victims.

The government continued efforts to reduce the demand for forced labor. To address fraudulent labor recruitment practices, the EPPA filed complaints with the MOI against 20 private employers for cases of fraud, extortion, or abuses of Tunisians employed abroad; it also took action against 23 private employers who recruited workers without proper registration with the EPPA. In addition, the EPPA periodically disseminated announcements in the media to raise awareness of unfair or illegal recruitment practices and informed the public about information on EPPA facilities and services. In addition, the Directorate General for Immigration coordinated with the Minister of Vocational Training and Employment

to combat illegal job recruitment agencies. The government maintained bilateral labor migration agreements with France and Switzerland, which contained provisions to prevent unfair labor recruitment practices and labor trafficking. The government also expanded its cooperation with countries in the Persian Gulf in an effort to combat the falsification of work visas and contracts that had led to the exploitation of some Tunisian nationals. Following an MOI investigation of allegations of child trafficking—including forced labor—at the Koranic association in Regueb, Tunisian authorities shut down 11 other associations operating unauthorized Koranic schools in six different governorates. The government did not make efforts to reduce the demand for commercial sex acts. The government did not provide specific anti-trafficking training to Tunisian peacekeeping forces prior to their deployment abroad.

TRAFFICKING PROFILE

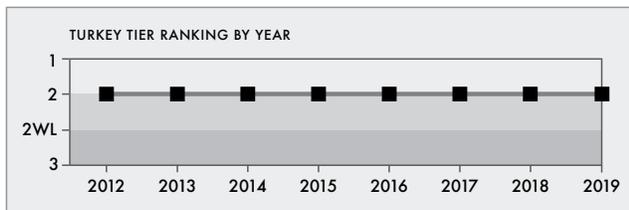
As reported over the past five years, human traffickers exploit domestic and foreign victims in Tunisia, and traffickers exploit victims from Tunisia abroad. Some Tunisian children are vulnerable to forced labor and sex trafficking in Tunisia. Some Tunisian girls working as domestic servants for wealthy families in Tunis and major coastal cities are highly vulnerable to trafficking, experiencing restrictions on movement, physical and psychological violence, and sexual abuse. According to experts, in 2017 Tunisian children—many of whom have dropped out of school and are between the ages of 11 and 12 years old—are observed working in small workshops, auto mechanic garages, and domestic work; some of these children may be vulnerable to trafficking. International organizations report a continued presence of street children selling goods on street corners and rural children working in agriculture to support their families in Tunisia; these children are vulnerable to forced labor or sex trafficking. Tunisian officials reported in 2017 that organized gangs reportedly force street children to serve as thieves and beggars and transport drugs. Tunisian women have reportedly been forced into prostitution under false promises of work both within the country and elsewhere in the region, such as Lebanon, United Arab Emirates, and Jordan.

Foreign migrants are particularly vulnerable to sexual exploitation, domestic servitude, and other forms of forced labor in Tunisia. According to an NGO, in 2017 and 2018, foreign trafficking victims typically arrive in Tunisia on a valid tourist or student visa and remain in an exploitative situation for an average of five to 13 months, surpassing the validity of their visa. Civil society and international organizations continue to report an increase in women, primarily from West Africa and increasingly from Cote d'Ivoire, who are exploited in domestic servitude in private homes in Tunis, Sfax, Sousse, and Gabes. An NGO also reported in 2018 that some men from Cote d'Ivoire are forced to work on farms and construction sites. According to a Tunisian NGO, recruiters in Cote d'Ivoire target both well-educated and non-skilled individuals in the country with false and fraudulent promises of work in Tunisia. Well-educated Ivoirians, who pay a recruiter to assist them to find work in Tunisia, are promised jobs that do not exist upon arrival in Tunisia, held in debt bondage, and forced into domestic servitude in Tunisian households. Recruiters also target unskilled and uneducated individuals primarily from San Pedro, Cote d'Ivoire, to work in domestic work or agriculture in Tunisia; these individuals are then required to repay the transportation costs and recruitment fees upon arrival and thereby held in debt bondage by their employers. Civil society organizations reported in 2018 that traffickers appear to coach some of their victims on how to answer questions about their

trafficking experiences so that victims can access benefits, such as a reprieve from exit fines, which would further allow the traffickers to exploit their victims. An NGO reported in 2018 a new trend where female victims of domestic servitude and other forms of forced labor, who are held in debt bondage by their employers, are further exploited by nightclub owners that cater to sub-Saharan African communities in Tunisia. The nightclub owners falsely promise to pay the women's debts in exchange for working in the nightclubs as servers, but the owners subsequently force the women into prostitution for the nightclubs' clientele. Civil society organizations also reported in 2018 that male migrants from sub-Saharan Africa who work in poor working conditions could be vulnerable to forced labor. Tunisian LGBTI rights associations reported in 2018 that migrants and asylum seekers from neighboring countries who escaped violence or discrimination due to their gender identity or sexual orientation may be particularly vulnerable to sex trafficking and forced labor in Tunisia. NGOs and international organizations observed in 2017 a slight increase in boys from Sub-Saharan and West Africa, including Cote d'Ivoire, who are vulnerable to trafficking after accepting fraudulent offers of soccer careers in Tunisia.

TURKEY: TIER 2

The Government of Turkey does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Turkey remained on Tier 2. These efforts included collaborating with a foreign government to identify 200 potential Turkish victims of forced labor. The Directorate General for Migration Management (DGMM) established provincial protection desks, a social security system to provide monthly cash benefits to victims, and consistent legal assistance and specialized support to victims. In addition, DGMM allocated more funds to international organizations to work on trafficking issues and provided robust training. However, the government did not meet the minimum standards in several key areas. Prosecutors and judges lacked experience and resources to prosecute complex cases and issues with interagency coordination at times hampered anti-trafficking efforts. In addition, government efforts to proactively identify internal trafficking victims was limited, some first responders lacked an understanding of trafficking, and the government convicted fewer traffickers compared to previous year. Some civil society remained excluded from anti-trafficking efforts, particularly victim protection.



PRIORITIZED RECOMMENDATIONS:

Institutionalize and provide training to investigators, prosecutors, and judges on victim-centered approaches to trafficking cases, including advanced training on trafficking investigations and prosecutions. • Increase proactive victim identification efforts

among vulnerable populations, such as refugees and asylum-seekers, LGBTI communities, migrants awaiting deportation, Turkish and foreign women and girls in prostitution, and children begging in the streets and working in the agricultural and industrial sectors. • Vigorously investigate, prosecute, and convict traffickers. • Designate trained prosecutors and judges to handle trafficking cases and allocate adequate staff and resources for law enforcement to effectively combat trafficking. • Expand partnerships with civil society to better identify victims and provide specialized victim services, including Turkish victims exploited in Turkey. • Improve interagency cooperation and adopt a national action plan. • Increase training to first responders and staff at provincial offices of the Directorate General of Migration Management on victim identification, including recognizing the signs of non-physical methods of control used by traffickers. • Encourage victims' participation in investigations and prosecutions, such as using remote testimony or funding for travel and other expenses for victims to attend court hearings.

PROSECUTION

The government maintained law enforcement efforts. Article 80 of the penal code criminalized sex trafficking and labor trafficking and prescribed penalties of eight to 12 years' imprisonment and a fine equivalent to "10,000 days," which were sufficiently stringent and, with regard to sex trafficking, commensurate with those for serious crimes, such as rape. The government did not report the number of investigations in 2017 or 2018. The Ministry of Justice (MOJ) prosecuted 43 new trafficking cases with 198 defendants in the first three quarters of 2018 (41 new trafficking cases with 291 defendants in the first three quarters of 2017). MOJ continued to prosecute 172 cases with 1,617 defendants from previous years (174 cases with 1,624 defendants in 2017). Courts convicted 37 traffickers in the first three quarters of 2018 (44 in the first three quarters of 2017); judges sentenced all traffickers with imprisonment and 34 traffickers also received a fine but the government did not report the length of the sentences and the amount of the fines. Courts acquitted 177 suspected traffickers in the first three quarters of 2018 (93 suspected traffickers in the first three quarters of 2017).

The Department of Combatting Migrant Smuggling and Human Trafficking (DCMH) within the Turkish National Police (TNP) conducted specialized investigations. DCMH consisted of 28 officers at headquarters and operated branches in 22 provinces. The government did not designate specialized prosecutors for trafficking cases. Observers reported law enforcement in some cases lacked sufficient resources to fully investigate trafficking cases involving refugees, and experts continued to report misperceptions about trafficking among law enforcement authorities, including confusion about the distinction between trafficking and the aggravated form of encouragement of prostitution (Article 227). A lack of experience and specialization among prosecutors and judges regarding trafficking, particularly after the dismissal of more than 150,000 government workers during the state of emergency, also limited the ability and means to prosecute complex crimes like trafficking. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking. The government, independently and with technical and financial support from international organizations, provided anti-trafficking training for TNP, coast guard, Jandarma, and DGMM officials. Authorities cooperated with Moldova on a case with 200 potential Turkish male forced labor victims; the investigation was ongoing. The government did not extradite any traffickers in 2018.

PROTECTION

The government maintained victim protection efforts, despite identifying fewer victims. DGMM identified 134 victims (303 in 2017); 95 were victims of sex trafficking and 39 of forced labor (186 were victims of sex trafficking, 52 of forced labor, and 65 of forced begging in 2017); 111 were female and 23 were male (212 females and 18 males in 2017); 15 were children (98 children in 2017). First responders referred potential victims to DGMM, which officially recognized victims; DGMM interviewed approximately 3,612 potential victims (5,000 in 2017). DGMM established protection desks in 61 provinces to assess vulnerable populations. In previous years, observers reported DGMM staff's ability to accurately identify victims varied among provinces and, in some cases, staff were reluctant to act on cases referred by civil society groups. Observers reported a lack of understanding and awareness of trafficking among some first responders and inconsistent attention towards internal trafficking. Ministry of Family, Labor, and Social Services (MOFLSS) continued to deploy specialized staff to government-operated migrant and refugee temporary accommodation centers to screen camp residents for indicators of trafficking; however, observers reported the government continued to face difficulty in identifying victims in highly vulnerable refugee and migrant communities outside of camps and had insufficient protection resources to address trafficking in these communities. DGMM trained first responders on victim identification and referral and, in cooperation with MOFLSS, trained teachers, health workers, local administrative officials, guards, and imams on trafficking issues in several refugee temporary accommodation centers.

The law entitled equal services to officially identified trafficking victims, including shelter, medical and psycho-social services, work options, education, translation services, temporary residency, repatriation assistance, and legal counseling. The government provided support to 134 victims (151 victims in 2017). DGMM established a social security benefit system with an international NGO to provide monthly cash benefits to victims. The government offered one victim diagnosed with HIV specialized treatment at a state healthcare facility. DGMM allocated 1.05 million lira (\$198,860) for anti-trafficking efforts and separately allocated 4.75 million lira (\$899,110) to international organizations working on migration, which included a trafficking component, compared to 3.51 million lira (\$664,210) in 2017; it did not provide funding to domestic NGOs. DGMM operated two specialized shelters for victims of trafficking. One-hundred-two MOFLSS-run shelters also provided accommodation for victims of violence, including men and children, and 32 locally administered shelters offered general support services to trafficking victims.

The DGMM provided specialized and comprehensive victim support services to all trafficking victims which included psychological support, health care, access to legal aid, and vocational training for female sex trafficking victims. The DGMM-run shelters and MOFLSS-run shelters required victims to have an escort to leave the shelter during their initial stay but allowed victims to leave the shelter voluntarily once security officials completed an assessment and deemed conditions safe. Government-operated Monitoring Centers for Children provided support to child victims of violence, including trafficking. The government solicited feedback from civil society on a draft handbook on victim identification for first responders and other relevant actors and observers reported improved government cooperation with civil society, but in previous years, experts and civil society actors expressed concern that the government's victim protection efforts were not sufficiently inclusive of NGOs, including funding of independent organizations and

the government's exclusion of some NGOs from identifying and providing services to victims.

The government likely deported and inappropriately detained some trafficking victims due to inadequate identification efforts. The law entitled victims to a temporary residence permit for 30 days, which authorities could extend up to three years with the option to apply for a work permit; the government issued 82 residence permits (145 in 2017). DGMM voluntarily repatriated 52 victims with support from an international organization (193 victims in 2017). Observers reported the government consistently provided legal representation and assistance to victims. The government maintained regulation on "legal interview rooms," which allowed victims to testify in private rooms in order to reduce re-traumatization. The government reported difficulties in encouraging foreign victims to cooperate in prosecutions as most preferred immediate voluntary repatriation; the government did not report how many victims participated in criminal investigations or legal procedures. The law entitled victims to pursue restitution from their trafficker through civil suits. Regulation entitled victims to one-time compensation but it did not define the amount or procedures to access it.

PREVENTION

The government maintained prevention efforts. The government did not have an updated national action plan. A national commission coordinated interagency anti-trafficking efforts and convened annually. The DGMM produced a documentary on trafficking issues and the government organized awareness campaigns at border entry points, airports, and universities. The commission and DGMM continued to publish annual data reports, while OSCE in previous years reported discrepancies in the statistics of the different databases managed by various state institutions, such as the Ministry of Interior, MOJ, and courts. DGMM maintained a migration-related national hotline that also handled trafficking calls; the hotline received 258 trafficking-related calls. The law required recruitment agencies to maintain a license and approve all contracts with the government.

The government continued to implement comprehensive migrant registration protocols for the nearly four million Syrian and other refugees, including by providing birth registrations for newly born refugee children. The law allowed both Syrians under temporary protection and non-Syrian conditional refugees the right to work, provided they registered in the province they wish to work in for at least the preceding six months. Applying for a work permit was the responsibility of the employer, and refugee advocates reported the procedure was burdensome and costly, resulting in few employers pursuing that path. As a consequence, the vast majority of both conditional refugees and those under temporary protection remained without legal employment options, leaving them vulnerable to exploitation. The government, in collaboration with an international organization and domestic labor unions, implemented various efforts to decrease child labor, including training businesses on regulations employing children and awareness campaigns. MOFLSS fined 50 workplaces for violating child labor laws, a two-fold increase from the 23 fined in 2017; however, resources and inspections were insufficient to effectively monitor and enforce prohibitions against the use of child labor. In the absence of a complaint, inspectors did not generally visit private agricultural enterprises employing 50 or fewer workers, resulting in enterprises vulnerable to forced labor. The government continued efforts to reduce the demand for commercial sex and forced labor.

TRAFFICKING PROFILE

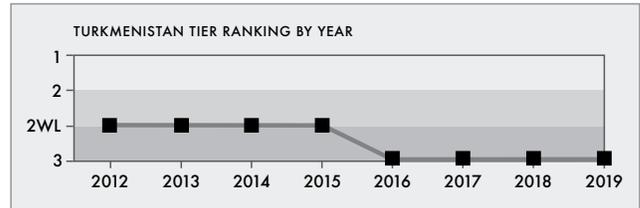
As reported over the past five years, human traffickers exploit domestic and foreign victims in Turkey, and traffickers exploit victims from Turkey abroad. Trafficking victims in Turkey are primarily from Central and South Asia, Eastern Europe, Azerbaijan, Indonesia, Morocco, and Syria. Of the 134 victims identified in 2018, most were Uzbeks (29), followed by Afghans (21), Moroccans (18), Syrians (15), and Kyrgyz (14). Syrians were the largest number of victims from a single country in previous years with 86 victims in 2017 and 36 in 2016. Some Georgian men and women were reportedly subjected to forced labor. Some Turkish men were subjected to trafficking and forced labor in Moldova. Romani children from marginalized communities were often seen on the streets in major cities where they worked as garbage collectors, street musicians, and beggars, raising concerns about exploitative conditions and forced labor. Human rights groups reported commercial sexual exploitation remained a problem in the LGBTI refugee community, who faced discrimination and hostility from both authorities and the local population.

Turkey continues to host a large refugee population that remains vulnerable to trafficking and exploitation: approximately 3.65 million displaced Syrians, and over 350,000 refugees of other nationalities resided in Turkey during the reporting period. Syrian and other refugees, including children, engaged in street begging and also reportedly worked in agriculture, restaurants, textile factories, markets, shops, and other workplaces, at times acting as the breadwinners for their families. Some are vulnerable to forced or exploitative labor. Experts reported children worked long hours, with low wages, in some cases in substandard working conditions. Some reports claimed some Syrian and other girls were sold into marriages in which they were vulnerable to domestic servitude and sex trafficking.

Reports indicate some youth in Turkey joined the Kurdistan Workers' Party (PKK), a U.S.-designated terrorist organization. The government alleged the PKK recruited and forcibly abducted children for conscription, while many in the country's Kurdish community asserted that youth generally joined the terrorist group voluntarily. Reports document one victim who was forced to join the group at age 13 and that children as young as 11 were lured by promises of monetary compensation and were taken to PKK training camps in Iraq.

TURKMENISTAN: TIER 3

The Government of Turkmenistan does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Turkmenistan remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including completing draft standard operating procedures (SOPs) for victim identification and referral in partnership with an international organization. However, the government continued to engage in large-scale mobilizations of its adult citizens for forced labor in the annual cotton harvest and in public works projects. No officials were held accountable for their role or direct complicity in trafficking crimes, and the continued imprisonment and abuse of an independent observer of the cotton harvest and state surveillance practices dissuaded monitoring of the harvest during the reporting period. The legal provisions on victim protection were not implemented, and the government did not fund any victim assistance programs.



PRIORITIZED RECOMMENDATIONS:

Take action to end the use of forced labor, especially during the annual cotton harvest, particularly by modifying government policies that create pressure for mobilization of labor. • Hold complicit officials criminally accountable for their involvement in trafficking crimes, including the mobilization of forced labor. • Provide victim care services directly or by otherwise funding organizations to do so, as required under the 2016 anti-trafficking law. • Grant independent observers full access to monitor cotton cultivation and fully cease harassment, detention, and abuse of individuals for documenting labor conditions. • Train police to recognize and investigate sex and labor trafficking crimes. • Finalize and adopt formal written procedures to identify and refer victims to protection services and train police, migration officers, and other relevant officials on such procedures. • While respecting due process, investigate and prosecute suspected sex and labor trafficking offenses under Article 129/1 of the criminal code and convict and punish traffickers. • Expand training for relevant government authorities on implementation of the provisions of the 2016 anti-trafficking law and article 129, as amended in 2016. • Increase awareness of trafficking among the general public through government-run campaigns or financial support for NGO-run campaigns.

PROSECUTION

The government decreased anti-trafficking law enforcement efforts. Article 129/1 of the criminal code criminalized sex trafficking and labor trafficking and prescribed penalties of four to 10 years' imprisonment for offenses involving adult victims and eight to 15 years' for offenses involving child victims; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape.

The government reported it initiated prosecution of one case in 2018, compared with three each in 2017, 2016, and 2015. The government did not report the number of convictions in 2018, compared with the conviction of one trafficker in 2017, three in 2016, and nine in 2015. An international organization provided training for 300 law enforcement officials on trafficking-related issues; the government provided in-kind support for these trainings. Despite continued reports of widespread corruption, the government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses, nor did it report any efforts to end officials' mobilization of persons for forced labor. Corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action during the year. In October 2016, the government arrested and charged Gaspar Matalaev, a reporter who contributed to an article documenting the use of forced labor in the annual cotton harvest, with fraud. Authorities allegedly tortured Matalaev and forced him to confess to taking and distributing photographs of the cotton harvest; Matalaev was sentenced to three years in a labor camp. He remained in prison at the end of the reporting period. Independent monitors reported heightened state security surveillance throughout the 2018 harvest.

PROTECTION

The government maintained negligible protection efforts. The government identified eight victims in 2018, compared with one victim in 2017, 11 victims in 2016, and 12 in 2015. An international organization reported assisting 25 victims, including 12 females and 13 males, but estimated the total number of victims was significantly higher, as evidenced by the 6,998 calls to the foreign-funded trafficking hotlines in Ashgabat and Turkmenabat. This was more than twice the number of calls received in 2017, but the vast majority related to safe migration, while only seven calls were related to human trafficking. The trafficking hotline in Turkmenabat was reopened in 2018, after operations were suspended in 2017 due to lack of funding. Despite the anti-trafficking law requiring the provision of a wide range of services from the government to trafficking victims, for the third year, the government did not provide comprehensive services to all trafficking victims, nor did it fund international organizations or NGOs to provide such services. An NGO operated one shelter for female trafficking victims in Turkmenistan with foreign-donor funding. The shelter provided comprehensive services to seven female victims in 2018, including local reintegration and job placement. There was no specialized care center for male victims, although NGOs provided some support. In accordance with the 2016-2018 national action plan, the government continued to partner with an international organization to draft SOPs for victim identification and referral; although the group completed the SOPs, the government failed to adopt them. Authorities remained without formal written procedures to identify victims or refer them to care providers, but they informally referred suspected trafficking victims to an international organization for services. Some law enforcement agencies only reported individuals as identified trafficking victims if their cases led to trafficking convictions. The prosecutor general's office reported victims could apply for physical protection and assistance in obtaining free medical care; however, officials did not provide details of specific cases in which such assistance was provided during the year, and NGOs indicated previously that some victims were required to pay for their own medical treatment.

The anti-trafficking law provided that victims, including those who participate in criminal proceedings, were exempt from administrative or criminal liability for unlawful acts traffickers compelled them to commit, and were guaranteed employment. It also required law enforcement agencies to respect the confidentiality of victims. The amended legal code also provided for free legal assistance to trafficking victims who apply for official status; the government did not report providing any legal assistance to victims. There were no reports of victims seeking or obtaining restitution in civil suits. The government made no attempts to identify sex trafficking victims among women arrested for engaging in prostitution. Consequently, officials may have penalized sex trafficking victims for prostitution offenses. After some Turkmen, including trafficking victims, returned home from other countries, the migration service reportedly blocked them from exiting Turkmenistan for a period of up to five years.

PREVENTION

The government maintained negligible efforts to prevent human trafficking. While the government reportedly collaborated with an international organization on the implementation of its 2016-2018 national action plan, it did not take steps to end the use of forced labor during the cotton harvest or in public works projects. The 2016 anti-trafficking law assigned responsibilities for anti-trafficking efforts among government agencies and

charged the cabinet of ministers with planning, funding, and implementing anti-trafficking policy. It also called for the creation of an interagency anti-trafficking committee, comprising several cabinet-level agencies and under the authority of the cabinet of ministers, to coordinate, plan, monitor, and report on the government's anti-trafficking efforts and analyze trends, improve victim protection measures, raise awareness, and monitor implementation of the national action plan. The government did not establish the interagency anti-trafficking committee in 2018, but an international organization continued to convene an interagency working group.

The law required the Ministry of Internal Affairs to record data on trafficking crimes; however, for the third year, the government did not report any systematic efforts to monitor its anti-trafficking efforts and did not make publicly available government data on the incidence of trafficking and trafficking-related prosecutions. There was no state-run labor inspectorate. The government cooperated with NGOs to conduct awareness campaigns in rural areas targeting vulnerable populations. The campaigns included trainings, information sessions, workshops, round tables, movie demonstrations, and school discussions. The government did not report efforts to punish labor recruiters or brokers involved in the fraudulent recruitment of workers. The stateless population in Turkmenistan, mostly consisting of former Soviet citizens, was vulnerable to trafficking; in 2018, the government granted citizenship to 735 stateless persons permanently living in Turkmenistan. State Migration officials routinely prevented individuals from departing the country by stopping them at the Ashgabat airports; anecdotal evidence suggests thousands of people were prevented from exiting Turkmenistan in 2018. The government provided anti-trafficking trainings to its diplomatic personnel. The government made efforts to reduce the demand for commercial sex acts. It did not make efforts to reduce the demand for forced labor.

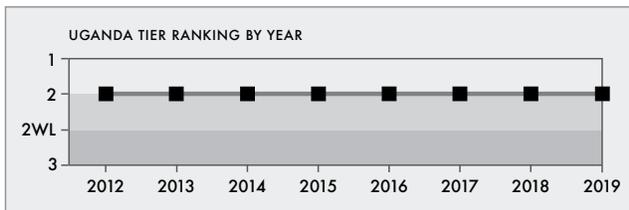
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic victims in Turkmenistan, and traffickers exploit victims from Turkmenistan abroad. Forced labor constitutes Turkmenistan's largest trafficking problem; in 2016, an ILO Committee of Experts' report noted "with deep concern the widespread use of forced labor in cotton production." To meet government-imposed quotas for the cotton harvest, government officials required university students, employees at private-sector institutions, soldiers, and public sector workers (including teachers, doctors, nurses, and others) to pick cotton without payment and under the threat of penalty, such as dismissal, reduced work hours, or salary deductions. Authorities threatened farmers with loss of land if they did not meet government-imposed quotas. Unlike 2017, there were no reports that the government systemically mobilized children to participate in the harvest. In addition, the government compulsorily mobilized students, teachers, doctors, and other civil servants for public works projects, such as planting trees and cleaning streets and public spaces in advance of presidential visits. Public servants and students have also been forced to serve in support roles during government-sponsored events, such as the 2017 Asian Indoor and Martial Arts Games, without receiving compensation. Workers in the construction sector are vulnerable to forced labor. Turkmen men and women are subjected to forced labor after migrating abroad for employment in the textile, agricultural, construction, and domestic service sectors. Turkmen women are also subjected to sex trafficking abroad. Turkey, Russia, and India are the most frequent destinations of Turkmen victims, followed by other countries in the Middle

East, South and Central Asia, and Europe. The government routinely denies freedom of movement to citizens attempting to leave the country, which leaves Turkmen vulnerable to trafficking while attempting to leave Turkmenistan through unofficial channels. Residents of rural areas in Turkmenistan are most at risk of becoming trafficking victims, both within the country and abroad.

UGANDA: TIER 2

The Government of Uganda does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Uganda remained on Tier 2. These efforts included training more law enforcement officials and investigating and prosecuting more cases than in the previous year. The government approved and published the 2009 anti-trafficking act's implementing regulations and established a trafficking-specific desk in the Directorate of Public Prosecutions (DPP). The government also investigated and delicensed more fraudulent labor recruitment companies. However, the government did not meet the minimum standards in several key areas. The government identified fewer victims than in the previous reporting period and convicted fewer traffickers; half of convicted traffickers were not sentenced to any prison time. The government did not employ systematic procedures to refer or assist victims and did not allocate resources to NGOs that provide protective services. The government did not report investigating allegations of corruption that reportedly impeded government oversight of labor recruitment agencies. The government did not adequately address internal trafficking, including the forced begging and child sex trafficking of children from the Karamoja region.



PRIORITIZED RECOMMENDATIONS:

Develop a formal national mechanism to systematically identify and refer trafficking victims to appropriate care and expand protective services for victims through partnerships with NGOs, including by allocating resources. • Increase efforts to investigate allegations of official complicity in trafficking crimes and prosecute and convict complicit officials. • Increase training for Ugandan embassy staff on assisting trafficking victims abroad, including victim identification, providing temporary shelter or identifying local NGO shelters for victim referral, and facilitating the repatriation of victims. • Fully implement the protection and prevention provisions of the 2009 anti-trafficking act. • Where feasible assign government labor attachés to embassies. • Further prioritize investigating and prosecuting traffickers who exploit children, especially from the Karamoja region, in forced begging and child sex trafficking in brothels. • Implement strong regulations and oversight of recruitment companies, and improve enforcement, including by continuing to prosecute those involved in fraudulent labor

recruitment. • Increase bilateral negotiations with destination country governments on migrant worker rights, including on the release and repatriation of Ugandan migrant workers exploited by employers abroad, and on mutually enforceable standard contracts. • Implement and monitor the stipulations of the bilateral labor agreements already in place. • Proactively investigate and punish labor recruiters who fraudulently recruit Ugandans and eliminate recruitment fees. • Increase resources dedicated to anti-trafficking efforts. • Establish a unified system of documenting and collecting data on human trafficking cases. • Enact witness protection legislation and implement a systematic victim-witness support program. • Increase quality of trafficking investigations and improve coordination between law enforcement and prosecutors, including conducting prosecution-led investigations and systematic case referral to the DPP. • Accede to the 2000 UN TIP Protocol.

PROSECUTION

The government made uneven anti-trafficking law enforcement efforts; however, convictions decreased and insufficient funding for witness protection, investigations, and prosecutions continued to hinder efforts. The 2009 anti-trafficking act criminalized sex trafficking and labor trafficking, and prescribed punishments of up to 15 years' imprisonment for offenses involving adult victims and up to life imprisonment for those involving child victims. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as kidnapping. The law also criminalized the use of a child in any armed conflict and prescribed penalties of up to the death penalty. The Children Amendment Act of 2016 conflicted with the 2009 anti-trafficking act in some respects—for example, it defined child sex trafficking to require force, fraud, or coercion, which was inconsistent with the definition of trafficking under international law, and it prescribed substantially lower penalties for the crime.

In 2018, the government reported investigating 286 cases of suspected traffickers, prosecuting 63 cases under the anti-trafficking act and 34 for fraudulent recruitment, and convicting six traffickers under the 2009 anti-trafficking act and four for fraudulent recruitment. Of the six convictions under the anti-trafficking law, the courts sentenced two traffickers to two years' imprisonment, one to 14 months' imprisonment, two to community service, and one to a fine. For traffickers convicted for fraudulent recruitment, one received three years' imprisonment, one received one year, and two received warnings. The majority of convicted traffickers did not receive sentences considered adequate to deter. This compared to 145 cases investigated, 52 cases prosecuted, and 24 suspects convicted in 2017. The media reported that the government arrested eight suspected traffickers for transporting vulnerable children from the Karamoja region into Kampala, but the government did not report prosecuting any traffickers who exploit these children in forced begging and child sex trafficking in brothels in Kampala, allowing traffickers of these children to continue with impunity.

Corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action during the year. The government reported investigating security officers at Malaba Border and Entebbe Airport as well as officials of the Civil Aviation Authority and Ground Handling Companies at Entebbe Airport for alleged involvement in trafficking crimes, but did not report further details on these cases. A Ugandan diplomat and his spouse were reported in 2015 to have committed labor trafficking and related offenses; the couple

has since departed the United States. The United States could not commence prosecution due to the diplomat's immunity, nor did the government report taking any action during the reporting period to hold the diplomat and his spouse accountable. The government did not report initiating investigations into media allegations from the previous reporting period that police officers were complicit in sex trafficking of child and female refugees. Additionally, the media continued to report that some of the labor recruitment companies suspected of involvement in trafficking were associated with, or partially owned by, high-level officials, which impeded law enforcement agencies' ability to investigate their operations. An NGO continued to report that some complicit immigration officers at border crossings facilitated passage of trafficking victims and several NGOs alleged that some senior police officials in Kampala protected traffickers from arrest and prosecution. The government did not report progress on prosecution of a case from 2014 involving the Commissioner from the Ministry of Finance charged with child trafficking; reportedly, the suspect continued to intimidate witnesses and use other tactics to delay the trial.

During the reporting period, the government established a trafficking-specific desk in the DPP's office responsible for prosecuting trafficking crimes. The Ministry of Internal Affairs reported training 303 front-line officials on the anti-trafficking act and other laws related to illegal labor recruitment. The DPP's office reported that together with the Coordination Office to Combat Trafficking in Persons (COPTIP) and the Ministry of Internal Affairs (MIA), it participated in and led two training sessions, in partnership with NGOs, for the police, DPP, and Prisons and Immigration officials on investigating and prosecuting trafficking cases; the government trained at least 20 participants in each session. The government, in partnership with an NGO, helped facilitate a training for judicial officers on the anti-trafficking law. COPTIP reported that the training curriculum for both new and experienced police and immigration officers incorporated modules on human trafficking; however, the government did not report how many officials received the training during the reporting period. Additionally, the government provided training on victim identification to 25 South Sudanese immigration officials. Despite these training efforts, some police and immigration officers continued to lack an understanding of the anti-trafficking law, and may have misclassified cases or encouraged victims to accept financial compensation from traffickers in exchange for dropping their cases. Law enforcement officials did not conduct prosecution-led investigations or coordinate with the DPP, frequently resulting in cases that could not be prosecuted or were dismissed by the court, because the investigations were incomplete and did not comply with protocols for admissible evidence. Transnational cases remained difficult for law enforcement to properly investigate, often leading to poor investigations and limiting prosecutions; the DPP reportedly relied on INTERPOL to investigate transnational trafficking cases, but due to delayed responses and competing priorities, the courts dismissed several such cases. The DPP initiated information and evidence sharing with foreign officials from the Government of Malaysia for an ongoing prosecution in Uganda, but did not provide further details.

PROTECTION

The government maintained protection efforts, but did not adequately address internal child trafficking or provide adequate funding and training for victim assistance. The government reported identifying at least 214 victims in 2018, as compared with 276 in 2017. Of the 214 trafficking victims, 27 children and

149 adults were victims of forced labor, and 18 children and 15 adults were victims of sex trafficking. The government also identified five adults who were victims of both sex trafficking and forced labor. Of the identified victims, 182 were transnational and 32 were internal; most of the internal victims were children. The government reported removing nearly all internal child trafficking victims from situations of exploitation, but did not report providing the children with assistance afterward. The government reported facilitating the repatriation of 90 victims while approximately 58 Ugandan victims remained in trafficking situations abroad; the government reported that the lack of a centralized national database made it difficult to continue to track victims that remained abroad. In comparison, in 2017, the government reported repatriating 148 trafficking victims; but this figure included intercepted victims as well. According to the government, authorities intercepted a total of 599 Ugandan travelers, 477 females and 122 males, attempting to depart to countries which officials assessed as high risk for trafficking or for which travelers were unable to adequately explain the purpose of their travel; this represented a significant increase from the 353 travelers at risk for trafficking intercepted in 2017. Of these, 141 were foreign victims, including 111 Burundian nationals. Oman, United Arab Emirates (UAE), and Kenya were the major destination countries for both victims and the travelers intercepted in Uganda.

The Minister of Justice approved and published the implementing regulations for the 2009 anti-trafficking act during the reporting period; however, the government did not report allocating funds for the implementation of the victim protection provisions in the regulations. The Immigration Department continued to provide trafficking guidelines to immigration officers and training on their implementation. The government remained however without a national formal mechanism used by all front-line officials to systematically identify and refer trafficking victims to appropriate care.

The government did not track or report how many victims it referred to care or directly assisted. It continued to rely on NGOs and international organizations to provide the vast majority of victim services via referrals to NGO-operated shelters, which provided psychological counseling, medical treatment, family tracing, resettlement support, and vocational education without contributing in-kind or financial support. Several NGOs reported assisting a total of 214 trafficking victims during the reporting period. In 2018, an international organization reported separating four Ugandan children from armed groups in the Democratic Republic of Congo (DRC). Victim care remained inadequate and available services were primarily for children and women, with few NGOs offering shelter for adult males. In previous years, child victims in need of immediate shelter often stayed at police stations, sometimes sleeping in impounded vehicles, or at a juvenile detention center while awaiting placement in more formal shelters.

The government did not adequately assist Ugandan victims identified abroad. It generally provided replacement travel documents to facilitate the repatriation of its citizens, while NGOs provided funding for return travel; however, the lack of embassies in many destination countries hindered repatriation efforts. Additionally, some trafficking victims continued to allege the denial of travel documents at Ugandan embassies. Where embassies existed, they lacked the capacity to provide adequate assistance for Ugandan nationals abroad. However, the government reported securing a temporary shelter in the UAE and an emergency fund in Saudi Arabia for distressed Ugandan nationals, which was used by trafficking victims

prior to their repatriation. In response to the continued abuse of migrant worker's rights abroad, the Uganda Association of External Recruitment Agencies (UAERA), a private sector entity, continued to employ a Labor Liaison Office in Saudi Arabia during the reporting period; however, because the duties of a labor attaché are traditionally addressed by governments where victim identification and assistance is a priority, some civil society members expressed concern about possible conflicts of interest, since this organization represented private businesses. Many Ugandan trafficking victims travel to and depart from Kenya, where they face exploitation in trafficking. To address this issue, the government entered into an agreement with the Government of Kenya to share information on traffickers and facilitate repatriations of potential trafficking victims intercepted in Kenya instead of prosecuting them for migration violations. This agreement resulted in the repatriation of at least 63 potential trafficking victims during the reporting period.

Judicial officers often encouraged trafficking victims to participate in the investigation and prosecution of their traffickers to prevent the victimization of others, but some reports indicated that law enforcement's limited capacity and inadequate sensitivity in engaging trafficking victims discouraged many from cooperating in investigations. The absence of victim-witness protection legislation and a protection program hindered some investigations and prosecutions because perpetrators would threaten and blackmail victims and witnesses to discourage their participation in trials. There was no formal policy to provide cooperating victims and witnesses with assistance, support, or safety in a systematic way. Generally, in High Court cases, victims and witnesses would be provided with transportation, physical protection, shelter, translation services, and legal counsel, but it was ad hoc and inconsistent, and some reports indicated that police would temporarily shelter cooperating victims in their homes. Ugandan law permitted foreign trafficking victims to remain in Uganda during the investigation of their cases and to apply for residence and work permits, but the government did not report any victims applying for such benefits during the reporting period. The law permitted victims to keep their identities anonymous by using voice distortion and video link facilities; but the practice had not yet been implemented. The law allowed victims to file civil suits against the government or their alleged traffickers for restitution, which two victims utilized during the reporting period. While the 2009 anti-trafficking act prohibits the penalization of trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking, reports from prior years indicated that the government detained and placed on bond some trafficking victims, including children, in an attempt to compel them to cooperate with and periodically report to law enforcement in support of criminal investigations. Previous reports claimed that police sometimes treated street children as criminals and arbitrarily arrested and detained them in detention facilities without screening for trafficking indicators; however, the government reported that officials now take the children to NGO-run shelters, but because these shelters were frequently full, this may still have occurred. During the reporting period, police in Kampala continued this practice by intermittently rounding up 283 street children, 184 girls and 99 boys, mostly from the Karamoja region, sent them to a children's shelter and then returned them to their families in the Napak, Masaka, Mpigi, and Kampala districts. Many NGOs reported that the government did not adequately address or prioritize internal trafficking of children from the Karamoja region, including the forced begging and child sex trafficking in brothels.

PREVENTION

The government increased prevention efforts. The National Task force, led by the MIA Permanent Secretary, with COPTIP serving as its secretariat, continued to coordinate anti-trafficking efforts. COPTIP reported receiving an increased budget allocation from the government; however, the budget remained insufficient and hindered the government's ability to conduct thorough investigations and provide protection to trafficking victims. The government did not have a national action plan to combat trafficking in persons. In 2018, the government continued its national awareness campaigns—composed of media outreach, social media, and public messaging. COPTIP published an article in the newspaper that discussed human trafficking and methods of prevention and the Ministry of Gender, Labor, and Social Development (MGLSD) published three separate newspaper articles to educate potential migrant workers on ways to seek employment abroad safely. The MGLSD also held a labor export symposium and encouraged Ugandans to avoid unregistered labor recruitment companies. The government reported holding many sensitization meetings with various local leaders at refugee camps, transport service providers, hotel operators, and airport staff. The government did not operate an anti-trafficking hotline during the reporting period.

The government lifted the 2016 ban on Ugandans traveling abroad in May 2017, with the exception of Oman, due to ongoing reports of abuse and trafficking. The Ministry of Gender encouraged Ugandan workers to seek employment only in countries with which it has bilateral labor agreements, which includes only Saudi Arabia and Jordan, with which the government signed agreements in 2015 and 2016 respectively. However, the government had still not established the Joint Implementation Committees needed to implement many of the stipulations and migrant protections within these bilateral agreements. The government did not sign any additional bilateral labor agreements with destination countries, continuing to leave migrant workers vulnerable to trafficking in those countries. In 2018, the government launched the External Employment Management System (EEMS), which functioned as a "one stop" internet portal where Ugandans could search and apply for all pre-vetted overseas employment opportunities through licensed recruitment companies. The government reported that the objective was to decrease illegal labor migration through unlicensed recruiters, which left migrants vulnerable to trafficking. By January 2019, EEMS included postings from 106 licensed recruitment companies, but crashed later that month reportedly due to a system hacking. The government had access to a Saudi online data system used for visa processing.

Immigration officials continued to scrutinize travel documents, passports, and reasons for travel before clearing travelers to depart Uganda for work in foreign countries. The government continued its oversight of labor recruitment agencies and, as a result, reported investigating 234 individuals and companies for trafficking-related and illegal recruitment offenses and prosecuting 76 individuals, but did not report how many were convicted or their sentences. This was particularly relevant as the government reported that unlicensed labor recruitment companies were responsible for trafficking more than 90 percent of the registered victims; though licensed labor recruitment companies were reportedly involved at times. Of the licensed companies, the MGLSD canceled the licenses for three companies and suspended seven for failing to comply with regulations. The 2005 Employment Regulations, required labor recruitment companies to register and undergo a thorough vetting process. The 2005 regulations required registered companies to maintain a minimum bank deposit

and a credit line, to ensure they maintained the financial resources to repatriate workers if they became trafficking victims. The government reported vetting all labor requests received by local companies and all contracts executed between international employers and the Ugandan business. However, some NGOs reported that employers would sometimes require migrant workers to sign a second contract upon arrival in the destination country; this contract would usually have different, less favorable terms than the contract signed in Uganda. The MGLSD contracted private companies to conduct mandatory pre-departure training for domestic workers who were traveling to the Middle East and utilizing registered labor recruitment companies. The weeklong residential trainings, paid for by the recruitment company and usually taken by 60-70 women each week, included training on domestic work, contract appreciation, understanding of the bilateral agreements, how to contact help, and the rights of the worker. As part of the government's public awareness campaign, it published a list of the 106 licensed labor recruitment companies on several ministry webpages and urged the public to seek work only through those agencies. In an effort to protect migrant workers, the government worked with labor recruitment agencies to ensure the relevant Ugandan embassies were aware of their citizens working in those countries. Corruption reportedly inhibited oversight of labor recruitment firms, however, as did insufficient staffing and funding, and loopholes in the law. As mandated by the 2015 Registration of Persons Act, the government continued to register its citizens and provide them with national identification numbers. The government provided anti-trafficking training to some of its diplomatic personnel and provided guidance in the form of handbooks to the rest. The government provided anti-trafficking training to Uganda's troops prior to their deployment abroad as part of international peacekeeping missions. The government did not make discernible efforts to reduce the demand for commercial sex acts, sex tourism, or forced labor. Uganda is not a party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Uganda, and traffickers exploit victims from Uganda abroad. Ugandan children as young as seven are exploited in forced labor in agriculture, fishing, forestry, cattle herding, mining, stone quarrying, brick making, carpentry, steel manufacturing, street vending, bars, restaurants, gold mining, and domestic service. Traffickers exploit girls and boys in prostitution. Recruiters target girls and women aged 13-24 years for domestic sex trafficking, especially near sports tournaments and road construction projects. An international organization estimates there are between 7,000 to 12,000 children involved in prostitution in Uganda. An international organization and NGO reported that most internal trafficking victims are Ugandans, many of whom are Karamojong children whom traffickers exploit in forced begging and child sex trafficking in brothels. Reportedly, traffickers, called "elders," force the children to beg on the streets and exploit the girls in child sex trafficking via prostitution around age 12; the children are forced to relinquish all proceeds and if the child does not earn his or her quota each day, he or she may be beaten or starved. The "elders" are a well-organized network of traffickers and NGOs have alleged complicit officials are involved. An NGO alleged that traffickers recruited children from Napak district, northeastern Uganda, and then sold them as domestic workers for 20,000 Ugandan shillings (\$5.40). Media reported that some parents will sell their children to middlemen who will then resell the children for approximately

30,000 Ugandan shillings (\$8.10). In 2018, an international organization reported separating four Ugandan children from armed groups in the DRC. Authorities subjected some prisoners in pre-trial detention to forced labor.

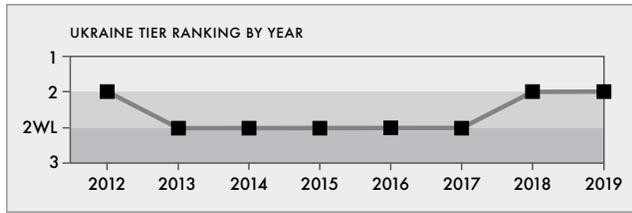
Traffickers subject some children from the DRC, Rwanda, Burundi, Kenya, Tanzania, and South Sudan to forced agricultural labor and sex trafficking in Uganda. In 2017, individuals from Rwanda and Somalia, including a Somali refugee from Nakivale Refugee Settlement, were victims of internal trafficking. South Sudanese children in refugee settlements in northern Uganda are vulnerable to trafficking. In 2018, there were several media reports of alleged complicity of police officers in the sex trafficking of child and female refugees.

Young women remained the most vulnerable to transnational trafficking, usually seeking employment as domestic workers in the Middle East; at times traffickers fraudulently recruited Ugandan women for employment and then exploited them in sex trafficking through forced prostitution. Traffickers subject Ugandan migrant workers to forced labor and sex trafficking in the UAE, Saudi Arabia, Oman, Qatar, Kuwait, Iraq, Iran, Egypt, Turkey, Algeria, Malaysia, Thailand, Bahrain, and China. In 2018, the media and government officials alleged Ugandan girls were being sold in a "slave market" in the UAE. Extremely high recruitment fees sometimes led to situations of debt bondage. Despite the government's lifting the ban on Ugandans' travel abroad, except to Oman, some licensed and unlicensed agencies circumvented safeguard mechanisms established by the government by sending Ugandans through Kenya and Tanzania. Official complicity may have hindered government oversight of labor recruitment agencies. COPTIP reported that traffickers appear to be increasingly organized and some may have formed regional trafficking networks. NGOs reported that traffickers are frequently relatives or friends of victims, or may pose as wealthy women or labor recruiters promising vulnerable Ugandans, frequently from rural areas, well-paid jobs abroad or in Uganda's metropolitan areas. Reportedly, pastors, imams, and local leaders at churches and mosques in Uganda have also assisted in the recruitment of domestic workers abroad, mostly for Middle Eastern countries; these leaders encourage female domestic workers to take these jobs and in turn receive a fee per worker from recruiters. Some traffickers threatened to harm the victims' family or confiscated travel documents.

UKRAINE: TIER 2

The Government of Ukraine does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Ukraine remained on Tier 2. The government demonstrated increasing efforts by amending its anti-trafficking law, significantly increasing funds available for the implementation of the national action plan, investigating more cases of forced labor, certifying more victims, and increasing training for officials. However, the government did not meet the minimum standards in several key areas. Lax sentencing, likely aggravated by corruption, meant the majority of convicted traffickers avoided imprisonment, which was inadequate to deter trafficking. The moratorium on labor inspections hampered law enforcement investigations on labor trafficking cases. International organizations continued to identify far more victims than the government, indicating inadequate

identification efforts by the government and a continuing lack of trust in the government's ability to protect victims.



PRIORITIZED RECOMMENDATIONS:

Punish convicted traffickers with proportionate and dissuasive prison sentences. • Clearly define administrative chains of responsibility and competencies of service providers throughout the decentralization process to minimize disruption in the processes of identification, referral, and assistance to trafficking victims. • Vigorously investigate and prosecute trafficking offenses, including public officials complicit in trafficking crimes. • Identify and certify the status of more victims to ensure they are afforded their rights under the trafficking law and modify the procedure for granting victim status to lessen the burden on victims to self-identify and divulge sensitive information. • Increase law enforcement investigations of recruitment firms engaged in fraudulent practices. • Increase training for law enforcement, prosecutors, and judges in the investigation and prosecution of trafficking cases, particularly on forced labor, a victim-centered approach, and how to gather evidence outside of victims' testimony. • Undertake a systemic effort to implement victim-witness protection measures and take active measures to prevent intimidation of victims during legal procedures. • Increase training for officials on victim identification, particularly in proactive screening for labor trafficking and of vulnerable populations, such as women in prostitution, children in sex trafficking, foreign migrant workers, and internally displaced persons. • Enact legislation to strengthen protections for foreign victims.

PROSECUTION

The government maintained law enforcement efforts. Authorities amended Article 149 of the criminal code in September 2018 to broaden the definition of trafficking to bring it closer to the definition contained in the Council of Europe trafficking convention. The law criminalized sex trafficking and labor trafficking and prescribed penalties of three to eight years' imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Law enforcement investigated 275 trafficking offenses in 2018, compared with 346 in 2017. These included 151 instances of sex trafficking, 54 for labor trafficking, 68 for forced involvement in criminal activity, and two for forced begging. Authorities reported investigations and arrests of multiple organized crime groups facilitating forced labor and sexual exploitation in Ukraine and abroad. Authorities initiated prosecutions of 68 cases in court in 2018, compared with 66 cases in 2017. Fifty-five cases from 2017 remained ongoing. Law enforcement referred 185 notices of suspicion, a necessary precursor to a court trial, involving 133 suspects in 2018, compared with 149 cases involving 111 suspects in 2017. Prosecutors pursued 148 of these referrals in court, compared with 124 in 2017. The government reached final judgment on 25 cases and convicted 15 traffickers in 2018 under Article 149, a decrease from 23 traffickers in 2017 and the lowest in seven years. Of the 15 convicted traffickers

sentenced in 2018, only five (33 percent) received prison sentences, which ranged from two to 10 years, the government confiscated assets from one defendant, two were sentenced under multiple articles; while the remaining convicted traffickers received suspended sentences or were freed from serving their sentences under leniency provisions. Appellate courts removed or reduced three sentences on appeal and in two other cases changed lower court rulings to harsher sentences, including substituting imprisonment for a suspended sentence and imposition of confiscation of assets in both cases. Authorities collaborated with foreign governments on 33 transnational investigations and extraditions, including Russia, Moldova, Germany, and other European and Asian countries.

Institutional reforms over the past four years led to widespread turnover in many government institutions, notably within the ranks of the national police and the judiciary. The process of court reorganization changed some court jurisdictions, which risked the lengthening of the judicial process for some cases if they were reassigned to new panels. In 2018, training on trafficking case processes was made compulsory at the National School of Judges. The recertification and restructuring of police units continued and included mandatory training and testing on trafficking, with assistance from an international organization, and reduced the number of officers suspected of corruption. Despite overall improvements, challenges resulting from structural reforms and personnel changes hampered efforts at the local level. The government, in conjunction with international funding and partners, continued training for judges, prosecutors, law enforcement, and other officials. The government reported investigating several officials allegedly complicit in trafficking; however, there were no new prosecutions or convictions. Several high-profile cases remained pending with the court, including the former commander of the Kyiv City police counter-trafficking unit, three police officers, recruiters for trafficking Ukrainians into a drug-trafficking ring in Russia, and a teacher at a government-run boarding school for orphans in Kharkiv who attempted to sell one of her students.

PROTECTION

The government increased efforts in some areas of protection. Draft legislation introduced in 2017 intended to increase the safety of persons with disabilities from exploitation, improve procedures for establishing victim status, expand the network of victim service providers, and improve protections for foreign victims and stateless persons remained pending in Parliament. The police identified 275 victims in 2018 (349 in 2017). The government continued to rely on international organizations and NGOs, with international donor funding, to identify victims and provide the vast majority of victim protection and assistance. An international organization in Ukraine assisted 1,265 victims, compared with 1,256 in 2017. International organizations reported the majority of their identified victims were subjected to labor trafficking; the government reported identifying approximately equal numbers of victims subjected to labor and sex trafficking. Authorities approved 214 of 266 applications requesting official victim status, compared with 195 of 273 in 2017 and 110 of 124 in 2016. In 2017, the government simplified the application process for potential victims incarcerated abroad, including waiving the in-person interview requirement; the government granted official victim status to 28 individuals incarcerated in Russia in 2018. Authorities did not approve 52 applications reportedly due to police not qualifying the crime as trafficking or the victim submitting incomplete applications. Victims not requiring specialized services may have chosen not to pursue

official victim status, although NGOs reported the emphasis on documents deterred some labor victims and members of the Romani community from applying. The government maintained efforts on proactive victim identification and cooperated with NGOs on victim identification through the national referral mechanism. Ongoing decentralization reforms obscured local communities' chains of responsibility for decisions regarding provision of key social services, including identifying, referring, and assisting trafficking victims; however, NGOs reported the strengthening of local self-governance expanded local decision-making powers and secured more solid financing.

The government allocated 548,000 hryvnia (\$19,780) to the national budget for anti-trafficking measures in 2018, compared to disbursements of 98,800 hryvnia (\$3,570) to the national budget and 219,220 hryvnia (\$7,910) to local budgets for anti-trafficking measures in 2017. The government did not report any funding disbursements to local budgets in 2018. The government provided financial assistance to each officially recognized victim in amounts greater than the official subsistence level. Ukraine's trafficking law entitled victims to housing at a government shelter, psychological assistance, medical services, employment counseling, and vocational training, regardless of whether a criminal case proceeded or the victim cooperated with law enforcement. Authorities assigned victims with official status a case management team, which provided referrals to care facilities, NGOs, or other services according to an individualized plan. Some victims requiring shelter stayed at a rehabilitation center run by an international organization with funding from international donors, housed in a state-run hospital. Adult victims could also stay at government-run centers for socio-psychological assistance for up to 90 days and receive psychological and medical support, lodging, food, and legal assistance. Authorities could accommodate child victims in centers for socio-psychological rehabilitation of children for up to 12 months and administer social, medical, psychological, education, legal, and other types of assistance. The government maintained 21 centers for socio-psychological assistance, as well as 692 social services centers. The government created a new social service center offering psychological services in Transcarpathia and continued to cooperate with local administrations and NGOs to provide victims aid in centers for socially vulnerable populations, which facilitated the creation of a 35-bed shelter for vulnerable females, including victims of trafficking, in Poltava. Observers reported the provision of assistance was problematic due to funding shortfalls and high turnover of trained staff. The government, often in cooperation with international organizations, provided training for officials on victim identification and assistance. The government reported it assisted the repatriation of two Ukrainian victims from Azerbaijan and China.

Victims commonly suffered threats and intimidation throughout the legal process. NGOs reported the release of alleged traffickers on bail increased the risk to victims; in some cases, alleged traffickers lived in the same community as their victims. However, the government did not report whether it provided any victims with witness protection or protective measures inside courtrooms. NGOs reported the government often did not provide legal assistance or other support to victims during criminal cases. The government did not report cases of courts ordering restitution payments for victims in 2018.

Officials reported screening illegal migrants for indicators of trafficking, but did not identify any foreign victims in 2018; international organizations reported identifying three victims—two from Moldova and one from Belarus. Foreign victims were

entitled to the same benefits as Ukrainian citizens and had additional access to interpretation services, temporary legal stay, and voluntary repatriation. Legislation that would allow foreign victims to remain in Ukraine for extended periods and work legally remained pending with the government. There was no legal way for foreign victims to extend their stay, change legal residency, secure employment rights, or seek protection from deportation to countries where they would face hardship or retribution.

PREVENTION

The government maintained prevention efforts. Authorities, in coordination with NGOs, international organizations, and local partners, such as the Ukrainian scouting organization, continued to conduct a wide range of awareness campaigns throughout the country, including television programs, street advertising, public events, and community policing. The Ministry for Social Policy (MSP) continued to coordinate anti-trafficking efforts at the national and local levels, but was limited by ongoing restructuring and staffing gaps. An international organization recommended the establishment of a dedicated, independent counter-trafficking coordinator with support staff. In August 2018, the Cabinet of Ministers ordered the implementation of the July 2017 Strategy of State Migration Policy with the goal of raising awareness of rights while working abroad. A Counter Trafficking and Migrant Advice Hotline was operated by a local NGO and funded by international donors. In 2018, the hotline received 20,425 calls; 115 potential victims were identified and referred to responsible local agencies and NGOs for assistance.

Police continued to monitor and investigate formal and informal recruitment networks, including companies advertising jobs abroad, and participated with other stakeholders to raise awareness about known recruitment schemes. The MSP continued to maintain a list of licensed recruitment companies. The government maintained a moratorium on labor inspections through December 2018 but allowed inspections when credible information of trafficking existed; however, observers reported the number of inspectors, inspections, and resources dedicated to overseeing labor laws remained inadequate, and a lack of training hampered inspectors' ability to identify victims. The government did not demonstrate efforts to reduce the demand for commercial sex acts.

TRAFFICKING PROFILE

As reported over the past five years, human trafficking of domestic and foreign victims occurs in Ukraine, and human trafficking of victims from Ukraine takes place abroad. Ukrainian victims are subjected to sex trafficking and forced labor in Ukraine as well as in Russia, Poland, Moldova, and other parts of Europe, Kazakhstan, and the Middle East. Some Ukrainian children and vulnerable adults are subjected to forced begging. Persons from the Romani community are vulnerable to trafficking, due in part to lack of access to state social assistance programs. A small number of foreign nationals are subjected to forced labor in Ukraine. Trafficking victims in Ukraine are exploited in a variety of sectors including construction, agriculture, manufacturing, domestic work, the lumber industry, nursing, and street begging. The number of foreign victims in Ukraine has fallen dramatically since the beginning of hostilities in eastern Ukraine. Although the economy is recovering from the 2014 economic crisis, low-skilled laborers remain vulnerable to labor exploitation. Smuggled migrants transiting Ukraine are vulnerable to trafficking. The approximately 104,000 children institutionalized in state-run orphanages are especially vulnerable to trafficking. Officials of

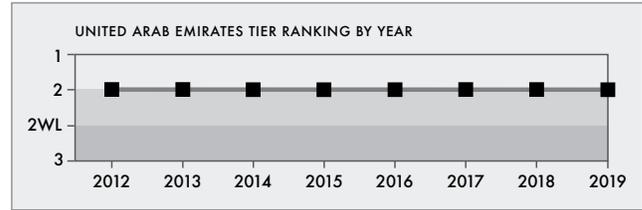
several state-run residential institutions and orphanages were allegedly complicit or willfully negligent in the sex and labor trafficking of girls and boys under their care.

Fueled by Russian aggression, the conflict in eastern Ukraine has displaced nearly two million people, and this population is especially vulnerable to exploitation throughout the country. In areas controlled by Russia-led forces, employment options are limited and Russia's proxy "authorities" place restrictions on international humanitarian aid that is intended to help meet civilian needs. Women and girls from conflict-affected areas have reportedly been kidnapped for the purposes of sex and labor trafficking in Ukraine and Russia. Internally displaced persons were subjected to trafficking, and some Ukrainians were subjected to forced labor on territory not under government control, often via kidnapping, torture, and extortion. International organizations reported the demographics of Ukrainian trafficking victims has shifted since the beginning of the conflict to include more urban, younger, and male victims subjected increasingly to forced labor and criminality, such as drug trafficking and couriers.

Uncorroborated reports of Russia-led forces using children as soldiers, informants, and human shields continued, but the number of such reports has decreased since the early years of the conflict. In 2017, a civil society organization recorded 85 cases of involvement of children in illegal armed groups in areas outside of Ukraine's control; it reported it was able to identify names, ages, forms of recruitment, children's duties, and their recruiters. According to the organization, children took direct and indirect part in the armed conflict; they performed armed duty at checkpoints as fighters and served as guards, mailpersons, and secretaries. Children ages 15 to 17 are actively recruited to participate in militarized youth groups, including the Russian Defense Ministry's "Youth Army," that taught children to carry and use weapons. The recruitment of children by militant groups took place on territory not under the control of the government and in areas where the government was unable to enforce national prohibitions against the use of children in armed conflict.

UNITED ARAB EMIRATES: TIER 2

The Government of the United Arab Emirates (UAE) does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore the UAE remained on Tier 2. These efforts included significantly increasing the number of trafficking prosecutions, convictions, victims identified, and victims referred for protective services. However, the government did not meet the minimum standards in several key areas. Emirati labor law and some sponsorship reforms, including the ability to change employers or positions without sponsor objection, did not apply to domestic or private sector workers, and government law enforcement and victim protection efforts for labor trafficking remained weak. The government did not finalize implementing regulations for and strengthen enforcement of the domestic worker law that expands legal protections for domestic workers. It did not pursue criminal investigations against officials purportedly complicit in trafficking crimes despite allegations of such throughout the reporting period.



PRIORITIZED RECOMMENDATIONS:

Increase the number of trafficking investigations, especially by investigating potential forced labor crimes indicators such as passport retention, withholding of wages, labor violations, and complaints of abuse. • Strictly enforce prohibitions on withholding workers' passports. • Increase efforts to investigate, prosecute, and punish trafficking offenses, especially labor trafficking involving adults, inclusive of domestic workers, under the anti-trafficking law. • Pursue criminal investigations against officials allegedly complicit in trafficking crimes. • Finalize and execute implementing regulations for and strengthen enforcement of the domestic worker law that expands legal protections for domestic workers. • Provide protection services to all trafficking victims, including by increasing services available for forced labor victims and trainings for shelter staff on how to identify and care for such victims. • Expand reforms to the sponsorship-based employment system, including Wage Protection System coverage to all employees, specifically domestic workers. • Regularly employ standard procedures for victim identification among foreign workers subjected to forced labor and those applying for amnesty, particularly domestic workers who have fled their employers, to ensure victims are not wrongfully penalized.

PROSECUTION

The government increased overall anti-trafficking law enforcement efforts, but efforts to address forced labor remained weak. Federal Law 51 of 2006 and its amendments in Federal Law No.1 of 2015 criminalized sex trafficking and labor trafficking and prescribed penalties ranging from five years to life in prison, as well as fines ranging from 100,000 to one million UAE dirham (AED) (\$27,230 to \$272,260) and deportation for non-citizens. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Federal Law No.10 of 2017 provided additional protections for domestic workers, as well regulations for recruitment agencies and employers of such workers, including those pertaining to hiring practices, working conditions, and employment contracts. Federal Law No. 10 protected workers' rights to retain their own identity documents, but did not stipulate penalties for employers who confiscated workers' passports.

As in years past, the government did not report statistics on investigations of suspected trafficking cases. According to data provided by the National Committee to Combat Human Trafficking (NCCHT), in 2018 the government engaged in legal proceedings against 77 alleged traffickers in 30 cases, of which 13 cases involving 34 traffickers remained under trial at the end of 2018. In comparison, it prosecuted 48 alleged traffickers in 16 cases during the previous reporting period. One case involved forced labor, and officials prosecuted it under the anti-trafficking law. Per the NCCHT 2018 Annual Report, the government convicted 35 defendants under trafficking laws during 2018, a marked increase from seven and nine it convicted in 2017 and 2016, respectively, and sentences ranged from one

year imprisonment plus a fine to life in prison. According to the NCCHT, officials acquitted six alleged traffickers on trafficking charges and deported two accused traffickers after stays of case proceedings in 2018.

The government rarely investigated as possible trafficking crimes violations of Emirati labor laws that exhibited trafficking indicators, such as passport confiscation, delayed or nonpayment of wages, and contract switching; the government treated these cases most often exclusively as regulatory violations through administrative fines or the cancellation of business licenses in lieu of criminal proceedings. The government did not report any investigations, prosecutions, or convictions of officials complicit in trafficking crimes during the reporting year.

In March 2019, the Dubai Police partnered with Dubai's Judicial Institute, the NCCHT, and an international organization to host its fifth five-month diploma course on anti-trafficking measures attended by 34 government officials. Government authorities continued to train police, judges, prison officials, and immigration authorities on identifying trafficking victims. The law enforcement and judicial sectors continued to dedicate official training sections for how to manage human trafficking cases. Abu Dhabi's prosecutorial division trained 65 officials on how to identify trafficking victims, including 38 judges who were in the process of adjudicating labor grievance cases.

PROTECTION

The government maintained its efforts to protect trafficking victims. Protection efforts continued to focus almost exclusively on victims of sex trafficking, as efforts to identify and provide care for victims of forced labor remained weak. During 2018, the government identified 51 victims and referred them to protective services, compared to 25 the previous year. A shelter for male victims, located in Abu Dhabi, housed 15 Pakistani men in 2017 who had been forced to beg; in 2018, the government assisted in their repatriation and provided to each a monetary stipend to start small businesses in Pakistan. While the government had standard procedures for victim identification among foreign workers, officials did not regularly employ these procedures and continued to rely predominantly on third-party referrals to identify victims, including from foreign embassies, religious institutions, or tips received through government hotlines, smartphone applications, and the internet. Authorities continued to implement a formal referral process to transfer suspected trafficking victims from detention centers, hospitals, houses of worship, or facilities run by source country embassies or consulates, to government shelters, upon the completion of victim identification. At times, female or male police officers in plain clothes—intended to reduce victims' anxieties—escorted victims, identified by law enforcement, from a government-run detention center to a shelter; however, reports persisted that some victims were unwilling to approach law enforcement officials due to fear of being sent to prison for immigration or other violations rather than being accepted into a shelter. The Dubai Foundation for Women and Children reported prosecutors referred eight trafficking victims to its shelter in 2018. In August 2018, the government donated \$100,000 to an international body's trust fund for trafficking victims globally. The government paid via its victims support fund roughly 100,000 AED (\$27,230) for protective services for trafficking victims, which was on par with the previous year's allocation of 99,000 AED (\$26,950). The government also maintained oversight and funding for shelters in three of the seven emirates (Abu Dhabi, Ras Al Khaimah, and Sharjah), offering housing and assistance for all female and child sex

trafficking and abuse victims across the country; protective services included medical, psychological, legal, educational, rehabilitation and reintegration, and vocational assistance. Some foreign workers, including potential trafficking victims, sought shelter assistance at their respective embassies and consulates, and other consulates used foster families of the same nationality to host victims until their cases were resolved, in part due to limited resources for victims of forced labor. Emirates Airlines, which is owned by the Dubai government, trained its cabin crewmembers and other airport ground staff on detecting instances of human trafficking at check-in and on flights.

Independent observers alleged some potential victims were reportedly jailed for prostitution or absconding from their employers. Because the government did not routinely use victim identification procedures or screen for potential trafficking crimes among vulnerable populations, it likely prosecuted some unidentified victims during the year. The government reported it exempted from fines forced labor victims who had overstayed their visas or sex trafficking victims. From August to December 2018, the government implemented its third-ever visa amnesty period, which was well-received by expatriate communities. Migrant laborers who overstayed their visas or entered the country illegally were allowed to either apply for an exit pass (220 AED [\$60]) to voluntarily depart the UAE without immigration fines, or apply for a six-month temporary visa (500 AED [\$136]) and adjust their irregular status by obtaining a work visa under a new sponsor. The government did not report how many individuals took advantage of this amnesty program or whether it utilized screening mechanisms to identify potential trafficking victims. The government did not provide permanent or formal temporary residency status to victims; however, it permitted victims to stay in shelters and participate in court proceedings, and worked with international organizations to resettle in third countries victims who could not return to their countries of origin. It reported funding repatriation for some victims but did not report a total number repatriated during the reporting period. Shelter staff noted they assisted an unknown number of trafficking victims in finding new employment or sponsors on an ad-hoc basis. The government encouraged victims to assist in the investigation and prosecution of traffickers and provided victim-witness protective services, including private interview rooms, free legal counseling, and safe transportation to court hearings. Both police and shelter representatives reported victims often chose immediate repatriation rather than remaining in country to testify against alleged traffickers. Laborers were entitled to freely seek new employment in the country after 60 days of wage non-payment by their existing employer by going through the Ministry of Interior to adjudicate the process.

PREVENTION

The government continued efforts to prevent trafficking. Overall, the NCCHT reported in 2018 it spearheaded and funded various anti-trafficking awareness campaigns that reached approximately 217,269 laborers, 23,400 members of the general public, 1,371 government employees, 80 students, and 20 foreign diplomats. The government continued to carry out its national action plan to address trafficking, driven chiefly by the NCCHT. The plan focused on prevention, protection, prosecution, punishment, promotion of international cooperation, redress, rehabilitation, reintegration, and capacity building. Government shelter staff maintained its partnership with art galleries for visual art exhibits that showcased art made by trafficking victims, to both increase awareness and raise funds for other victims. The

government disseminated anti-trafficking awareness publications in 14 languages, which targeted at-risk communities and reached an unknown number of vulnerable people. It installed informational noticeboards at airports across the UAE targeting specific terminals based upon nationalities, and utilized radio broadcasting to increase general awareness on trafficking risks. Dubai Police and other government representatives commenced the fifth phase of its five-year anti-trafficking awareness plan to coincide with the UN World Day against Trafficking in Persons. This campaign focused on educating employees at two malls, various beauty salons, and other retail stores by the distribution of thousands of leaflets. The campaign also reached 53 domestic worker recruitment offices in Dubai and the staff of these offices in the respective source countries—Indonesia, the Philippines, Bangladesh, and Ethiopia. Furthermore, officials sponsored 10 lectures on the prevention of trafficking and leveraged popular social media platforms and multilingual radio broadcasts to spread awareness. The Dubai and Abu Dhabi police forces tandemly facilitated numerous workshops and training courses during the reporting period, reaching an unknown number of personnel. Additionally, the Dubai police organized and hosted a read-in training day, which aimed to promulgate knowledge on how to combat trafficking and treat victims; this event reached affiliates from various entities including police, human rights associations, housing and shelter institutions, and other relevant government agencies. In 2018, relevant ministry and law enforcement officials held a series of lectures and training programs in workers' residences and recruitment offices to raise awareness about types of trafficking crimes and best practices for coordinating with law enforcement personnel and shelter staff. During the year, the public prosecutor's office used social media platforms to disseminate information regarding definitional elements of trafficking. The government funded and ran a 24-hour hotline for reporting cases of trafficking, which operated in Arabic, English, Russian, and Urdu. Calls were categorized and automatically alerted police in suspected trafficking cases. In Dubai, authorities ran a separate line, and UAE-wide there remained a 24-hour toll-free number for migrant laborers to vocalize workplace complaints or general inquiries. The government did not report how many trafficking or trafficking-related calls any hotline received during the reporting year.

The treatment of domestic workers, primarily maids and nannies, remained a significant concern during the reporting period. Reports suggested passport withholding, unpaid overtime, lack of time off, and failure to pay agreed-upon wages continued to be prevalent practices among employers. The government did not fully implement Federal Law No. 10 of 2017 to improve the work conditions and welfare of domestic employees, particularly as it pertained to regulatory enforcement of in-home inspections and workplace grievance resolution. In addition, sociocultural and legal barriers against government interference with private households continued to hamper monitoring and enforcement efforts of its domestic worker law. This law included the right for employees to retain personal documents, sign standardized contracts with unequivocally designated working conditions, access specialized tribunals for settling workplace grievances, and observe mandatory time off. It also stipulated in-home inspections on the basis of complaints or reasonable evidence of law violations. Under the law's provisions, a recruitment agency or person who hindered law enforcement, anyone who disclosed information unveiled in an investigation, or anyone who facilitated the abandonment of a domestic worker may be jailed for a minimum of six months and ordered to pay a 10,000 to 100,000 AED (\$2,720 to \$27,230) fine. However, implementing regulations remained under development for the second consecutive year.

The Ministry of Human Resources and Emiratization (MOHRE) primarily oversaw, regulated, and enforced labor-related complaints. Efforts by the MOHRE to combat forced labor practices across the UAE included an extensive labor inspection program including routine and unannounced inspections of housing and work sites by a team of full-time labor inspectors, in addition to seven dedicated anti-trafficking inspectors. Authorities usually dealt with labor law violations administratively and did not report investigating such cases for trafficking indicators or referring any for criminal prosecution. The government continued its monitoring and inspection program for private sector laborers, including through the Wage Protection System (WPS), which electronically monitored salary payments via vetted banks, currency exchanges, and financial institutions for all onshore companies employing more than 100 workers (95 percent of the private sector workforce). The WPS automatically flagged delayed salary payments of more than 60 days, or payments that were less than contractually agreed upon, and after a designated period, authorities administered fines and other enforcement actions, including criminal proceedings, after an unknown number of labor-related inspections. However, a local news investigation estimated that almost 50 percent of all small private construction and transport companies circumvented the WPS to pay workers only 60 percent of their contractual salaries. Media and diplomatic sources reported some companies retained workers' bank cards or accompanied workers to withdraw cash, coercively shortchanging the employees even though the WPS showed the proper amount paid. Such cases were difficult to prove in labor courts, given the WPS documented accurate payments via designated bank accounts. The government did not report the number of complaints of unpaid wages it investigated as a result of its dispute resolution process or the WPS, which were intended to ensure workers were paid according to their contracts, and if employers were punished with administrative and financial penalties for compliance failure; it also did not report investigating such cases for trafficking indicators or referring any for criminal prosecution. Workers filed thousands of labor complaints through government-operated smartphone applications, telephone hotlines, websites, email, and formally with MOHRE offices and mobile units; violations routinely resulted in fines, suspended permits to hire new workers, or the cancellation of business licenses, though the official number of these punishments was unknown. However, domestic worker salaries were not required to be paid via the WPS and, coupled with cultural norms and the lack of legal provisions requiring inspections of domestic worker accommodations, wage payment and work hour abuses, among other acts indicative of forced labor, continued and left domestic workers at risk of exploitation. Officials continued to employ its public-private partnership recruitment centers for domestic workers, known as "Tadbeer Centers," which held the mandate to regulate the recruitment and training of domestic workers, educate them on their legal rights, resolve employer-employee disputes, and verify worker accommodations for compliance with domestic worker law minimum standards. Each center was equipped with a room solely for grievance mediation, with a video connection to MOHRE for official oversight. In practice, however, these centers were inhibited since they were not permitted to enter or inspect private homes. The government had in place MOUs with Thailand, Armenia, Australia, Azerbaijan, Indonesia, and India. The government did not enforce a prohibition on employers withholding workers' passports, which remained a pervasive problem. The government did not take measures to reduce the demand for commercial sex in the UAE. The Ministry of Foreign Affairs maintained provision of workshops and awareness programs on human trafficking for its diplomatic personnel.

TRAFFICKING PROFILE

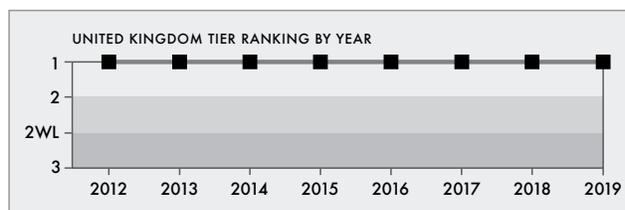
As reported over the past five years, human traffickers exploit foreign victims in the UAE. Foreign workers comprise nearly 90 percent of the UAE's population and are recruited globally. Lower wage labor, including most manual labor and a significant portion of the service sector, are occupied almost entirely by migrant workers predominantly from South and Southeast Asia and the Middle East, with a growing percentage from East and West Africa; some of these workers are exploited in practices indicative of forced labor, such as passport retention, non-payment of wages and unpaid overtime, restrictions on movement, contract switching, fraudulent employment promises, substandard food and housing provisions, or a failure to meet other contractual agreements. Women and men from some of these countries travel willingly to the UAE to work as domestic workers, massage therapists, beauticians, hotel cleaners, or elsewhere in the service sector, but traffickers subject some of them to forced labor or sex trafficking after arrival. Traffickers subject some women, predominantly from Central Asia, South and Southeast Asia, East Africa, Eastern Europe, Iraq, Iran, and Morocco, to sex trafficking in the UAE. Per media sources, many cases of child sex trafficking involve traffickers forging ages on passports to facilitate undetected entry into the UAE. Sponsorship laws increase vulnerability to trafficking, particularly for domestic employees, by restricting the ability of employees to leave or change employers, and giving employers unilateral power to cancel residence permits, deny employees permission to leave the country, and threaten employees with abuse of legal processes.

Although illegal under UAE law, many source-country labor recruiters charge workers exorbitant fees in their home countries, causing workers to commence employment in the UAE owing debts in their respective countries of origin, increasing vulnerability to trafficking through debt-based coercion. Despite new laws to prevent the practice, reports of employers engaging in contract-swapping persisted, which leads to less desirable and lower paying jobs for laborers post-arrival in the UAE. Traffickers often recruit victims from the large foreign population already in the country; they may deceive or compel a migrant worker in the UAE, willingly on a tourist or work visa, into forced labor or sex trafficking. Additionally, some laborers enter the UAE on tourist visas, and start working for an employer who subsequently opts to not change the tourist visa to a work one in order to grant legal residency, which remains a common method of exploitation. According to UAE shelter staff, migrant workers will sometimes start with one employer and for various reasons, including abuse or exploitation, will follow alternate employment opportunities that ultimately prove fictitious.

An international organization alleged the government, a member of a multi-nation coalition that commenced military operations against Houthi rebel forces in Yemen in 2015, provided training and coordinated operations with the Security Belt Forces, Hadhrami Elite Forces, and Shabwani Elite Forces—proxy militias fighting Houthi forces and terrorists in Yemen that allegedly recruited and used children as soldiers. Media reported officers associated with Sudan's Rapid Support Force took bribes from families to permit minors to serve as combatants in Yemen during the reporting year. Emirati officers allegedly trained and commanded some Sudanese combatants.

UNITED KINGDOM: TIER 1

The Government of the United Kingdom (UK) fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore the UK remained on Tier 1. These efforts included increasing funding for anti-trafficking efforts; identifying significantly more potential victims; training more first-responders in identifying potential victims; increasing trafficking investigations and prosecutions; and commissioning a parliamentary review and evaluation of the effectiveness of the Modern Slavery Act of 2015 (MSA) with input from NGOs. Although the government meets the minimum standards, protection services for child victims needed increased attention and resources. The government did not compile comprehensive data on sentences imposed on convicted traffickers. Some victims were cautious about entering the national referral system due to delays in review of their status leading to inconsistent availability of longer-term care.



PRIORITIZED RECOMMENDATIONS:

Expand nationwide the Independent Child Trafficking Advocate program and train more social workers and care providers to better safeguard child victims. • Implement reforms to the National Referral Mechanism (NRM), including timely determination of victim status, to encourage more victims to come forward. • Establish a database on investigations, prosecutions, convictions, and including prison sentence data across the UK, categorized by type of trafficking. • Provide sufficient resources for expeditious processing of trafficking investigations and prosecutions. • Consider implementing the period of victim support from 45 to 90 days across all UK jurisdictions. • Provide a trafficking-specific long-term alternative for foreign victims at risk if returned to their home country. • Ensure the statutory definition of trafficking under the MSA and similar provisions in Northern Ireland do not require movement of the victim as an element of the crime.

PROSECUTION

The government increased prosecution efforts. The MSA, applicable to England and Wales, and similar statutes in Scotland and Northern Ireland, criminalized sex trafficking and labor trafficking and prescribed penalties of up to life imprisonment, which were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Inconsistent with international law, the laws in England, Wales, and Northern Ireland required the element of movement of a victim in the definition of "trafficking." However, these jurisdictions criminalized "slavery and servitude, and forced or compulsory labour" in other provisions of their law, which could be utilized to prosecute trafficking offenses that did not involve victim movement. Scotland, by contrast, did not require victim movement in the definition of trafficking.

As of November, the government reported 1,124 police trafficking investigations in England and Wales underway, involving over 2,200 potential victims. The Crown Prosecution Service (CPS), which handled cases in England and Wales, prosecuted 294 defendants on trafficking charges with 191 convictions in 2018, an increase from 265 prosecutions and 180 convictions in 2017. For 2018, authorities in Northern Ireland reported five investigations and two convictions, the first convictions under the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015. In addition to prison sentences of four years and three years respectively, the court imposed Slavery and Trafficking Prevention Orders (STPOs) of 10 years and seven years respectively, restricting certain contacts and travel following release. For 2017, Scotland reported two convictions, although the Scottish government did not have data available for 2018.

CPS data did not differentiate between sex and labor trafficking, nor did the government provide data on the range of sentencing of convicted traffickers or percentage of convicted traffickers serving prison time. Notable sentences during the reporting year included a UK citizen sentenced to 18 years in prison for trafficking five Nigerian women in Germany, the first conviction under extraterritorial jurisdiction provisions in the MSA; a perpetrator of cyber-sex trafficking of minors sentenced to 32 years in prison; and a Romanian national sentenced to a 20-year prison term for sex trafficking.

The government provided a wide variety of anti-trafficking training to law enforcement officers, prosecutors, and justice officials at multiple levels and required new police recruits and detectives to complete training modules on trafficking. The national-level College of Policing continued offering a course for all front-line officers, as well as a four-day course for investigators requiring specialist skills, including training on the 2015 guidelines for improving victim identification. The CPS had 14 Complex Case Units in jurisdictions across England and Wales that provided initial specialized advice in investigations and prosecutions wherever human trafficking offenses had been committed. During 2018, the CPS conducted mandatory training for all prosecutors on prosecuting trafficking. Police forces in England and Wales used Anti-Slavery Commissioner guidelines and manuals in their training.

The National Crime Agency (NCA) heads EURPOL's EU Policy Cycle (EMPACT) Trafficking in Human Beings Group, and in 2018, coordinated law enforcement specialists from 22 countries to conduct operations focusing on labor exploitation and child trafficking, leading to 282 arrests across the EU. The Gangmasters and Labour Abuse Authority (GLAA) conducted over 100 operations against labor exploitation and trafficking in 2017-2018, with more than 80 operations in non-agricultural sectors. The GLAA made over 100 arrests on labor charges, including for labor trafficking, which resulted in six convictions in 2018, with additional prosecutions pending. Northern Ireland and Scottish authorities collaborated with Romanian police to investigate organized crime groups responsible for sex trafficking of women across Europe.

PROTECTION

The government increased protection efforts. Through the NRM, authorities referred 6,993 potential trafficking victims for care nationwide in 2018, a 36 percent increase from 5,142 in 2017. Potential victims came from 130 nationalities. The number of identified victims who were UK citizens doubled in the past year (to 1,625 in 2018), in part due to increased awareness among the public and authorities about "County

Lines" gang recruitment of children as couriers of drugs across the country. Potential victims who were exploited as minors increased by 48 percent to 3,137, compared to 2,118 in 2017. The Home Office attributed the increase to increased visibility of the NRM, intensified training among professionals and first responders to spot trafficking indicators, and increased public awareness of child trafficking. The MSA also included a "duty to notify" requiring government agencies to report potential victims encountered to authorities via the NRM, and also in cases where a potential adult victim declines consent to notification. Police who refer a potential victim must record a potential crime. All Border Force (BF) officers received training on trafficking indicators and identified more than 1,100 potential victims, compared to 500 in 2017. The BF also established protocols for airline crew to immediately notify BF through the trafficking hotline when they suspect a passenger is a victim of trafficking.

The NRM was the framework for identifying and providing care and support for victims. A first responder, such as police, BF, local authorities, and specified NGOs typically generated referrals. The Home Office instituted a single case management unit in the Home Office to handle all NRM referrals to increase administrative efficiency, improve comprehensive attention to victims, and consolidate the work of units in the NCA and UK Visas and Immigration. Upon receipt of a referral, that unit conducted a preliminary review for "reasonable grounds" of trafficking. If found, the next step was review for final determination of "conclusive grounds." A "reasonable grounds" decision triggered provision of victim support and protection measures, whereby the victim started a minimum 45-day reflection period with access to services such as accommodation, health care, and counseling, and also decided whether to assist in the investigation and prosecution of the perpetrator. At the end of the reflection period, a victim had 45 additional days of transitional support. The MSA required a final determination of victim status within 45 days in England and Wales, although in many cases the government extended this deadline. Scotland's law provided a 90-day timeframe, and Northern Ireland remained at a single 45-day period. First responders assisted potential victims in reaching a "place of safety" immediately through an NGO. The Home Office maintained a detailed database online with disaggregated information, including source of referral, nationality, jurisdiction, handling the referral, type of trafficking, and disposition of review. While acknowledging improvements, NGOs continued to warn of victims being re-trafficked while waiting for final determination of victim status. NGOs cited over 2,000 potential victims had waited more than one year for their determination of status.

The government provided £20 million (\$25.61 million) under a three-year NGO contract for 2015-2018 to coordinate the provision of care for adult victims in England and Wales under the NRM, and extended the contract through 2020. The Scottish government provided £1 million (\$1.28 million) total to the two NGOs providing victim protection and support, an increase from £800,000 (\$1.02 million) in 2017. While government funding of NGOs in Scotland tripled between 2014 and 2017, adequate funding remained a challenge in the face of rapidly growing numbers of identified victims. The National Crime Agency continued its "Vulnerable Persons Team," which granted assistance to avoid re-victimization after completion of an investigation. Similarly, the Wales Anti-Slavery Leadership Group's "Survivor Care Pathway" provided a long-term post-NRM individualized plan for survivors. The government encouraged efforts of private companies to assist in reintegration, particularly through employment of survivors. Under the "Bright Future" campaign, a national retail

cooperative continued to hire and train survivors in partnership with an NGO, a model the government promoted for expansion.

Survivors who returned voluntarily to their country of origin were eligible upon departure for up to £2,000 (\$2,560) support toward reintegration. Foreign victims who assisted with investigations were eligible for residency up to one year, and depending on personal circumstances, including where needed for assistance in investigations or court cases, increased to a total of 30 months. Although authorities otherwise typically deported foreign victims after leaving the period of support under the NRM. As a result, some foreign victims were reluctant to seek assistance or opted to petition for asylum instead of entry into the NRM, given the potential for longer residency in the UK.

Children received care through children's services offices in local jurisdictions. The MSA also provided for the appointment of Independent Child Trafficking Advocates (ICTA) as an additional source of support and advocacy for trafficked children. The government provided £2 million (\$2.56 million) to expand the ICTA service to one-third of all local authorities, as the next step to full rollout across England and Wales. Local authorities highlighted concerns over the high number of children who either left or were missing from care or foster homes and were especially vulnerable to trafficking by gangs. NGOs estimated up to two-thirds of all child victims go missing within 72 hours of placement for care and up to 20 percent remain missing. The MSA review committee recommended implementation of the ICTA system nationally, along with sufficient duration for providing services to child victims, in addition to requiring police to track cases of missing children until they are located, regardless of timeframe. Scotland and Northern Ireland also required appointment of independent legal guardians for child victims of trafficking and trained them on the support services available.

Victims had a statutory defense for unlawful acts their traffickers compelled them to commit and courts allowed victims during hearings to testify by video, behind a screen, or with the public removed from the courtroom. Courts could confiscate assets of traffickers and compensate victims through a reparation order, but only after conviction of the trafficker. NGOs noted victims found this remedy difficult to access given the small number of legal aid providers available to file such claims. Foreign overseas domestic workers (ODW) could legally change employers during the six-month period of their visa. Workers on the ODW visa identified as trafficking victims could apply for a two-year visa as a domestic worker, although NGOs contended workers who had suffered abuse would be unlikely to want to return to the same sector. Foreign nationals identified as trafficking victims could apply for discretionary leave to remain in the UK if supporting the investigation, seeking compensation through a civil claim against the perpetrator, or in some cases based on personal circumstances. Foreign victims could petition for asylum, based on risks faced if returned to their country of origin.

PREVENTION

The government increased prevention efforts. The Prime Minister continued to chair a national coordinating task force first established in 2016. The Home Office published its 2018 annual report in October, with detailed data on anti-trafficking efforts across the UK, as well as outlining achievements and remaining challenges in fully implementing the MSA. Total direct government spending to fight human trafficking, on both the domestic and global fronts, increased significantly to £61 million (\$78.1 million) for 2018/2019 from £39 million

(\$49.94 million) for 2017/2018. The government appointed a new Anti-Slavery Commissioner in February 2019. Due to the nine-month gap between commissioners, the office did not publish an annual report for 2018. At the time of his resignation, the prior (and first-ever) commissioner encouraged greater independence of the position to monitor and evaluate government efforts to fight trafficking, and called it vital for the position's continued and future success.

The government-commissioned committee reviewing the effectiveness of the MSA issued interim reports recommending increasing the independence of the role of the anti-slavery commissioner, improving the corporate reporting on transparency in supply chains, and expanding protections for children under the ICTA system across all regions of the UK. The Church of England and the Catholic Church promoted a joint awareness program alerting parishioners to trafficking indicators in their daily life, initially focusing on reporting to police signs of human trafficking in car wash services. Through an app, congregants reported 930 such cases to police in 2018. In October, the Scottish government launched "Trafficked in Plain Sight," with 1,700 Internet ads alerting the public to signs of sex and labor trafficking. In the last quarter of 2018, a national telephone and online helpline in England and Wales received 1,735 calls and 363 online reports, collectively indicating 1,326 potential victims. Scotland and Northern Ireland provided similar hotlines.

The Joint Slavery and Trafficking Analysis Centre within the NCA researched and developed best practices in cybercrime, child protection, immigration crime, financial crime plus providing effective models for training and awareness building. The MSA required organizations with annual revenue exceeding £36 million (\$46.09 million) to publish an annual statement detailing efforts to ensure its operations and supply chains are free of human trafficking. Many companies developed toolkits, ran training programs, and signed agreements with suppliers toward maximizing supply chain transparency. Critics noted inconsistent quality of the corporate statements and the lack of a penalty for non-compliance, an issue under consideration by the MSA evaluation committee. An August 2018 report by the Anti-Slavery Commission cited inadequate reporting on trafficking in supply chains in the agricultural sector, with only 50 percent of larger companies publishing a statement outlining their anti-trafficking compliance. The government established the Modern Slavery Police Transformation Unit, with 80 specialists working in the Joint Slavery and Trafficking Analysis Centre (JSTAC), a multi-agency team of analysts providing detailed intelligence assessments about trafficking patterns and cases. The government, along with Australia, Canada, New Zealand, and the United States, launched a set of principles for governments to use as a framework for preventing and addressing forced labor in public and private sector supply chains.

The government funded a wide range of anti-trafficking programs globally, including continued implementation of programs under the £33.5 million (\$42.89 million) Modern Slavery Fund first announced in 2016. Through the Child Trafficking Protection Fund, the government supported organizations protecting children both domestically and overseas, including programming in Vietnam, a significant source country for child victims in the UK. The government continued to lead efforts in both bilateral and multi-lateral contexts. In September, the prime minister hosted a three-day summit during the UN General Assembly for prosecutors, officials, and law enforcement officers from around the world, including significant victim

source countries of Nigeria and Romania. The government also led a high-level event calling for greater collaboration between governments, the private sector, civil society and survivors to implement the prime minister's Call to Action to End Forced Labour, Modern Slavery and, Human Trafficking, endorsed by nearly 90 countries. In April 2019, the government announced a £5.5 million (\$7.04 million) grant to support British Commonwealth countries in their trafficking prevention efforts. The UK's Commonwealth Parliamentary Association works with Commonwealth countries to pass human trafficking legislation, using a tailored approach suited to each country's needs and capacity. The government committed £20 million (\$25.61 million) in cooperation with the United States, other governments, and private donors, to target programs in coordination under the Global Fund to End Modern Slavery.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in the United Kingdom. The government reported 6,993 potential victims came through the national referral system, with the latest government estimates of up to 13,000 trafficking victims present in the UK. Potential victims comprise 130 nationalities; 45 percent were minors, 61 percent male, 39 percent female, and four victims were transgender. The largest source countries were the UK, Albania, and Vietnam, and 28 percent of potential victims asserted their exploitation occurred entirely outside of the UK. Of all victims in 2018, 57 percent were for labor trafficking, 28 percent for sex trafficking, and eight percent were not categorized. One-fourth to one-third of victims are children. Children in the care system and unaccompanied migrant children are particularly vulnerable to trafficking. Victims included 1,419 British children in 2018. Most identified victims were subjected to labor trafficking, forced to work in agriculture, cannabis cultivation, construction, food processing, factories, domestic service, nail salons, food services, the hospitality industry, car washes, and on fishing boats. Youth trafficked by gangs are forced to act as drug couriers from larger cities into rural areas across the UK. In Scotland, the largest numbers of victims are from Vietnam, many forced to work in nail bars. In Northern Ireland, there are cases of perpetrators forcing victims into begging, and the cultivation and distribution of illicit drugs.

UNITED STATES OF AMERICA: TIER 1

The Government of the United States fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore the United States remained on Tier 1. These efforts included increasing the number of convictions; increasing the amount of funding for victim services and number of victims served; continuing to seek and incorporate survivor input on human trafficking programs and policies; and launching new public outreach measures to more sectors. Although the government meets the minimum standards, it opened, charged, and prosecuted fewer cases, issued fewer victims trafficking-specific immigration options, and granted fewer foreign national victims of trafficking eligibility to access benefits and services. Anti-trafficking advocates reported a lack of sustained effort to address labor trafficking and to strengthen oversight of employment-based and other

nonimmigrant visa programs, and continued to report that victim services were not always provided equitably.



PRIORITIZED RECOMMENDATIONS:

Increase investigation and prosecution of labor trafficking cases.

- Increase the number of requests by federal law enforcement officials for Continued Presence and conduct targeted training to ensure such officials apply for Continued Presence in a timely manner and in all appropriate circumstances.
- Shorten processing times and improve training for adjudicators to reduce obstacles for victims to appropriately obtain trafficking-related immigration benefits.
- Proactively identify potential trafficking victims among populations vulnerable to human trafficking.
- Increase the number of trafficking investigations and prosecutions.
- Seek to ensure immigration enforcement does not hinder human trafficking criminal law enforcement or victim protections.
- Increase equitable access to comprehensive victim services across the country and improve access to short-term and/or transitional housing for all victims.
- Encourage state, local, and tribal authorities to implement policies not to prosecute victims for the unlawful acts their traffickers compelled them to commit.
- Remove the restriction on victim assistance funding for legal representation of victims in vacatur and expungement cases for the unlawful acts their traffickers compelled them to commit.
- Mitigate vulnerabilities in employment-based or other nonimmigrant visa programs in the United States, including by increasing oversight of labor recruiters to ensure compliance with federal, state, and local regulations.
- Increase training of prosecutors and judges on mandatory forfeiture and restitution for trafficking victims.
- Increase survivor engagement, including by more systematically incorporating survivor input when forming policies, programs, and trainings.
- Increase prevention efforts, including through outreach to and intervention services for marginalized communities.
- Strengthen efforts to reduce the demand for commercial sex and labor trafficking. As described in the Methodology section of this report, these recommendations were drawn from input from multiple anti-trafficking stakeholders, including NGOs and advocates, as well as from government agencies and reports, on the degree to which the United States meets the minimum standards set forth in the TVPA.

PROSECUTION

The government's prosecution efforts were mixed. The government increased the number of convictions, but the number of investigations and prosecutions decreased. The TVPA, as amended and codified at Title 18 U.S. Code sections 1581, et seq., criminalizes sex and labor trafficking. The penalties prescribed under these provisions, which can include up to life imprisonment, are sufficiently stringent and, with respect to sex trafficking, commensurate with the penalties prescribed for other serious crimes, such as rape. U.S. law also prohibits conspiracy and the attempt to violate these provisions, as well as obstruction of the statutes' enforcement and the financial benefit from these acts. Additionally, a criminal statute on fraud in foreign labor contracting prohibits the use of fraud

to recruit workers abroad to work in the United States or on a U.S. government contract performed outside the United States, on U.S. property, or on military installations outside the United States. During the reporting period, the U.S. Congress passed several laws that address human trafficking and related crimes, including laws amending and reauthorizing the TVPA and a law creating additional grounds for civil action against and expanding criminal liability of websites and technology platforms that intentionally promote or facilitate prostitution, with aggravated penalties for cases in which the defendant recklessly disregards that the conduct contributes to sex trafficking.

Advocates called for adoption of federal vacatur legislation. Regarding the new legislation addressing civil and criminal liability of websites and technology platforms, some advocates supported the law's expanding civil causes of action for survivors and state governments and expanding criminal liability of such platforms by removing prior legal exemptions. Other advocates, however, reported concerns that the legislation increased vulnerabilities to sex trafficking for individuals engaged in commercial sex, citing a greater reliance on predatory third parties by such individuals.

The Department of Justice (DOJ), Department of Homeland Security (DHS), and Department of State (DOS) are the primary investigating agencies for federal trafficking offenses, with federal human trafficking cases prosecuted by DOJ. DOJ, DHS, and DOS also support victims by engaging law enforcement victim assistance specialists during trafficking investigations and prosecutions, including by connecting identified victims to victim service providers. DHS expanded by 70 percent the number of victim assistance specialists and forensic interview specialists working alongside human trafficking investigators nationwide. DOJ, in coordination with DHS and the Department of Labor (DOL), continued to develop complex human trafficking investigations and prosecutions through the Anti-Trafficking Coordination Team (ACTeam) Initiative. In addition, DOJ provided \$23.1 million in fiscal year (FY) 2018 to 17 state and local law enforcement agencies and 17 victim service providers that make up 17 Enhanced Collaborative Model (ECM) anti-trafficking task forces in partnership with other federal, state, local, and tribal law enforcement entities and community partners. This represents a significant increase from \$2.8 million for two ECM task forces funded in FY 2017. Several federal agencies participated in other human trafficking task forces nationwide consisting of federal, state, and local law enforcement, as well as victim service providers.

The federal government reports its law enforcement data by fiscal year. In FY 2018, DHS opened 849 investigations related to human trafficking compared to 833 in FY 2017. DOJ formally opened 657 human trafficking investigations, a significant decrease from 783 in FY 2017. (The FY 2017 number from DOJ [783] represents a correction to the number cited last year [782].) DOS reported opening 148 human trafficking-related cases worldwide during FY 2018, a decrease from 169 in FY 2017. The Department of Defense (DoD) reported investigating two human trafficking cases involving U.S. military personnel compared to one in FY 2017. (The FY 2017 number from DoD [one] represents a correction to the number cited last year [11].)

DOJ initiated a total of 230 federal human trafficking prosecutions in FY 2018, a significant decrease from 282 in FY 2017, and charged 386 defendants, a significant decrease from 553 in FY 2017. Of these prosecutions, 213 involved predominantly sex trafficking and 17 involved predominantly

labor trafficking, compared to 266 and 16 in FY 2017, respectively. At least one of these cases involved both.

During FY 2018, DOJ secured convictions against 526 traffickers, an increase from 499 convictions in FY 2017. Of these, 501 involved predominantly sex trafficking and 25 involved predominantly labor trafficking, compared to 471 and 28 in FY 2017, respectively.

These prosecutions and convictions include cases brought under trafficking-specific criminal statutes and non-trafficking criminal statutes, but they do not include child sex trafficking cases brought under non-trafficking statutes. Sentences ranged from three months to life imprisonment, with more than 70 percent of cases exceeding sentences of five years.

DOJ, DHS, and other enforcement partners initiated interagency efforts to identify, analyze, and address factors contributing to decreases in trafficking prosecutions. Besides outreach to NGOs, these efforts included updated training for law enforcement officers and prosecutors to increase victim identification capabilities and enhance access by victims to legal protections that support their cooperation as witnesses in investigations and prosecutions. DOJ and DHS also held a listening session with NGOs in response to concerns raised about reduced access to protections for foreign national trafficking victims.

DOJ and DHS continued to partner with Mexican law enforcement counterparts to dismantle human trafficking networks operating across the U.S.-Mexico border by exchanging leads, intelligence, and case-based mentoring. DOJ seized and shut down a major online advertiser that facilitated sex trafficking. DOJ established a working group on mandatory restitution in June 2018 and developed training materials for U.S. attorneys, including information about requesting transfers of forfeited assets for victim compensation. The Federal Bureau of Investigation, a component of DOJ, moved into one new section the units that investigate human trafficking, including sex trafficking cases involving adult victims and all labor trafficking cases, violent crimes against children, and other violent crimes. DHS scaled up border security and immigration enforcement activities consistent with Executive Order 13773 on enforcing federal law with respect to transnational criminal organizations and preventing international trafficking. The Department of the Treasury (Treasury) continued to analyze and disseminate information received from financial institutions related to human trafficking, and partnered with domestic and foreign government stakeholders to support human trafficking investigations. Treasury collaborated with DHS on developing leads that helped law enforcement take actions against human traffickers. Treasury also has sanctions authorities, which it could use to target the finances of international human traffickers worldwide. The Department of Health and Human Services (HHS) inspectors general, in partnership with law enforcement, piloted an initiative to find children missing from foster care, including those at risk of human trafficking.

Advocates called for federal prosecutors to seek, and for courts to award, mandatory restitution for both sex and labor trafficking cases, citing concerns about the low number of cases in which it was ordered. While one NGO noted the number of defendants convicted of a crime that triggered mandatory restitution ordered to pay restitution increased from 24.5 percent in 2017 to 40.1 percent in 2018, this same NGO reported that federal courts did not order mandatory restitution for the majority of convicted defendants. Advocates also called for increased training of prosecutors and judges on mandatory restitution

and noted that victim witnesses lack independent legal counsel to assist in obtaining restitution on their behalf.

Advocates reported that very few labor trafficking cases referred to law enforcement were investigated, and called for increased efforts to identify, investigate, and prosecute labor trafficking cases.

State laws form the basis of most criminal actions in the United States. All U.S. states and territories have anti-trafficking criminal statutes. In addition, 44 states had laws allowing survivors to seek a court order vacating, expunging, or sealing criminal convictions entered against them that resulted from unlawful acts traffickers compelled them to commit, and at least 34 states had “safe harbor” laws, which are meant to prevent child sex trafficking victims from being prosecuted for commercial sex.

Advocates continued to report trafficking victims were arrested at the state and local levels for the unlawful acts their traffickers compelled them to commit, including commercial sex, drug trafficking, and possession of false identification documents, and even in some states with “safe harbor” laws, child victims were arrested. Survivor advocates noted authorities disproportionately penalized child sex trafficking victims from communities of color for unlawful acts their traffickers compelled them to commit and also reported concern with the lack of victim identification and services available for such penalized survivors, including within the foster care system.

Advocates reported concerns with the limited degree of relief available under some state vacatur laws for trafficking victims with criminal records, noting four states where relief only applied to child trafficking victims. One NGO report found that some states imposed substantive criteria or procedural requirements that created an undue burden in terms of time, financial expense, and difficulty required for survivors to successfully vacate their criminal convictions. Advocates called on states to strengthen existing vacatur and expungement laws, collect data on the use of such laws, and provide additional resources to conduct targeted outreach to survivors.

The federal government continued to collect state and local data on human trafficking investigations during the reporting period through the Uniform Crime Reporting (UCR) Program. Data from 2017 collected from participating jurisdictions are publicly available. State participation reached approximately 78 percent of U.S. states. In 2017, participating jurisdictions reported a total of 545 human trafficking offenses resulting in arrest or solved for crime reporting purposes, a decrease from 654 in 2016. There is no other formal mechanism for the federal government to track prosecutions at the state and local levels.

The government took actions to address alleged complicity in human trafficking by government employees. A U.S. military police officer who exploited victims’ opioid addictions was convicted of sex trafficking. A U.S. naval officer was charged with sex trafficking. A municipal law enforcement officer pled guilty to a charge of sex trafficking involving a 14-year-old.

The U.S. government continued to build the capacity of law enforcement, judges, military personnel, and labor inspectors, among others, to more effectively respond to human trafficking cases. DOJ and DHS conducted training on indicators of human trafficking and the victim-centered approach to investigations, and provided training on best practices in investigating human trafficking cases. DHS provided human trafficking training to more than 95 law enforcement agencies at its federal training center and to foreign law enforcement, prosecutors, and victim

service providers from 53 countries. DHS also updated and relaunched its advanced investigators training, which included a focus on investigating forced labor cases. The Department of the Interior (DOI) provided training to federal, state, local, and tribal law enforcement officers; tribal leaders and community members; and service providers on human trafficking in Indian Country. DOS trained its agents and analysts who investigate and support human trafficking cases to identify networks and engage with survivors using a victim-centered approach. Some federal agencies engaged with survivors to incorporate their input in the development of victim-centered training for law enforcement and prosecutors.

PROTECTION

The U.S. government’s protection efforts were mixed. While the government increased funding for victim assistance for trafficking victims compared with the previous year, it decreased the number of trafficking-specific immigration options issued to victims, including T nonimmigrant status and Continued Presence, and granted fewer Certification and Eligibility Letters providing access to benefits and services to foreign national victims of trafficking. The government did not publicly release the FY 2017 status report for its strategic action plan on victim services.

The government had formal procedures to guide officials in victim identification and referral to service providers; funded several federal tip lines, including an NGO-operated national hotline and referral service; and funded victim assistance organizations that provided trafficking-specific services. Comprehensive victim assistance funded by the federal government included case management and referrals for medical and dental care, mental health and substance use disorder treatment, sustenance and shelter, translation and interpretation services, immigration and legal assistance, employment and training, transportation assistance, and other services.

DOJ provided funding for victim-centered services for both foreign national and domestic trafficking victims. Record-keeping systems used by DOJ and HHS did not allow for cross-referencing to determine which victims were served by both agencies. HHS issued Certification and Eligibility Letters for foreign national victims to be eligible for benefits and services to the same extent as refugees, provided grant funding for comprehensive case management for foreign national and domestic trafficking victims, and funded capacity-building grants for community-based organizations and child welfare systems to respond to trafficking.

During FY 2018, DOJ provided \$31.2 million for 45 victim service providers offering comprehensive and specialized services across the United States. This represents a significant increase from 18 providers receiving \$16.2 million in FY 2017. DOJ also provided \$2.7 million for training and technical assistance to help service providers and court stakeholders meet the needs of survivors. DOJ provided \$1.2 million in new funding to increase the availability of trauma-informed services and address barriers to assisting labor trafficking victims. DOJ provided \$1.8 million to support mentoring and comprehensive victim services for domestic victims of child sex trafficking and commercial sexual exploitation compared to \$1.9 million in FY 2017. From July 1, 2017 to June 30, 2018, DOJ grantees providing victim services reported 8,913 open trafficking client cases, including 4,739 new clients, an increase from 8,003 open client cases and 4,349 new clients reported the previous year and a respective 5,655 and 3,195 the year before that. DOJ’s grantees reported that

72 percent of clients served during the reporting period were U.S. citizens or lawful permanent residents and 28 percent were foreign nationals. Grantees reported that 66 percent of clients served were victims of sex trafficking, 20 percent were victims of labor trafficking, five percent were identified as victims of both sex and labor trafficking, and the form of trafficking for nine percent was unknown. During the reporting period, DOJ issued a new policy that prohibited FY 2018 victim assistance funding from being used to represent survivors in vacatur and expungement cases.

NGOs and survivor advocates called for DOJ to reverse this policy, expressing significant concern because survivors with criminal records often face barriers to employment, housing, financial aid for higher education, and other needs essential to their safety and recovery.

HHS awarded \$7.5 million in FY 2018 for the provision of case management services to foreign national victims through a nationwide network of NGO sub-recipients, an increase from \$6.6 million in FY 2017. Through this program, HHS supported 98 NGOs that served 1,612 victims of trafficking and qualified family members in 48 states and U.S. territories, an increase from 1,531 individuals served the previous year. In FY 2018, HHS awarded \$3.2 million, compared to \$3.4 million in FY 2017, for the provision of case management services to domestic victims of human trafficking in 12 states, which served 1,149 victims of trafficking through collaborative partnerships with 175 service providers, an increase from 636 victims served the previous year. HHS also provided \$2.3 million to address human trafficking in the child welfare system in FY 2018, the same amount as the previous year.

A Certification Letter enables foreign national adult victims to be eligible to apply for federal and state benefits and services to the same extent as refugees when Continued Presence is granted or when a victim has a bona fide or approved application for T nonimmigrant status, as described further below. An Eligibility or Interim Assistance Letter allows eligibility for federally funded benefits and services to the same extent as refugees when credible information indicates a foreign national child is or may be a victim of trafficking. HHS issued 412 Certification Letters to foreign national adults in FY 2018, representing a decrease from 448 in FY 2017, and issued 466 Eligibility Letters to foreign national children in FY 2018, a decrease from 507 in FY 2017. (The FY 2017 figures [448 and 507, respectively] represent corrections to the numbers cited last year [466 and 509, respectively].) Of the 412 foreign national adult victims certified in FY 2018, 69 percent were labor trafficking victims, 22 percent were sex trafficking victims, and eight percent were victims of both sex and labor trafficking. More than half of all adult victims certified in FY 2018 were female. Out of 466 foreign national minor victims certified in FY 2018, 67 percent were labor trafficking victims, 27 percent were sex trafficking victims, and six percent were victims of both labor and sex trafficking. Slightly more than half of all foreign national minor victims were male.

During the year, HHS child protection specialists continued to provide training and technical assistance to identify foreign national child trafficking victims. When children are placed in the care and custody of HHS, they are screened for human trafficking. When appropriate, HHS makes a determination of eligibility for benefits and services, which may include long-term assistance. HHS assisted 87 new foreign national child victims of trafficking through its Unaccompanied Refugee Minors Program in FY 2018, but the total number of victims served

was not available. In FY 2017, the program served 139 victims total. (The FY 2017 number [139] represents a correction to the number cited last year [141].) This program requires states to provide such child victims with the same assistance, care, and services available to foster children.

NGOs called for expanded services for unaccompanied foreign national children without lawful immigration status upon their release from HHS care and custody.

NGOs and survivor advocates continued to express concern that despite federally funded programs to provide comprehensive services for all victims of trafficking, comprehensive services were not always provided. Specifically, advocates reported a significant lack of services available for men, boys, and LGBTI individuals and noted continued concern that some federal funding opportunities no longer highlight the need for services for LGBTI individuals. NGOs and survivor advocates continued to report insufficient access to emergency shelter, transitional housing, and long-term housing options for trafficking victims. Advocates called for more culturally appropriate services and increased availability of victim-centered, trauma-informed, and survivor-informed services for trafficking victims. Advocates also continued to call for improvements to education, job training, and job placement for survivors.

DHS provides trafficking-specific immigration options through Continued Presence, which is a temporary immigration designation, and T nonimmigrant status, which is a temporary immigration benefit commonly referred to as the T visa. Both immigration options strengthen the ability of law enforcement agencies to investigate and prosecute human trafficking by encouraging victims to come forward. To qualify for Continued Presence, an individual must be identified by law enforcement as a victim of human trafficking who may be a potential witness in the investigation or prosecution of the trafficker. To qualify for a T visa, applicants must demonstrate that they (1) are victims of a severe form of trafficking in persons; (2) are physically present in the United States, American Samoa, the Commonwealth of the Northern Mariana Islands, or at a port of entry because of trafficking; (3) have cooperated with reasonable requests from law enforcement, unless they are younger than the age of 18 or unable to cooperate due to trauma suffered; and (4) would suffer extreme hardship involving unusual and severe harm upon removal from the United States. T visa applicants may sponsor certain family members, including certain extended family members who face a present danger of retaliation. T nonimmigrants and their derivative family members are authorized to work and are eligible for certain federal public benefits and services. T nonimmigrant status is granted for a period of four years and may be extended under certain limited circumstances. After three years, or upon the completion of the investigation or prosecution, T nonimmigrants may be eligible to apply for lawful permanent resident status and eventually may be eligible for citizenship. DHS granted T nonimmigrant status to 580 victims in FY 2018, a significant decrease from 672 victims in FY 2017, and granted T nonimmigrant status to 698 eligible family members of victims in FY 2018 compared to 690 family members in FY 2017. The processing time for T visas was between 16 months to 23.5 months in FY 2018.

NGOs continued to report increased obstacles to obtaining a T visa, noting a continuing rise in the number of requests for additional evidence by adjudicators, including requests that referred to outdated regulations. NGOs also reported increased T visa denials that they believed improperly interpreted relevant statutes and regulations, such as denials based on

unlawful acts traffickers compelled victims to commit. NGOs called for improved training for adjudicators that includes detailed guidance on current regulations and a trauma-informed approach. NGOs also expressed concern with lengthy T visa processing times, citing increased vulnerabilities for survivors who lack legal status or whose time-limited support services expire.

DHS manages all requests from federal, state, and local law enforcement for Continued Presence, authorizing foreign nationals identified by law enforcement as trafficking victims who may be potential witnesses to remain lawfully and work in the United States during the investigation and prosecution of the crime. In FY 2018, DHS issued Continued Presence to 121 trafficking victims, who were potential witnesses, a significant decrease from 160 in FY 2017. This is the first full reporting period in which DHS had the authority to grant Continued Presence for two years and extensions for up to two years, which accounts for the 31 such extensions granted in FY 2018 compared to 113 extensions in FY 2017. DHS launched a Continued Presence training video to promote consistent messaging that encourages federal, state, and local law enforcement requests.

Advocates reported concern with the low number of Continued Presence requests made by law enforcement and called for enhanced collaboration between DHS and DOJ to prioritize an increase in the number of requests submitted by federal law enforcement working on cases in the field. NGOs reported delays in processing requests for Continued Presence and continued to call for law enforcement to request Continued Presence expeditiously pursuant to DHS policy. NGOs also called for targeted training of law enforcement in geographic areas with the lowest numbers of requests and for granting federal victim assistance specialists the authority to request Continued Presence.

Based on an executive order, DHS updated its policy on issuing notices to appear (NTAs) to applicants and petitioners who are removable upon denial of an immigration benefit. An NTA is an administrative document that, when filed with the immigration court, initiates removal proceedings for foreign nationals. As of November 2018, DHS may issue NTAs to individuals following the denial of a T visa or denial of adjustment of status from a T visa to permanent resident status, if such individuals are unlawfully present at that time of denial. Under this policy guidance, officers retain the discretion, on a case-by-case basis, to recommend the exercise of prosecutorial discretion to not issue an NTA if the officer determines there is appropriate evidence to warrant such an action.

DHS also published a proposed revision to its fee waiver determination process for certain immigration applications and petitions, including filings related to the T visa, whereby individuals seeking fee waivers will no longer be able to qualify solely with proof of receipt of a means-tested benefit. They are still permitted, however, to apply based on significant financial hardship or with proof of income at or below 150 percent of the federal poverty level.

DHS also issued a notice of proposed rulemaking to change current regulations used to determine an applicant's inadmissibility to the United States based on the likelihood of becoming a public charge, i.e., depending on public resources for basic needs. At the close of the reporting period, DHS was evaluating public comments regarding whether this inadmissibility ground would apply to T nonimmigrants seeking lawful permanent resident status.

Advocates reported an increasing number of foreign national survivors are afraid to report their cases to law enforcement, pursue immigration options, or seek services due to heightened immigration enforcement policies, which have resulted in increased fear of deportation or removal of victim witnesses. Advocates called for DHS to exempt individuals denied T visas from being referred to immigration courts for removal proceedings. Advocates noted the updated policy appeared to increase the risk for survivors who cooperated with law enforcement against their traffickers, including the risk that they would face retribution in their home country, if deported. NGOs also reported increased denials of fee waivers for T visa applicants, which placed a heightened financial burden on survivors, citing cases in which detained and homeless survivors as well as an unaccompanied foreign national child without lawful immigration status were denied fee waivers. NGOs expressed concern with DHS's proposed revisions to the fee waiver determination process impeding access to immigration benefits, noting the TVPA permits survivors to apply for a waiver. Advocates called for DHS to withdraw its proposed public charge rule, reporting that, because of the proposed rule, survivors are afraid to access public assistance programs to which they are entitled. NGOs further noted the TVPA exempts survivors from the public charge rule.

Another immigration benefit available to certain human trafficking victims is U nonimmigrant status (commonly referred to as the U visa) for victims of certain qualifying crimes, including human trafficking, who are helpful in the investigation or prosecution of the qualifying criminal activity and meet other specific eligibility requirements. DHS is unable to accurately delineate the number of U visas issued based on the specific underlying crimes for which they were issued.

In FY 2018, a DOS program reunified 262 family members with identified victims of trafficking in the United States, compared with 272 in FY 2017. This program assisted one survivor to return home.

The U.S. government continued to provide and fund training to federal, state, local, and tribal officials, as well as to NGO service providers and health and human service providers to encourage more consistent application of victim-centered and trauma-informed approaches in all phases of victim identification, assistance, recovery, and participation in the criminal justice process. DHS adjudicators receive specific training on the adjudication of humanitarian applications and petitions.

DHS screens certain individuals for human trafficking, including unaccompanied foreign national children without lawful immigration status and some detained individuals, and, in cases where potential victims were identified, referred cases to law enforcement for further investigation. In the case of adult foreign nationals apprehended, interdicted, or in detention pending deportation, DHS does not mandate screening of such individuals for trafficking indicators.

Advocates continued to report immigration officials detained a small number of individuals with pending applications for trafficking-specific immigration benefits. One NGO called for standardized trafficking screening within the judicial and penal system to identify potential victims, especially minor victims, and called on the government to better identify and address the needs of domestic victims of child sex trafficking.

PREVENTION

The U.S. government maintained efforts to prevent trafficking. Federal agencies conducted numerous educational and training activities for their own personnel, state, local, and tribal officials, and other stakeholders. The President's Interagency Task Force to Monitor and Combat Trafficking in Persons included the presidentially-appointed survivor advisory council in its meeting and reported publicly on agency accomplishments and future efforts.

The government continued public outreach measures on the causes and consequences of human trafficking and continued efforts to increase victim identification among vulnerable populations and sectors and to seek and incorporate survivor input into policies and programs. HHS awarded \$1.75 million to an NGO to operate the national human trafficking hotline. In FY 2018, the hotline received 116,940 calls, texts, chats, online tips, and emails, identified 10,658 potential human trafficking cases, and provided resources and referrals to 9,365 potential victims. The hotline also received information on more than 5,600 potential traffickers and more than 42 types of businesses facilitating human trafficking. Of the potential human trafficking cases identified, the hotline reported 3,434 cases to law enforcement and received information that at least 1,009 investigations were opened as a result. More than 6,000 individuals identified themselves through calls, texts, or web chats as potential victims of trafficking seeking help, with texting being the most common method of communication. HHS awarded \$2 million in FY 2018 for the identification and referral of domestic and foreign national victims of human trafficking for services in 10 communities, identifying 558 victims of trafficking. The U.S. government operated other tip lines that received calls or messages related to suspected human trafficking cases. U.S. embassies and consulates worldwide continued to provide the "Know Your Rights" pamphlet to applicants for temporary work and exchange visitor visas in an effort to help visa applicants better understand their rights and raise awareness of human trafficking. DOS updated the related "Know Your Rights" video with input from survivors so that it would more effectively reach its target audience. In FY 2018, the pamphlet generated 294 calls to the national hotline, a significant decline from 714 calls generated in FY 2017.

In 2018, DHS held more than 1,300 training and engagement events with NGOs and law enforcement. DHS continued its nationwide human trafficking awareness Blue Campaign and incorporated input from trafficking survivors and other partners to develop new educational awareness products, including toolkits for the transportation sector and faith-based communities. Under the law, HHS established a national advisory committee composed of trafficking survivors and other subject matter experts focused on child sex trafficking in the United States. In January 2019, the committee submitted preliminary recommendations to DOJ and HHS for improving federal and state responses to child sex trafficking. In FY 2018, HHS published new survivor-informed public awareness materials to reach faith and community-based partners and health professionals. In FY 2018, HHS supported 61 training and technical assistance activities, compared to 32 in FY 2017, reaching 8,506 training participants. These activities included online training designed to improve health care providers' awareness of and response to human trafficking. For the second year, HHS continued its leadership academy composed of survivors and anti-trafficking professionals that developed recommendations for improving services. DOL worked with an NGO to train state authorities to identify and refer cases of labor trafficking in agriculture. The Department of Transportation (DOT) and DHS continued to train airline personnel and in

FY 2018 had 20 active partnerships with airlines and aviation industry organizations. Under the law, DOT established a new advisory committee on human trafficking composed of representatives from NGOs, transportation sectors, and labor associations that will develop recommendations for DOT and best practices for the state and local departments of transportation, private industry, NGOs, transportation authorities, and other transportation stakeholders. In FY 2018, the Equal Employment Opportunity Commission (EEOC) participated in 188 outreach events that addressed human trafficking, reaching more than 9,370 individuals, including state and local government partners, and continued efforts to increase public awareness about human trafficking with its human trafficking resource guide. The EEOC also conducted training on identifying and developing trafficking-related charges of discrimination. DOS launched a consultant network of survivors and other subject matter experts to inform its anti-trafficking policies and programs. DOS also added a human trafficking module to its orientation program for U.S. chiefs of mission and updated its human trafficking course for consular staff. The U.S. Agency for International Development (USAID) created a new strategy for promoting and prioritizing survivor empowerment through its programs. Congress made available more than \$95 million in FY 2018 foreign assistance resources to DOS and USAID to support anti-trafficking initiatives in more than 45 countries.

NGOs continued to call for a more comprehensive approach to address the factors and conditions that increase vulnerabilities, including by promoting fair wages and access to social services. Advocates also called for additional research into the prevalence and characteristics of human trafficking in the United States, especially for labor trafficking and other trafficking cases involving men, boys, and LGBTI individuals, to improve targeted prevention efforts.

DOL, DHS, and DOS screen and approve employers and workers for temporary worker programs to ensure compliance with program requirements, including worker protections. To reduce workers' vulnerability to exploitation, including human trafficking, the United States bars employers participating in these programs or their agents from seeking or receiving payments from workers for any activities related to obtaining labor certification or employment, including job placement and recruitment fees, and salary and wage deductions, and requires that the terms of employment be disclosed. DOL seeks to ensure employer compliance through audits and investigations and does not accept temporary labor certification applications if the employer discloses it charges a prohibited fee to the worker.

NGOs reported weak oversight of employment-based and other nonimmigrant visa programs, noting human trafficking cases involving workers in the United States on these programs. They also called for more training of government agencies and law enforcement to distinguish between labor violations and labor trafficking. Advocates continued to call for enhanced protections for workers in temporary worker programs, including regulatory changes to uncouple employment visas from an employer or sponsor and to protect individuals in certain temporary worker programs to the same extent as other workers. In addition, NGOs called for increased transparency and accountability for temporary worker programs and for agencies to develop a more accessible system to share visa and job-related information with workers in real time, including the names of employer petitioners.

For the H-2A program, DOL maintains an online list of certified

and debarred U.S.-based farm labor contractors but does not maintain a list of foreign farm labor recruiters. For the H-2B program, DOL maintains and updates quarterly an online list of foreign labor recruiters; this list does not certify or indicate recruiters' compliance with the recruitment fee ban.

In FY 2018, DOL issued 11,319 H-2A and 7,420 H-2B temporary labor certifications compared to 9,797 and 6,599 in FY 2017, respectively, and debarred 35 employers for substantially violating material terms or conditions of such temporary labor certifications. DHS, which adjudicates employer petitions for such workers, does not delineate reasons for H-2A and H-2B denials; thus, data related to the number of denials based upon prohibited fee practices is unavailable.

NGOs continued to report that formal and informal recruiters and agents charged workers prohibited fees and noted weak government enforcement of the recruitment fee ban. One NGO stated the H-2B list was not published frequently enough or in a format that allowed workers to verify recruiters and reported this outdated or incomplete information aided unscrupulous recruiters with creating more plausible, but false, offers. An NGO noted an H-2A farm labor contractor who pled guilty to visa fraud was not debarred and continued to participate in the program.

Another NGO reported that lack of oversight, coupled with the government's practice of denying visas to applicants who reported paying recruitment fees, disincentivized applicants from reporting violations to authorities. NGOs called for the formalization of the labor recruitment process, such as through the creation of registration requirements and a government-run public registry of authorized labor recruiters.

DOS continued its oversight of the Exchange Visitor Program (EVP or J-1 Visa program), which includes the Summer Work Travel (SWT), Camp Counselor, Intern, and Au Pair programs. DOS continued to monitor exchange visitors to help safeguard their health, safety, and welfare and to identify and investigate program fraud and abuse. DOS conducted outreach throughout 2018 to raise program sponsors' awareness of their administrative oversight and reporting obligations to DOS with respect to the health, safety, and welfare of exchange visitors. DOS requires EVP sponsors to provide all exchange visitors with the "Know Your Rights" pamphlet during orientation sessions. DOS conducted field monitoring across all EVP categories in 2018, visiting 1,103 exchange visitors in 311 sites in 21 states, the District of Columbia, and the U.S. Virgin Islands. DOS also continued community outreach efforts in 22 states with significant SWT populations, which included outreach with local host organizations and exchange visitors to raise awareness about human trafficking. DOS continued to liaise with law enforcement on criminal investigations relating to the EVP. In February 2019, a federal court allowed to proceed a certified class of workers in the SWT, Intern, and Trainee programs who alleged they were forced to work in violation of the TVPA; DOS previously removed the party named in the lawsuit as a designated sponsor of the SWT, Intern, and Trainee programs. DOS is not party to the lawsuit.

Reports continued to allege abuse under the Au Pair program involving au pairs working extra hours without additional pay and not receiving the appropriate wage for their placement jurisdiction. An NGO report released during the reporting period found that, between 2014 and 2017, national human trafficking hotline data included allegations involving 25 au pairs of physical and verbal abuse, and withholding of identity

and immigration documents. NGOs reported the need for additional steps to reduce the risks of exploitation in the SWT program, noting concerns with exorbitant program fees and exploitative work conditions. NGOs called for further reforms of the Au Pair and SWT programs, such as requiring program participants to receive contracts detailing the scope and conditions of work.

During the reporting period, lawsuits in Colorado, Georgia, Texas, Washington, Maryland, and California remained pending against privately owned and operated detention facilities contracted by DHS. These lawsuits allege that the contractors forced immigration detainees to work in violation of the TVPA during their federal immigration detention. DHS is not party to the lawsuits, nor are any of its component agencies.

DOS continued to administer its domestic worker In-Person Registration Program for A-3 and G-5 visa holders employed by foreign mission and international organization personnel, respectively, in the Washington, DC area, and announced the expansion of the program to two new cities and selected the New York metropolitan region as one of them. On January 8, 2019, the government amended the TVPA to require DOS to suspend the A-3 or G-5 visa privileges of any foreign mission or international organization in certain circumstances, including in cases where there is an unpaid default or final civil judgment related to human trafficking against the employer assigned to the embassy.

NGOs called for an expansion of the In-Person Registration Program to additional cities and for DOS to suspend domestic worker visa privileges of any foreign mission or international organization that has not adequately addressed allegations of abuse of any domestic worker, as required by the TVPA.

Civil enforcement of federal laws continued to be a significant component of the government's anti-trafficking efforts. DOL investigated complaints and conducted targeted civil labor investigations involving workers in industries and sectors known to be vulnerable to labor trafficking. In FY 2018, DOL continued enforcement activities in industries including agriculture, landscaping, hotels, seafood, and reforestation.

During the reporting period, the EEOC, which enforces federal employment discrimination statutes, continued to investigate charges on behalf of and seek compensation for victims of trafficking. In FY 2018, the EEOC received eight new charges of discrimination linked to human trafficking. It also resolved 35 similar pending charges and recovered more than \$244,000 in monetary benefits for charging parties through the administrative process. As of September 20, 2018, the EEOC had 10 pending charges linked to human trafficking. While the EEOC filed no new employment discrimination lawsuits linked to human trafficking in FY 2018, it continued to litigate a previously filed case.

Federal law also allows a trafficking victim to independently file a civil cause of action, and during the reporting period individuals filed such cases. The number of civil cases increased during the reporting period, with most brought by foreign national plaintiffs alleging forced labor.

The government continued its efforts to reduce the demand for commercial sex and forced labor in the reporting period. DoD, in partnership with local law enforcement, investigated 117 cases in FY 2018 of service members allegedly violating DoD's prohibition on procuring commercial sex, a significant increase from 10 investigations the previous year. DOJ continued

to prosecute individuals for sex trafficking who pay or attempt to pay for commercial sex involving children.

NGOs called for increased efforts to address the demand for all forms of human trafficking.

DOJ and DHS continued to proactively investigate allegations of child sex tourism offenses perpetrated overseas by U.S. citizens and partnered with foreign law enforcement counterparts to share information regarding international travel of registered child sex offenders. Three defendants were convicted of federal child sex tourism charges in FY 2018 compared to nine in the previous reporting period. Offenders who abuse children abroad may have been prosecuted under other statutes, and prosecutions based on other statutes are not reflected in this statistic. DOJ, along with DHS, DOS, and DoD, continued to implement a strategy to track registered sex offenders traveling internationally and notify destination countries.

DOJ and other federal law enforcement agencies did not receive allegations of forced labor or recruitment fees required of third-country nationals working on certain U.S. government contracts abroad, and there were not any federal criminal prosecutions of employers or labor contractors for such violations in connection with U.S. government contracts abroad in FY 2018.

During the reporting period, federal law was amended to prohibit the charging of any recruitment fees on federal contracts by federal contractors and grantees, or by any entity in their supply chains, and the government finalized a definition of "recruitment fees" in the Federal Acquisition Regulation in order to strengthen protections against trafficking in federal contracts. The government did not publish finalized guidance for federal contractors on anti-trafficking risk management best practices and mitigation considerations during the reporting period. DoD took action against noncompliant employers or labor contractors from U.S. programs resulting in nine non-compliance requests, four cure notices, one show cause letter, one contractor personnel termination, six contractor employee debarments and one subcontractor debarment, and one contract termination. DHS had zero contract suspensions or debarments related to human trafficking in FY 2018. The government, along with the governments of Australia, Canada, New Zealand, and the United Kingdom, launched a set of principles for governments to use as a framework for preventing and addressing forced labor in public and private sector supply chains.

DHS enforced the law that prohibits the importation of goods, mined, produced, or manufactured, wholly or in part, under forced labor conditions, including forced child labor. DHS issued two Withhold Release Orders from April 1, 2018, to March 31, 2019, for shipments of goods on grounds they were produced by forced labor. The government continued to enforce a law that extends this prohibition to any imports produced by North Korean nationals. In October 2018, pursuant to Congressional directive, DOJ launched an interagency task force to address legal and jurisdictional issues related to human trafficking in fishing in international waters. The government signed but the U.S. Congress has not yet ratified a trade agreement that requires the parties to prohibit the importation of goods produced by forced labor. DOL released French and Spanish language versions of its mobile application that provides companies and industry groups with practical guidance on how to identify risks of forced labor in their supply chains and mitigate or remediate abuses.

In FY 2018, DOI delivered awareness training to 335 officers,

criminal investigators, and gaming employees and conducted 18 trainings for 178 attendees, including DOI law enforcement, tribal and state victim and social service providers, tribal council members, and tribal community members. DHS sought input from survivors to produce a new educational poster series and video to raise awareness among American Indian and Alaska Native communities. DHS also produced a webinar for law enforcement on how to better recognize and respond to American Indian and Alaska Native victims of human trafficking. In FY 2018, for the first time, Congress set aside \$133 million to support tribes and strengthen services for victims of crime, including human trafficking. DOJ and DOI partnered to expand access to DOJ's national crime information databases to more tribal governments. Incorporating feedback from tribes, DOJ re-launched a program to create four new positions focused on facilitating collaboration between tribal and federal judicial authorities on criminal cases, including sex trafficking. HHS produced webinars and conducted an in-person pilot of its training module adapted to focus specifically on American Indian and Alaska Native populations to increase public awareness, identify victims, connect victims to services, and prevent human trafficking. The federal interagency ad hoc working group, which focused on increasing the effectiveness and coordination of the government's anti-trafficking efforts for American Indian and Alaska Native communities, released a resource guide on U.S. government entities combating human trafficking in such communities.

U.S. INSULAR AREAS

Trafficking in persons occurs in the U.S. insular areas, including American Samoa, Guam, the Commonwealth of the Northern Mariana Islands (CNMI), Puerto Rico, and the U.S. Virgin Islands (USVI).

In Guam and CNMI, members of DOJ-led human trafficking task forces continued to engage with community partners to provide victim services, train law enforcement, and share strategies for improving victim identification. DOJ also continued to advance an initiative that enhances coordination with stakeholders in the Pacific Region on victim services, law enforcement responses, training, community outreach, and prevention programs. DOJ and DHS held public awareness events in USVI and continued to participate, along with local authorities in Puerto Rico, in the crimes against children task force.

HHS provides services to foreign national victims of trafficking in American Samoa, Guam, CNMI, Puerto Rico, and USVI, and two DOJ grantees provided comprehensive and legal services to victims of all forms of trafficking in CNMI during the reporting period. In FY 2018, the HHS-funded national hotline received no calls from U.S. territories compared to 19 in FY 2017. In FY 2018, HHS provided grant-funded training and technical assistance in Puerto Rico. In addition, in FY 2018, DOJ and HHS provided training and technical assistance to support the development of multidisciplinary anti-trafficking task forces in Puerto Rico and the USVI.

As part of the prosecution statistics previously mentioned, DOJ filed four new human trafficking cases and convicted nine defendants in CNMI and Puerto Rico within the reporting period.

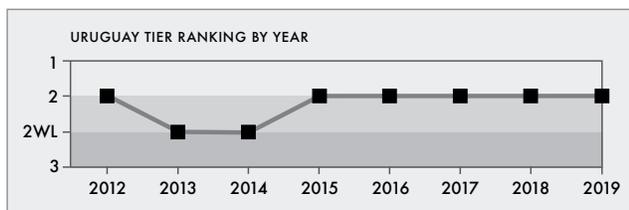
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign national victims in the United States,

and traffickers exploit victims from the United States abroad. Traffickers compel victims to engage in commercial sex and to work in both legal and illicit industries, including in hospitality, traveling sales crews, agriculture, janitorial services, construction, restaurants, care for persons with disabilities, salon services, massage parlors, retail, fairs and carnivals, peddling and begging, drug smuggling and distribution, child care, and domestic work. Individuals who entered the United States with and without legal status have been identified as trafficking victims. Victims originate from almost every region of the world; the top three countries of origin of federally identified victims in FY 2018 were the United States, Mexico, and the Philippines. Populations in the United States vulnerable to human trafficking include: children in the child welfare and juvenile justice systems, including foster care; runaway and homeless youth; unaccompanied foreign national children without lawful immigration status; American Indians and Alaska Natives, particularly women and girls; individuals with drug addictions; migrant laborers, including undocumented workers and participants in visa programs for temporary workers; foreign national domestic workers in diplomatic households; persons with limited English proficiency; persons with disabilities; LGBTI individuals; and participants in court-ordered substance use diversion programs. Advocates reported a growing trend of traffickers targeting victims with disabilities and an increase in the use of online social media platforms to recruit and advertise victims of human trafficking. Some U.S. citizens engage in child sex tourism in foreign countries.

URUGUAY: TIER 2

The Government of Uruguay does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Uruguay remained on Tier 2. These efforts include adopting comprehensive anti-trafficking legislation, finalizing the 2018-2020 national action plan, and establishing the national council to prevent and combat trafficking. However, the government did not meet the minimum standards in several key areas. Law enforcement officials and labor inspectors did not proactively and systematically identify victims and the government did not have adequate victim services. Efforts to prosecute and convict alleged traffickers were insufficient; the government did not convict a trafficker for the second consecutive year and has only convicted five traffickers in the past six years combined.



PRIORITIZED RECOMMENDATIONS:

Provide adequate services, including shelters, for all victims, including those outside the capital. • Increase training for law enforcement officials, labor inspectors, coast guard, prosecutors, judges, and social workers to proactively identify and assist victims of sex and labor trafficking, to include screening of

victims among foreign workers and those in prostitution. • Increase funding for victim services, including long-term assistance and reintegration. • Vigorously investigate and prosecute forced labor, forced adult prostitution, and child sex trafficking. • Hold traffickers accountable with sentences commensurate with the seriousness of the crime. • Train law enforcement officials, judges, and prosecutors on the irrelevance of the initial consent into prostitution, as well as forms of coercion beyond physical restraint. • Provide funding for the implementation of the anti-trafficking law and the national action plan. • Conduct proactive inspections aboard foreign-flagged vessels in Uruguayan waters and the port to screen foreign workers for trafficking indicators. • Develop and operationalize a data collection system to maintain official statistics on anti-trafficking law enforcement and victim identification efforts. • Enhance international cooperation to investigate cases and protect foreign victims, including children. • Increase public awareness campaigns to inform the public about trafficking and about services available to potential victims. • Consider legislation requiring foreign fishing vessels to register in country and abide by Uruguayan labor laws. • Revise the definition of trafficking under Uruguayan law to align with the definition in the 2000 UN TIP Protocol.

PROSECUTION

The government decreased prosecution efforts. Article 78 of the 2008 immigration law criminalized sex trafficking and labor trafficking, prescribing penalties of four to 16 years' imprisonment, which were sufficiently stringent, and with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. The penalties were increased by one-third to one-half if the trafficking offense involved a child victim. Inconsistent with the definition of trafficking under international law, the law established the use of force, fraud, and coercion as aggravating factors rather than as essential elements of the crime. In 2018, the government adopted anti-trafficking law 19.643, which provided minimum standards for victim protection, prevention, and investigation, and created a comprehensive institutional response to combat trafficking.

The government did not collect comprehensive data on anti-trafficking law enforcement efforts and did not maintain a system for tracking court cases. In 2018, the government initiated 17 trafficking investigations (10 in 2017), including three for labor trafficking and 14 for sex trafficking. The government reported four prosecutions (23 in 2017), one for sex trafficking, two for sex and labor trafficking, and the other unknown. The government did not convict any traffickers, compared to zero in 2017; over the last six years, the government has only convicted five traffickers, out of 43 investigations and 52 prosecutions. The gender unit in the Attorney General's Office focused on investigating and prosecuting crimes related to trafficking and the exploitation of children. Authorities did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses. Government authorities reported difficulty prosecuting trafficking crimes due to victims' initially consenting to involvement in prostitution and, in most cases, the absence of physical constraint. The government did not report training law enforcement officials, judges, or prosecutors on the irrelevance of initial consent into prostitution or ways to deal with cases that include coercion beyond physical restraint. The government increased efforts to train law enforcement officials responsible for victim identification and investigation; yet an international organization assessed that, in practice, law enforcement officials did not employ systematic procedures to

identify victims proactively. During the reporting period, the government failed to cooperate with a foreign government on a case involving four minor victims of trafficking. The government offered some training to strengthen law enforcement and border officials' capacity to identify victims; most notably it conducted two training modules for law enforcement officials, reaching more than 2,300 individuals.

PROTECTION

The government maintained inadequate protection efforts. The Ministry of Social Development (MIDES) was the principal provider of services for victims of all crimes, but specialized services for victims of trafficking did not exist in Uruguay. The National Institute for Children and Adolescents Affairs (INAU) was responsible for assisting child and adolescent victims. In 2018, 95 victims were identified; it was unclear who identified the trafficking victims or how many were victims of sex trafficking versus forced labor. MIDES reported assisting 72 victims of trafficking (71 in 2017), more than half of whom were foreign victims. INAU reported assisting 23 child victims of sex trafficking. The government had victim protection protocols and written referral mechanisms on assisting victims. Civil society and government agencies worked together to provide services for female victims; however, some organizations expressed concern about the lack of formality in victim referral. The new anti-trafficking law created an interagency response system that established a referral route for cases. The government and civil society continued to operate a 14-member mobile team of psychologists, social workers, and lawyers that responded to cases located in the interior of the country. Government officials had some facilities that could temporarily house victims; however, civil society expressed concerns about the suitability of these facilities, as they did not meet the needs of victims. The government provided services similar to those given to other vulnerable populations, such as the homeless, refugees, and citizens on welfare. Civil society reported government services focused mostly on psycho-social and legal assistance, while long-term services, such as housing, vocational support, and job placement were insufficient. Civil society reported challenges finding shelter for trafficking victims, particularly for those identified outside the capital. NGOs reported cases where social workers have used their personal funds to provide food for victims. The Ministry of Labor did not report identifying any victims.

The government did not identify or allocate funding for the implementation of the new law or the national action plan. The new law established a reflection period of up to 180 days for foreign victims to decide whether to stay in the country, return to their country of origin, or resettle in a third country. However, during the year, the government did not assist four foreign potential child trafficking victims who needed immediate administrative assistance to return to their country of origin.

PREVENTION

The government increased prevention efforts. The government finalized the 2018-2020 comprehensive national action plan. The new law established the creation of a national council composed of high-level participants that is responsible for the implementation of recommendations from international organizations and institutional oversight on the implementation of law 19.643 and the national action plan. The interagency committee maintained its more technical role and met monthly. The government conducted three awareness campaigns commemorating national and international days in the fight

against trafficking, reaching 189 individuals. The government operated a free, 24-hour hotline directing victims to police or MIDES; the government did not report how many calls involved trafficking cases. MIDES launched a cellphone app version of the hotline to promote use among younger audiences. The government made efforts to prevent child sex tourism but did not otherwise make efforts to reduce the demand for commercial sex or forced labor. While the government inspected legal brothels and massage parlors, inspectors lacked specific procedures to identify trafficking.

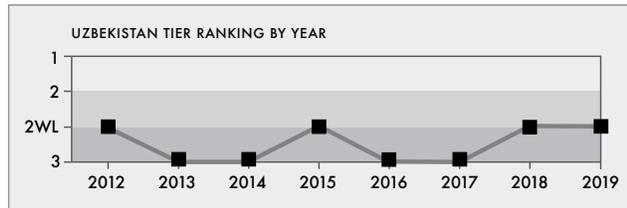
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Uruguay, and traffickers exploit victims from Uruguay abroad. Uruguayan women and girls—and to a more limited extent transgender adults and male adolescents—are subjected to sex trafficking within the country. Uruguayan women and LGBTI individuals are forced into prostitution in Spain, Italy, Argentina, and Brazil. Women from the Dominican Republic, and, to a lesser extent, from South American countries, are subjected to sex trafficking in Uruguay. Foreign workers, mainly from Bolivia, Paraguay, Brazil, the Dominican Republic, and Argentina, are subjected to forced labor in construction, domestic service, cleaning services, elderly care, wholesale stores, textile industries, agriculture, fishing, and lumber processing. Migrants from Cuba were vulnerable to trafficking in border cities. Foreign workers aboard Taiwan- and Chinese-flagged fishing vessels in Uruguay's waters and docked at the Montevideo port may be subjected to abuses indicative of forced labor, including unpaid wages, confiscated identification, and physical abuse, and rumors of murder at sea were common. Since 2013, one dead crewmember per month from these vessels has been recorded. Citizens of other countries, including China and the Dominican Republic, may transit Uruguay en route to other destinations, particularly Argentina. Domestic workers employed in the less-monitored interior of the country are at greater risk of trafficking.

UZBEKISTAN: TIER 2 WATCH LIST

The Government of Uzbekistan does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included taking substantive actions towards ending its use of forced adult labor during the annual cotton harvest, including by increasing remuneration to pickers, partially demobilizing some public sector workers, continuing to allow full unimpeded access to international third-party monitors, incorporating independent human rights activists into monitoring plans, and continuing to uphold the ban on child labor in the harvest. The ILO assessed a further decrease in the use of forced labor from the 2017 harvest. The government's high-level commitment to ending forced labor remained noteworthy; the President and Cabinet of Ministers called attention to government-compelled forced labor in public work projects and issued a decree against mobilization of civil servants for these projects. It increased support to vulnerable labor migrants, including trafficking victims, by creating a budget line item and allocating funds to provide assistance. However, the government did not demonstrate increasing efforts compared to the previous reporting period. Government-compelled forced labor remained during the 2018 cotton harvest. The government did not consistently implement its ban on the mobilization of public sector employees. It identified

fewer victims of trafficking and identified a disproportionately low number of transnational trafficking victims compared to the estimated size of that population. The government investigated and prosecuted fewer suspected traffickers for the fifth consecutive year. Therefore Uzbekistan remained on Tier 2 Watch List for the second consecutive year.



PRIORITIZED RECOMMENDATIONS:

Continue substantive actions to end government-compelled forced labor, including during the annual cotton harvest, through such measures as eliminating cotton production quotas, increasing remuneration, and improving working conditions for workers in the cotton harvest. • Improve procedures for identifying trafficking victims to ensure they are systematic and proactive. • Increase efforts to investigate and prosecute suspected traffickers, respecting due process. • Train law enforcement officials on proper handling of trafficking cases. • Ensure victim identification and protection measures are not tied to the prosecution of a trafficker and allow all first responders to officially identify potential trafficking victims and refer to care. • Fully implement commitments to neither mobilize teachers nor medical workers in forced labor. • Increase efforts to ensure all citizens are aware of their “right to refuse” participation in the cotton harvest or other work outside their professional duties, and the requirement to pay for replacement workers, without suffering consequences. • Respecting due process, increase investigations and, when sufficient evidence exists, criminally prosecute officials complicit in human trafficking, including officials involved in mobilizing forced labor. • Revise the definition of human trafficking within the criminal code to more closely align with the definition in the UN TIP Protocol. • Eliminate the practice of requesting fees for replacement pickers or contributions from businesses and entrepreneurs to support the harvest. • Continue granting independent observers full access to monitor cotton cultivation and fully cease harassment, detention, and abuse of activists for documenting labor conditions, and investigate, and, when sufficient evidence exists, criminally prosecute persons complicit in human trafficking identified by observers. • Continue implementing the national action plan for improving labor conditions in the agricultural sector. • Fund anti-trafficking NGOs assisting and sheltering victims who were not admitted to the state-run shelter. • Develop formal mechanisms to ensure victims are not penalized for unlawful acts traffickers compelled them to commit, including for illegal border crossing and losing personal identification documents. • Amend the criminal code to protect the identities of trafficking victims. • Encourage prosecutors to proactively seek victim restitution in criminal cases. • Monitor private employment agencies for recruitment fees and ensure they are paid by employers rather than prospective job applicants.

PROSECUTION

The government demonstrated decreased law enforcement efforts; for the fifth consecutive year, investigations, prosecutions, and convictions declined. Article 135 of the criminal code

criminalized sex trafficking and labor trafficking and prescribed penalties of three to five years’ imprisonment for offenses involving an adult victim and eight to 12 years’ imprisonment for those involving a child victim, which were sufficiently stringent. However, with respect to sex trafficking, by allowing for house arrest in lieu of imprisonment, these penalties were not commensurate with those prescribed for other serious crimes, such as rape. Inconsistent with the definition of trafficking under international law, the law established the use of force, fraud, or coercion as aggravating factors rather than essential elements of the crime. Forced labor violations were considered as administrative violations for first offenses with fines levied by the labor inspectorate; repeat offenses were considered criminal. However, the criteria for designating repeat offenses was unclear in the administrative code. The government conducted 123 investigations and prosecuted 168 cases for crimes related to trafficking in 2018, compared to 609 investigations and 314 prosecutions in 2017 and 651 investigations and 361 prosecutions in 2016. Authorities reported convicting 230 defendants for crimes involving trafficking and sexual exploitation in 2018, compared to 451 in 2017; however, the government did not provide sufficient detail to determine if the reported statistics met the definition of trafficking under international law. Of the 230 convicted perpetrators, 116 convictions carried a prison sentence, 54 involved house arrest, six carried a sentence of correctional labor, three were required to pay fines, and three were granted amnesty. The government did not provide information for the additional 48 sentences. Officials reported instances of the mishandling of trafficking cases; while most were due to negligence or insufficient training, two officials were prosecuted for mishandling cases. The government did not provide additional details. Officials noted the challenge of collecting sufficient evidence to pursue criminal cases when the trafficker, witness, or victim was located abroad. NGOs noted that some victims reached financial settlements outside of the justice system, in some cases with the facilitation of low-level officials.

The Ministry of Interior (MOI) maintained an investigatory unit dedicated to trafficking crimes. Judges processing trafficking cases were not sufficiently trained; an NGO reported judges did not use a victim-centered approach, and victims often experienced re-traumatization. The government provided trafficking-specific training to police, judges, and other authorities. In addition to attending state-funded training, government officials participated in seminars and conferences sponsored by the government and taught by NGOs, international organizations, and foreign governments, and participated in regional anti-trafficking conferences. Despite official complicity in forced labor offenses, including in the cotton harvest and other sectors, the government did not report criminal investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses during the reporting period. Uzbek law treated them as administrative violations rather than criminal offenses. The government reported issuing administrative fines to 206 officials in 2018, compared to 14 officials in 2017 and to nine in 2016, for forced labor violations. A senior government official characterized trafficking as a social problem resulting from economic vulnerabilities, rather than a criminal concern.

PROTECTION

The government decreased already weak efforts to identify, assist, and protect victims of sex and transnational labor trafficking, and it made limited efforts to assist victims of forced labor in the cotton harvest or other internal sectors. The government

identified 208 victims of trafficking-related crimes in 2018, a decrease from 440 in 2017, 714 in 2016, and 924 in 2015. Of the 208 victims, 125 were female and 83 were men; traffickers subjected 100 to sex trafficking and 100 to forced labor. The government did not provide details on how many of these victims endured exploitation in Uzbekistan. The government did not identify any victims of foreign origin. A Tashkent-based NGO identified and assisted 579 trafficking victims, including 524 men, 53 women, and two children, in 2018 (676 in 2017 and 327 in 2016), the vast majority of whom were in Kazakhstan or Russia when traffickers exploited them; police referred 171 victims to NGOs. NGOs filed 457 applications to initiate criminal cases on behalf of victims, resulting in seven criminal cases and one administrative case. Uzbekistan's diplomatic missions abroad helped repatriate 15 victims, a decrease from 40 victims in 2017 and 109 in 2016, by issuing travel documents, and worked with IOM to provide food, clothing, and transportation to victims to facilitate their repatriation to Uzbekistan. NGOs in destination countries noted that Uzbek diplomatic missions did not proactively assist in the repatriation of their citizens. The government lacked a standardized process to proactively identify victims from vulnerable populations and refer those victims to protective services, especially those subjected to internal trafficking, which led to the penalization of potential victims, particularly those in prostitution. Police, consular officials, and border guards who were able to identify potential trafficking victims could refer them to either a state-run shelter or NGOs for services. To be eligible to receive government-provided rehabilitation and protection services, the government required victims to file a criminal complaint with the authorities in their community of origin, after which the MOI had to decide whether to initiate an investigation and grant official victim status to the individual. As a result, NGOs reported local officials regularly referred victims who did not wish to pursue a criminal case to NGO offices for assistance. The majority of identified victims were reluctant to contact or cooperate with law enforcement because of their distrust in authorities and fear for their safety or the safety of their families due to corruption in law enforcement agencies.

The government allocated approximately 666 million soum (\$80,140), an increase from 540 million soum (approximately \$64,980) in 2017, to operate its Tashkent-based trafficking rehabilitation center for men, women, and children with official victim status. The government assisted 195 victims at this facility in 2018, compared to 460 victims in 2016. This center provided shelter, medical, psychological, legal, and job placement assistance. Victims could discharge themselves from the shelter, although in previous years, authorities at times pressured victims to stay to assist a criminal case. The center had the capacity to accommodate foreign victims, but there have been no foreign victims in the shelter since its opening. The government opened 130 centers to assist vulnerable women, including trafficking victims; these centers were managed and funded by regional governments, some of which coordinated with local anti-trafficking organizations; the new centers were not well-staffed or funded, and the staff did not have sufficient training to identify and assist victims. NGOs reported good cooperation with the government; in 2018, the government continued to provide in-kind support to local NGOs for the provision of victim assistance, such as food and clothing. The government discontinued tax benefits for NGOs, but did provide one NGO free use of a government-owned building. These NGOs provided critical services because officials referred victims to them, and those who did not wish to pursue a criminal case were therefore ineligible to access the state-run shelter. The law did not exempt transnational sex and labor trafficking

victims from facing a criminal penalty for illegally crossing the border, which deterred some victims from reporting their trafficker. NGOs reported authorities dropped these charges when NGOs proved to authorities the victims were subjected to human trafficking. NGOs also noted that MOI officials increasingly complied with legal requirements to maintain victim confidentiality; however, victims' identities were not kept confidential during court proceedings. Victims could bring civil suits against traffickers, but the government did not provide legal representation for victims, and most victims could not afford legal representation on their own; the government reported that no cases were filed in 2018.

PREVENTION

The government increased prevention efforts. The government took steps to modify its agricultural policies that created pressure for the government to force people to work, including by increasing wages to pickers to 144 percent above 2017 rates for the first pass, fulfilling its commitment to not mobilize students, and partially implementing its commitment not to mobilize teachers and medical workers. The 2018 harvest marked the fifth consecutive year the government conducted a nationwide campaign to raise public awareness of its prohibition of child labor in the cotton harvest. The government continued to uphold its ban against the use of child labor in the annual cotton harvest; children were virtually absent from the fields and there were no reports of systemic mobilization. The government, in coordination with the ILO, conducted an awareness-raising campaign to ensure all citizens were aware of their labor rights. The campaign featured more than 400 roadside billboards along major highways, and the distribution of brochures and posters to educational and health care facilities, as well as informative commercials on major television and radio networks. However, the central government continued to set cotton production quotas and demand farmers and local officials fulfill these state-assigned quotas, leading to the mobilization of adult forced labor. Farmers who were unable to fulfill their quotas risked losing the rights to farm their government-leased land. In addition to children, the central government emphasized the ban on mobilization of teachers and medical workers. NGOs reported that, for the first time, the government did not systemically mobilize health and education workers during the spring cotton fieldwork season, although limited reports of technical staff being in the field continued. The government previously coerced these employees to perform fieldwork without pay and under threat of penalty, including dismissal from their jobs. The government identified some instances of forced labor during the weeding and planting season, which resulted in formal reprimands to two regional governors. The ban on the use of these groups was successful for the first half of the harvest; during the first ten days of the harvest there were no reports of systemic mobilization. Observers credited the increased remuneration for attracting more voluntary pickers in the first weeks of the harvest, including a large number of otherwise unemployed pickers. After the first picking round of the harvest, voluntary laborers decreased, as cotton became less plentiful and the weather worsened; reports of forced labor, including of education and medical institution employees, increased. In order to fill the void left by education and health institution employees, the government increasingly mobilized other public employees, such as, among others, those at factories, grain mills, utility companies, banks, law enforcement agencies, and soldiers, as well as prisoners. Government officials instructed some forcibly mobilized pickers to lie about how they came to be in the fields. Local government officials in some areas required public sector

employees to pick cotton, or pay for a replacement worker through an unregulated, informal system, creating a penalty for not participating in the forced labor system and a lucrative means of extortion for corrupt officials. In some cases, local governments pressured private businesses to provide pickers or pay fees to support the harvest, although it was not always clear if the fees funded payment of local administrative costs, or were a means of extortion. NGOs reported that many of the voluntary pickers preferred to be hired as replacement pickers by those seeking to avoid the cotton fields, which enabled them to earn income beyond the picking wages.

For a fourth consecutive year, the government agreed to allow the ILO to monitor the cotton harvest for child and forced labor, allowed ILO monitors unimpeded access to the cotton fields for observations and to interview laborers, and allowed the ILO to publish the results of a survey of the prevalence of child and forced labor during the 2018 harvest. The ILO assessed that approximately 170,000 pickers of an estimated 2.5 million member workforce were forced laborers; however, some experts believe this number was incomparable to previous years' assessments due to significant changes in the ILO's methodology. Some experts criticized the ILO's new methodology and assessed that the ILO findings underestimated the level of forced labor in the harvest; however they generally agreed that the government was making concerted efforts to reduce forced labor. For the first time, the government granted the ILO access to data acquired through the government's Cotton Harvest Feedback Mechanism—which included telephone hotlines and messaging apps dedicated to receiving reports of labor violations that received 2,006 complaints related to forced labor during the reporting period—and allowed the ILO to observe how it addressed such complaints. The government assigned 200 labor investigators across the country to look into reports of forced labor. The ILO reported that these complaints resulted in fines to 206 officials, but the government did not share additional details on the total number of fines levied, or total number of forced labor victims, including children, identified through this mechanism; compared to 2017, when 362 calls related to forced labor complaints resulted in the identification of 641 persons forced into the fields, including eight confirmed child labor cases, 42 lawsuits, 116 administrative citations, and fines totaling 220.5 million soum (\$26,530). Observers reported concerns about the effectiveness of the feedback mechanism, stating that some pickers had concerns about reprisals or the effectiveness of investigations. Unlike previous years, the government included independent human rights activists in plans to monitor the harvest, conduct field interviews, participate in awareness raising activities, and review cases gathered through the Cotton Harvest Feedback Mechanism. Isolated reports of harassment and temporary detention of independent civil society monitors continued. Media, including state media outlets, continued to report on forced labor practices, problems, and violations without penalization or censorship.

The government continued to implement ILO recommendations, reduced land allocated for cotton cultivation, and worked toward the mechanization of the harvest. In addition to the three clusters piloted in 2017, in 2018, the government opened 13 private textile-cotton clusters—which processed cotton from cultivation to finished textile products. However, these private clusters were still subject to quotas set by the central government. Independent observers identified forced labor on cluster farm lands.

In an April 2018 public address, the President ordered an end to forced labor in public works projects, specifically of teachers, doctors, and students, noting that it betrayed the country's path

of reform. At a Cabinet of Ministers meeting in April, Ministers were encouraged to use a special fund under the Ministry of Employment and Labor Relations to recruit unemployed individuals for public works, instead of compelling civil servants and students to perform public works. The government allocated 714 billion soum (\$85.92 million) to this fund in 2018. In May 2018, the Cabinet of Ministers issued a decree on the eradication of forced labor, instructing government officials to immediately end all forms of compulsory labor of civil servants and students, encouraging Ministries to cooperate with civil society to monitor for abuses, and for the justice sector to ensure perpetrators are held accountable. NGOs reported the ban's limited success; local governments continued to compel civil servants into forced labor in public works projects, including street sweeping, garbage collection, city greening and beautification work, and collection of scrap metal. An NGO reported that farmers continued to face silk cocoon production quotas; there were uncorroborated reports that school directors in Jizzakh and Syrdarya removed children from school and forced them to harvest silk cocoons. The government continued to call for *hashar*, or volunteer work days, throughout the country; some local leaders characterized cotton picking and street cleaning as *hashar*. NGOs reported that citizens felt they could not refuse to participate.

In September 2018, the Cabinet of Ministers passed a resolution providing additional support to labor migrants abroad, including victims of forced labor, and allocated a budget of 200 billion soum (\$24.07 million) for assistance to labor migrants. The Uzbek Agency for Foreign Labor Migration continued outreach to prospective labor migrants, serving to reduce potential risks of trafficking among this population. The Agency conducted pre-departure consultations on labor and migration laws in the country of destination. The Agency opened a representative office in Gwangju, South Korea in September; more than 2,250 Uzbek citizens worked in South Korea under a bilateral temporary work agreement. The government reported 34 migrants used these centers before departures for work in Russia. In October 2018, the government signed an agreement with Russia on the organized recruitment of Uzbek citizens for temporary employment in Russia. The government also signed employment agreements with Turkey and Japan in 2018 and 2019. The government reported that 300 Uzbek citizens found temporary employment in Turkey. As of September 2018, private companies, including foreign and local, had official permission from the government to recruit Uzbek citizens for jobs abroad and within Uzbekistan. Although the companies were required to obtain licenses, the government did not report the number of licenses granted nor any monitoring of recruitment fees charged to job applicants.

Inspections only took place in response to complaints or following advance notice, limiting the inspectorate's ability to identify active instances of forced labor. The labor inspectorate conducted 2,006 inspections in 2018; the inspectorate did not provide additional information on cases, or report screening for trafficking indicators, or referring for criminal investigation. The labor inspectorate is not empowered to bring criminal charges for first time violations of the law against forced labor.

The Ministry of Internal Affairs chaired an interagency counter-trafficking commission that analyzed the causes of trafficking in the country and worked to increase public awareness. A 2018 independent survey of human trafficking in Uzbekistan found that 76 percent of respondents believed victims were responsible for being trafficked. Authorities promoted wide-scale public awareness efforts on transnational sex and labor trafficking, including through events, print media, television,

and radio, often through partnering with and providing in-kind support to NGOs. The interagency commission on combatting human trafficking maintained a 24-hour hotline; in 2018 the line received 511 phone calls, of which 72 were identified as trafficking victims. An NGO maintained a foreign donor-funded hotline. The NGO received 5,889 phone calls; among these calls were 198 allegations of human trafficking and 211 requests for repatriation. The organization facilitated the repatriation of 442 people and referred 457 assistance requests to law enforcement. The government did not conduct efforts to reduce the demand for commercial sex acts.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic victims in Uzbekistan, and traffickers exploit victims from Uzbekistan abroad. The government continued to demand farmers and local officials fulfill state-assigned cotton production quotas or face penalties, which caused some officials to compel participation in the annual cotton harvest. The ILO and observers noted that the systemic mobilization of child labor was eliminated in the 2017 harvest, although anecdotal reports of the use of child labor continue. Government-compelled forced labor of adults, including employees of schools and medical facilities, remained during the 2018 cotton harvest; NGOs reported a decrease in the use of forced laborers, citing no evidence of systemic mobilizations during the first ten days of the harvest, and uneven implementation on the prohibition on teachers and medical workers. The government forced other groups of public employees to work in the cotton harvest at increased rates. International reports indicate some adults who refused to pick cotton, did not pay for a replacement worker, or did not fulfill their daily quota could face the loss of social benefits, termination of employment, or other forms of harassment. Some employees and market vendors could choose to hire a replacement picker directly, pay a fee for the mobilizer to find a replacement picker, or pay a fine rather than pick cotton, a coercive system that penalized those who chose not to participate in the harvest, and created a lucrative means of extortion for corrupt managers and officials. Private companies in some regions mobilized employees for the harvest under threat of increased government inspections of and taxes on their operations.

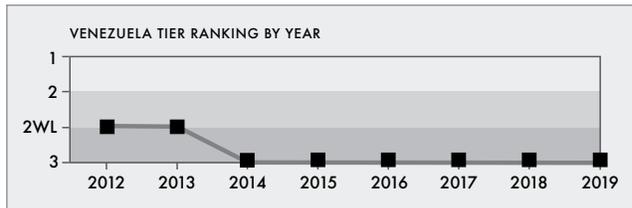
Government-compelled forced labor of adults remained in other sectors as well. There were isolated reports stating that local officials forced farmers to cultivate silk cocoons and uncorroborated reports that they removed children from school to harvest the cocoons. Despite an April 2018 government prohibition, there continued to be instances of local officials forcing teachers, students (including children), private businesses employees, and others to work in construction and other forms of non-cotton agriculture and to clean parks, streets, and buildings. Officials occasionally compelled labor by labeling these tasks as *hashar*, voluntary work for the community's benefit.

Traffickers exploit Uzbek women and children in sex trafficking in the Middle East, Eurasia, and Asia, and also internally in brothels, clubs, and private residences. Children in institutions were vulnerable to sex trafficking. Traffickers subject Uzbek men, and to a lesser extent women, to forced labor in Kazakhstan, Russia, Moldova, Turkey, and in other Asian, Middle Eastern, and European countries in the construction, oil and gas, agricultural, retail, and food sectors. An NGO noted that Uzbek citizens who had traveled with official employment contracts to Russia under a 2017 migrant labor agreement were vulnerable to

forced labor, as the employers in Russia failed to properly register the migrants with the authorities, forced them to live in barracks, and underpaid or did not pay them at all. As the attractiveness of the Russian labor market decreases for Central Asian labor migrants, Uzbek labor migrants are increasingly looking to Turkey; Uzbek labor migrants there are vulnerable to trafficking, as there are 30,000 registered Uzbek citizens, but only 2,000 work legally with work visas.

VENEZUELA: TIER 3

The Government of Venezuela does not fully meet the minimum standards for the elimination of trafficking and is not making any efforts to do so; therefore Venezuela remained on Tier 3. Despite the lack of significant efforts, in 2018 the Venezuelan government led by then-President Nicolas Maduro conducted a training for officials to begin the development of a victim protection protocol. However, the government did not report assisting any victims and it did not investigate, prosecute, or convict any traffickers.



PRIORITIZED RECOMMENDATIONS:

Provide specialized services for all trafficking victims, including victims identified abroad who are returning to the country. • Strengthen and document efforts to investigate and prosecute cases of sex trafficking and forced labor and convict and punish traffickers. • Educate Venezuelans fleeing the country on the risks of human trafficking and where and how to seek services. • Train all migration and law enforcement officials operating in border crossings on trafficking indicators. • Work in partnership with civil society organizations and other service providers to assist victims. • Implement formal procedures and training for identifying victims among vulnerable populations, such as persons in prostitution, and for referring victims for care. • Draft and enact comprehensive anti-trafficking legislation criminalizing all forms of trafficking, including the criminalization of child sex trafficking without elements of force, fraud, or coercion, and the trafficking of men and boys. • Develop and publish an anti-trafficking action plan and allocate resources to implement it. • Enhance interagency cooperation by forming a permanent anti-trafficking working group. • Improve data collection on government anti-trafficking efforts and make this data publicly available.

PROSECUTION

The government maintained insufficient law enforcement efforts. Venezuelan law criminalized labor trafficking and some forms of sex trafficking of women and girls through a 2007 law on women's rights that prescribed penalties of 15 to 20 years' imprisonment. Inconsistent with international law, the law required a demonstration of force, fraud, or coercion to constitute child sex trafficking and therefore did not criminalize all forms of child sex trafficking. Venezuelan law failed to criminalize

trafficking of men and boys when perpetrators were not part of an organized criminal organization. The law addressing organized crime criminalized trafficking by organized criminal groups of three or more individuals, with penalties of 20 to 30 years' imprisonment. The penalties for these trafficking crimes were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. Authorities did not report investigating, prosecuting or convicting anyone for trafficking; however, media reports indicated 99 individuals were indicted for trafficking crimes. In addition, press reports also indicated that the government conducted an anti-trafficking operation that led to the arrest of at least 32 possible traffickers that were allegedly forcing victims into live streaming sexual acts. The organized crime office (ONCDOFT) continued to be the lead investigative entity for trafficking crimes; however, the government did not report any training or operations during 2018.

PROTECTION

The government did not report making efforts to identify or protect victims. According to media sources, the ONCDOFT continued to operate a 24-hour hotline to receive reports of suspected trafficking cases; however, several of the numbers provided were often inactive. Media reports indicated that authorities began convening technical working groups to develop formal procedures for victim protection. It was unclear if the government formalized any mechanisms by the end of the reporting period. Authorities did not report identifying trafficking victims among vulnerable populations or referring victims to services. In previous reporting years, victim referrals to different government entities, including ONCDOFT and the women's ministry, occurred on an ad hoc basis. The availability of victim services remained limited. There were no specialized shelters for trafficking victims in the country. Historically, victims could reportedly access government centers for victims of domestic violence or at-risk youth, although services for male victims were minimal. It was unclear if these services were available during the reporting period. It reportedly also made psychological and medical examinations available to trafficking victims, but additional victim services—such as follow-up medical aid, legal assistance with filing a complaint, job training, and reintegration assistance—were extremely limited. International media sources continued to report on the increased number of Venezuelan victims identified abroad, many repatriated or deported back to Venezuela; it was unclear what assistance the government provided upon their return. According to government websites, authorities conducted some training activities for government officials on the development of a protection protocol for victims.

PREVENTION

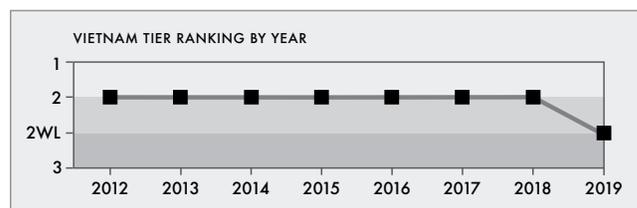
The government maintained inadequate prevention efforts. No permanent anti trafficking interagency body existed, and the government did not have an anti trafficking plan or strategy. According to an international organization, ONCDOFT conducted limited awareness activities for immigration authorities and families in communities along the Venezuelan border with Colombia. The government did not report conducting any other awareness activities, and observers reported efforts to raise awareness significantly decreased due to limited funding. The government did not provide anti-trafficking training for its diplomatic personnel. The government did not report any specific activities to reduce the demand for commercial sex acts or forced labor.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Venezuela, and traffickers exploit Venezuelan victims abroad. As the economic situation continued to spiral into critical deterioration, more than 3.7 million Venezuelans have fled Venezuela to neighboring countries. The UN estimates approximately 5.3 million Venezuelans will have fled the country by the end of 2019. Traffickers have exploited Venezuelan victims in Aruba, Colombia, Costa Rica, Curacao, Dominican Republic, Ecuador, Guyana, Macau, Mexico, Panama, Peru, Spain, Suriname, and Trinidad and Tobago. Venezuelan women and girls were particularly vulnerable to sex trafficking in Colombia and Ecuador. Venezuelan men are increasingly vulnerable to forced labor in destination countries, including islands of the Dutch Caribbean. Venezuelan boys are vulnerable to forced criminality and forced recruitment by dissident illegal armed groups in Colombia. Traffickers subject Venezuelan women and girls, including some lured from poor interior regions to urban and tourist centers, to sex trafficking and child sex tourism within the country. Traffickers, often relatives of the victims, exploit Venezuelan children in forced labor for domestic service within the country. Venezuelan officials and international organizations have reported identifying sex and labor trafficking victims from South American, Caribbean, Asian, and African countries in Venezuela. Foreign nationals living in Venezuela subject Ecuadorians, Filipinos, and other foreign nationals to forced labor in domestic servitude. Venezuelan officials have noted an increase of sex trafficking in the informal mining sector.

VIETNAM: TIER 2 WATCH LIST

The Government of Vietnam does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included disseminating implementing guidelines for Articles 150 and 151 of the penal code, operating large-scale awareness campaigns in communities vulnerable to trafficking, and government facilitated trainings for Consular officers, police, and other relevant agencies to combat trafficking. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. It identified significantly fewer victims than in previous years. Law enforcement efforts were impeded by the delayed release of formal implementation guidelines on Articles 150 and 151 of the penal code. A lack of interagency coordination and unfamiliarity among some provincial officials with anti-trafficking law and victim protection continued to impede anti-trafficking efforts. There were continued reports of forced labor of individuals detained in government-run drug treatment centers. Despite continued reports of official complicity, the government did not report any investigations, prosecutions, or convictions of officials complicit in trafficking offenses. Therefore Vietnam was downgraded to the Tier 2 Watch List.



PRIORITIZED RECOMMENDATIONS:

Train officials on implementing guidelines for Articles 150 and 151 of the penal code, with a focus on identifying and investigating forced labor and internal trafficking cases, including cases involving male victims. • Cease subjecting Vietnamese confined to drug treatment centers to forced labor and allow independent verification that the practice has ended. • Coordinate and effectively implement policies across government agencies to identify and assist victims among vulnerable groups, such as migrant workers, individuals in prostitution, and child laborers, and train relevant officials on these procedures. • Expand training for social workers, first responders and the judiciary on victim-centered approaches to working with victims of trafficking, including trauma-informed care. • Vigorously prosecute all forms of trafficking and convict and punish traffickers, including in cases involving forced labor or complicit officials. • Fully prohibit all worker-paid recruitment fees and predatory recruitment practices for workers migrating abroad or to Vietnam, including by strengthening efforts to monitor labor recruitment companies and third-party sub-brokers and prosecuting predatory or illegal sub-brokerage networks. • Amend the penal code to criminalize sex trafficking of 16- and 17-year-old children, consistent with international law. • Improve interagency cooperation to effectively implement the anti-trafficking national action plan, including by clarifying the roles of national and provincial-level government entities, fully integrating trafficking data collection into law enforcement efforts, and allocating sufficient resources to the national action plan. • Increase national funding available to provincial level authorities to provide services to reintegrated victims of trafficking.

PROSECUTION

The government decreased law enforcement efforts. Article 150 of the penal code criminalized labor trafficking and sex trafficking of adults and prescribed penalties of five to 10 years' imprisonment and fines of 20 million to 100 million Vietnamese dong (VND) (\$862 to \$4,310). Article 151 criminalized labor trafficking and sex trafficking of children under the age of 16 and prescribed penalties of seven to 12 years' imprisonment and fines of 50 million to 200 million VND (\$2,160 to \$8,620). These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with other serious crimes, such as rape. Inconsistent with international law, Article 150 applies to children between the ages of 16 and 17 years old, and requires a demonstration of force, fraud, or coercion to constitute a sex trafficking offense; it therefore did not criminalize all forms of child sex trafficking. Civil society reported that this led to confusion on how to treat cases involving 16- and 17-year-old children—especially for cases involving labor trafficking—and resulted in victims being treated as adults in nearly all cases. In September 2018, the Supreme People's Court issued a circular detailing the trial procedures dealing with cases involving victims under the age of 18, designed to make court proceedings more child-friendly. Insufficient time has passed since the close of the reporting period to evaluate if the circular sufficiently addressed the legal discrepancy in the treatment of 16- and 17-year-old children in sex trafficking cases as adults.

While Articles 150 and 151 came into effect during the previous reporting period, the government did not circulate implementing guidelines until January 2019, which did not take effect until March 2019. Delays in issuing implementing guidelines may have contributed to fewer investigations and prosecutions of trafficking cases during the reporting period. For the seventh consecutive year, the government did not prosecute

any suspected traffickers under labor trafficking provisions of the anti-trafficking law. According to the Ministry of Foreign Affairs (MFA), the Ministry of Public Security (MPS) and Vietnam Border Guards (under Ministry of Defense)—often in cooperation with foreign partners—identified 211 trafficking cases (350 in 2017, 234 in 2016) involving 276 alleged offenders (over 500 in 2017, 308 in 2016). The *procuracies* (prosecutor's office) reported initiating the prosecution of 194 defendants for trafficking offenses (245 in 2017, 295 in 2016, 442 in 2015, 472 in 2014) and the court system secured 213 convictions (244 in 2017, 275 in 2016); sentences ranged from less than three years to 20 years' imprisonment, however some prison sentences were suspended. Disparate government bodies continued to report discrepant, overlapping, or incomplete data on anti-trafficking law enforcement and victim identification, and authorities often did not disaggregate trafficking offenses from possible migrant smuggling cases. During the reporting period, the government signed a bilateral anti-trafficking agreement with the United Kingdom to improve law enforcement coordination, and with the Republic of Korea to enhance cooperation between judicial officials, including training Vietnamese prosecutors.

A lack of coordination across provincial-level agencies, persistent budgetary constraints, poor understanding of the relevant legislation among local officials, and confusion about individual provinces' roles and responsibilities in the context of the national action plan continued to hamper effective law enforcement efforts. The Vietnamese government commenced a large scale restructuring of the MPS, merging its Staff Department (C42) responsible for anti-trafficking policies and procedures with the Criminal Police Department (C45) responsible for trafficking operations. While the merging of these departments could potentially improve the flow of information and interagency coordination, civil society reported this reshuffle, coupled with extremely high turnover within the MPS, significantly slowed law enforcement efforts. Police continued efforts to mainstream trafficking content into the training curriculum for new recruits; the MPS organized 12 trainings for 500 police officers, and in cooperation with an international donor, organized trainings on child sexual assault, including child sex trafficking. The government reported that the Supreme People's Procuracy and Supreme People's Court have revised their trainings to address trafficking crimes for victims under the age of 16. Despite ongoing reports of official complicity, the government did not report any investigations, prosecutions, or convictions of officials complicit in trafficking offenses.

PROTECTION

The government decreased efforts to protect victims. In 2018, authorities reported identifying 490 victims of trafficking (670 victims in 2017, 1,128 victims in 2016). The government did not provide statistics disaggregating cases by type of trafficking, victim age or gender, source, or destination. Informally, MPS officials estimated the vast majority of identified cases involved transnational trafficking. Some officials cited an increase in forced labor and noted incomplete data collection and poor interagency cooperation led to low victim identification. Social protection officials demonstrated a lack of familiarity with migrant worker vulnerability to trafficking, often considering them simply illegal workers. Some officials continued to conflate trafficking with smuggling, which precluded the identification of victims who voluntarily migrated abroad. The government maintained common victim identification criteria as part of the Coordinated Mekong Ministerial Initiative against Human Trafficking (COMMIT) and maintained its own formal procedure for victim identification, but it did not proactively or widely

employ either mechanism among such vulnerable groups as women arrested for prostitution, migrant workers returning from abroad, and child laborers. Local and provincial government officials at times did not demonstrate a clear understanding of victim identification, including in some cases by conflating it with the confirmation of official identity documents. Foreign victims, including children, remained at high risk of deportation without screening or referral to protective services. NGOs reported the victim identification process remained overly cumbersome and complex, requiring sign off from multiple ministries before victims could be formally identified and assisted.

The government did not systematically refer victims to protective services due to inadequacies in its formal referral process, including some border guards' unfamiliarity with trafficking crimes, a lack of inter-jurisdictional cooperation, and incomplete data collection processes. National authorities did not devote adequate funds for victim protection, encouraging provincial governments to use their own funds for trafficking programs to further decentralize this responsibility, and relied heavily on civil society to provide protection services with limited in-kind support. In 2018, the government reported assisting all 490 identified victims (500 in 2017, 600 in 2016) with initial psychological counseling, healthcare consultations, and legal and financial assistance; the government reported providing an unspecified number of victims with reintegration assistance, including small business loans. There were no government shelters designated exclusively for male or child victims, although existing shelters assisted all victims as needed. The Ho Chi Minh City Department of Labor, Invalids, and Social Affairs maintained two rooms in a government-run shelter devoted to trafficking victims transiting through Ho Chi Minh City, where they could stay for up to two months. The Ministry of Labor, Invalids, and Social Affairs (MoLISA) and government-affiliated Women's Unions often referred victims to NGOs depending on their individual needs. MoLISA continued operating 400 social protection centers through local authorities to provide services to a wide range of vulnerable groups, including trafficking victims; these centers were unevenly staffed, under-resourced, and lacked appropriately trained personnel to assist victims. The Women's Union, in partnership with NGOs and with foreign donor funding, continued to operate three shelters in urban cities, including one dedicated to trafficking victims. Local and provincial government officials at times employed practices that could be re-traumatizing to victims of trafficking. Contrary to international best practices, a shelter confined victims for multiple years and limited residents' freedom of movement. Psycho-social services for victims remained underdeveloped, with training needed on trauma-informed approaches for all actors engaging with victims, including social workers, front-line officers, and the judiciary. Civil society organizations reported assisting 167 victims of trafficking.

The government maintained labor representatives at diplomatic missions in countries with large numbers of documented Vietnamese migrant workers. These missions could provide basic provisions, transportation, and healthcare to Vietnamese citizens subjected to trafficking abroad. The government reported repatriating over 386 Vietnamese victims in 2018 (138 in 2017). Some diplomatic personnel reportedly lacked sufficient training to adequately assist victims, and NGOs abroad reported some overseas missions were unresponsive to foreign government and NGO attempts to connect them with Vietnamese victims. The government encouraged trafficking victims to assist in judicial proceedings against traffickers and offered them some protection and compensation, including

child-friendly courtrooms and not requiring victims to be present at trial; however, the government did not report the extent to which they applied these measures. The law protected victims from prosecution for unlawful acts traffickers coerced them to commit, but NGOs reported victims were less likely to come forward about their abuses in a judicial setting due to fears they may face arrest or deportation, and returned victims were afraid of being arrested for crossing the border without documentation. Civil society reported Vietnamese victims who migrated via irregular means, were involved in criminal activity as a result of their trafficking, or had criticized the Vietnamese government feared reprisals from Vietnamese government authorities, were less likely to seek support, and were vulnerable to re-trafficking. International observers reported government officials often blamed Vietnamese citizens for their exploitative conditions abroad or suggested victims inflate abuses to avoid immigration violations. The government did not offer foreign victims legal alternatives to their removal to countries where they may face retribution or hardship.

PREVENTION

The government maintained efforts to prevent trafficking. During the reporting period, it continued to implement the third phase of the 2016-2020 National Anti-Trafficking Action Plan (NAP); however, civil society reported progress under the NAP slowed due to the MPS reorganization. The government continued a five-year assessment on NAP implementation benchmarks. Authorities did not allocate sufficient funding to carry out the plan for a fourth year and a lack of inter-ministerial cooperation generally hampered effective implementation. While the government completed the resolution providing guidance to the application of Articles 150 and 151, because it did not come into effect until March 15, it was too late to impact implementation of the articles during the reporting period. The MFA organized training courses on human trafficking prevention and combatting in the forms of periodic consular affairs training courses for officials prior to their postings to Vietnamese representative missions abroad. The Ministry also held workshops on international migration and human trafficking prevention to improve the capacity of desk officers at the ministry and localities in Vietnam. The Ministry of Information and Communication and the Vietnam Women's Union organized public awareness campaigns focused on high-risk groups such as female migrant and agricultural workers, construction workers, and communities sending migrant labor abroad, as well as targeting schools in high-risk communities. Authorities reported distributing 25,000 copies of awareness materials in border areas and 900 handbooks in particularly vulnerable communities. During the reporting period, the Ministry of Information and Communications directed state-run media to air more than 700 documentaries and news stories to raise public awareness on trafficking. Civil society reported while the government made efforts to translate campaign materials into regional languages to increase awareness, many at-risk populations found the information abstract and difficult to understand. MoLISA operated a 24-hour hotline for trafficking victims; authorities reported receiving approximately 2,010 calls to this hotline (2700 in 2017) and referring 30 cases to NGO and government services (65 cases referred in 2017). The government continued to support more ethnic minority's languages on the hotline including English. However, civil society reported callers have difficulty when speaking with an operator with a different regional dialect.

Reports continued of poor migration management and poor regulation of the labor broker industry leading to debt

bondage and exploitation of Vietnamese citizens abroad. MoLISA conducted an inspection, in coordination with public security agencies, and discovered 91 cases related to violations in the recruitment of labor for overseas employment and found 55 organizations and individuals without relevant permits. Violators received administrative sanctions. MoLISA collaborated with media agencies in publishing 300 news articles on rules and policies for migrant workers, organized training courses for officials and labor-recruiting businesses, and addressed laborers complaints. The Vietnam General Confederation of Labor (VGCL), the national trade union under the direction of Vietnam's Communist Party, took steps to prevent exploitation of Vietnamese workers abroad. In partnership with an NGO, the VGCL began working to form an association of migrant Vietnamese workers in South Korea to better inform Vietnamese migrant workers about their rights and services available. Despite these efforts, unscrupulous third-party recruiting organizations often placed migrant workers in debt. Despite the government entering into a Memorandum of Cooperation with the Government of Japan in 2017 to improve protections for Vietnamese participants in Japan's Technical Intern Training Program (TITP), there were continued reports of severe exploitation of Vietnamese workers. NGOs and the media in Japan reported Vietnamese workers pay \$7,000 to third party brokers in Vietnam before entering the TITP program and then often must pay \$4,000 to \$5,000 if they break their contracts, trapping them in debt bondage. International observers noted Vietnamese government officials sometimes considered the exploitation of Vietnamese workers abroad to be the host countries' responsibility and beyond their purview. The government continued efforts to reduce the demand for commercial sex acts.

TRAFFICKING PROFILE

As reported for the last five years, human traffickers exploit domestic and foreign victims in Vietnam and traffickers exploit victims from Vietnam abroad. Vietnamese men and women migrate abroad for work independently or through state-owned, private, or joint-stock labor recruitment companies. Some recruitment companies are unresponsive to workers' requests for assistance in situations of exploitation, and some charge excessive fees that trap workers in debt bondage. Traffickers subject victims to forced labor in construction, fishing, agriculture, mining, logging, and manufacturing, primarily in Angola, Japan, Laos, Malaysia, Republic of Korea, Taiwan, and the United Arab Emirates; there are increasing reports of Vietnamese labor trafficking victims in the United Kingdom and Ireland (including on cannabis farms), continental Europe, the Middle East, and in Pacific maritime industries. Large-scale Vietnamese infrastructure investment projects in neighboring countries such as Laos may exploit Vietnamese and foreign workers. Traffickers exploit Vietnamese women and children in sex trafficking abroad; many are misled by fraudulent employment opportunities and sold to brothel operators on the borders of China, Cambodia, and Laos, and elsewhere in Asia, including Malaysia, Republic of Korea, Singapore, Taiwan, and Thailand. Some Vietnamese women who travel abroad for internationally brokered marriages or jobs in restaurants, massage parlors, and karaoke bars—including to China, Cyprus, Japan, Korea, Malaysia, Saudi Arabia, Singapore, and Taiwan—are subjected to domestic servitude or sex trafficking. Traffickers increasingly use the internet, gaming sites, and particularly social media to lure potential victims into vulnerable situations; men often entice young women and girls with online dating relationships and persuade them to move abroad, then subject them to forced labor or sex trafficking. Some traffickers pose as

police officers on social media networks to gain victims' trust. During the migration process European gangs and traffickers often exploit Vietnamese victims in forced labor and sexual exploitation before they reach their final destination.

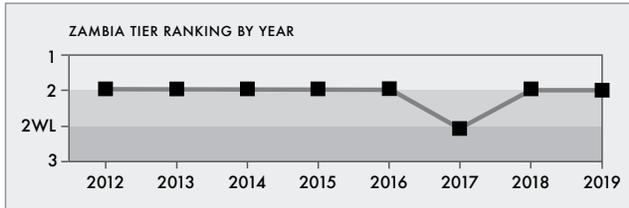
Within the country, traffickers exploit Vietnamese men, women, and children—including street children and children with disabilities—in forced labor, although little information is available on these cases. Traffickers exploit children and adults in forced labor in the garment sector, where workers are coerced to work through threats and intimidation. There were reports of children as young as six producing garments under conditions of forced labor in small privately owned garment factories and informal workshops, and that children as young as 12 worked while confined in government-run rehabilitation centers. Traffickers force children into street hawking and begging in major urban centers. Traffickers subject some children to forced or bonded labor in brick factories, urban family homes, and privately run rural gold mines. Sex traffickers target many children from impoverished rural areas, and a rising number of women from middle class and urban settings. Traffickers increasingly exploit girls from ethnic minority communities in the northwest highlands, including in sex trafficking and domestic servitude, by channeling their criminal activities through the traditional practice of bride kidnapping. Child sex tourists, reportedly from elsewhere in Asia, the United Kingdom and other countries in Europe, Australia, Canada, and the United States, exploit children in Vietnam. North Korean restaurants operating in Vietnam may exploit North Korean workers in forced labor.

Although the government reports it no longer subjects drug users to forced labor in rehabilitation centers, international organizations and media report authorities continue the practice. A 2014 legal provision requires a judicial proceeding before detention of drug users in compulsory drug rehabilitation centers and restricts detainees' maximum workday to four hours. In August 2018, there were reports that 200 individuals who escaped a government-run drug treatment center claimed authorities forced them to work eight hours a day without compensation and subjected them to punishment, including beating, if they "misbehaved." Vietnamese law allows for obligatory manual labor for prisoners, which allows forced labor to be used as a means of punishment for political and religious dissidents. Prisoners reportedly work in agriculture and manufacturing, and there have been reports of prisoners of conscience working in hazardous industries such as cashew processing. Complicit Vietnamese officials, primarily at commune and village levels, facilitate trafficking or exploit victims by accepting bribes from traffickers, overlooking trafficking indicators, and extorting money in exchange for reuniting victims with their families.

ZAMBIA: TIER 2

The Government of Zambia does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Zambia remained on Tier 2. These efforts included investigating more potential trafficking cases; expanding the availability and quality of shelters in multiple locations throughout the country; and providing regularization of immigration status and temporary residency for all foreign

victims. The government referred all identified victims to care and coordinated with five governments to repatriate foreign national victims. The government also finalized an updated national action plan, launched a nationwide awareness-raising campaign, and hosted cross-border bilateral meetings with a neighboring country to discuss challenges and successes in responding to trafficking. However, the government did not meet the minimum standards in several key areas. The government slightly decreased the number of trafficking prosecutions and convictions, and identified fewer trafficking victims. It did not consistently screen potential victims of trafficking in cases that appeared to be smuggling.



PRIORITIZED RECOMMENDATIONS:

Improve efforts to implement the National Referral Mechanism (NRM) to proactively identify trafficking victims and refer them to protective services. • Amend the trafficking law to define child sex trafficking as not requiring force, fraud, or coercion and to define trafficking as a crime that does not require movement. • Expand training for police, immigration officials, prosecutors, and judges on investigating and prosecuting trafficking crimes. • Screen vulnerable migrant populations, such as refugees and asylum-seekers, for trafficking indicators. • Establish a network of translators to ensure provision of translation services for foreign victims in order to deliver comprehensive legal and protective services. • Compile and make public information on trafficking cases and trends.

PROSECUTION

The government demonstrated mixed anti-trafficking law enforcement efforts. The Anti Trafficking Act of 2008 criminalized sex trafficking and some forms of labor trafficking. Inconsistent with the definition of trafficking under international law, the law only defined an offense as trafficking if it involved transnationality. Additionally, the law required a demonstration of threats, force, intimidation, or other forms of coercion to constitute a child sex trafficking offense, and therefore did not criminalize all forms of child sex trafficking. The act prescribed penalties ranging from 20 years' to life imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. The government, in coordination with an international organization, convened two workshops to review Zambia's existing anti-trafficking act and began drafting amendments to bring the law in line with international standards.

The Zambia Police Service investigated 13 potential trafficking cases, the Department of Immigration initiated 28 investigations, and the Ministry of Labor and Social Security (MLSS) investigated 38 potential forced child labor cases for a total of 79 investigations, compared to 22 in 2017. In particular, the investigations by MLSS represented an improvement from past government efforts to carry out mediation in suspected forced child labor cases. The government prosecuted and convicted two traffickers in two cases under the Anti-Trafficking Act of 2008, who were awaiting sentencing at the close of the reporting period,

compared with four prosecutions and four convictions during the previous reporting period. Three prosecutions involving three defendants from 2017 remained ongoing at the close of the reporting period. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. The government integrated modules on human trafficking into the training curricula for Zambia Correctional Service, the Zambian Police Service, and the Department of Immigration, and during the year trained at least 1,021 officials using these modules. The national police academy trained an unknown number of new recruits on trafficking. The government continued to participate in the Southern African Development Community regional data collection tool by uploading information on trafficking cases, victim and trafficker profiles, and sharing information with countries in the region. A trafficking case from 2016, in which two Zambian children were exploited in Botswana, remained ongoing in Botswana during the reporting period.

PROTECTION

The government demonstrated increased victim protection efforts. The government identified 17 victims during the reporting period, compared to 41 potential victims identified during the previous reporting period when data included trafficking-related crimes. Of the victims identified, 14 were children and three were adults; 13 were female and four were male. Traffickers exploited one woman in sex trafficking and 16 victims in domestic servitude. For the second consecutive year, the government referred all victims it identified to protective services using the NRM to guide the referral process and employ a victim-centered approach. The Department of Social Welfare conducted home studies and counseling with each child's family prior to reunifying child victims with their families. The government reunified 10 Zambian victims with their families and provided all victims with reintegration assistance, including one foreign national resettled in Zambia. The Department of Social Welfare, in partnership with an international organization, coordinated with Nigeria, Ethiopia, Uganda, Zimbabwe, and Mozambique to repatriate six victims and ensured victims received protective services upon arrival in their home countries. The government is updating its current standard victim identification form to better guide front-line officials in proactively identifying trafficking victims.

The government partnered with international organizations to offer routine assistance to victims, including medical care and counseling. The Ministry of Community Development and Social Services operated one 40-person shelter for victims of trafficking and victims of sexual abuse in Luapula province and another in Central Province, both of which accommodated male victims of trafficking. The government coordinated with an international organization to refurbish a government-run shelter in Sesheke, a border area known to have a high prevalence of trafficking, which expanded its ability to provide protective services for women and children. In addition, it opened a gender-based violence shelter in Chongwe for women and girls, which could also provide protective services for trafficking victims. Shelters across the country, especially outside Lusaka and Copperbelt Provinces, were heavily constrained by a lack of funding. The government significantly increased funding to respond to trafficking cases; the Department of Immigration reported spending 50,000 Zambian kwacha (\$4,200) for victim assistance in 2018, which was used for transportation and temporary sheltering. The Department of Social Welfare provided 1.04 million Zambian kwacha (\$87,110) to its designated shelters, homes, and schools to support victims of various forms of violence, including

human trafficking. Government officials, in partnership with international organizations, offered court preparation assistance and repatriation or regularization of immigration status. Foreign victims of trafficking were provided with the same protective services as Zambian nationals. The Department of Immigration provided regularization of immigration status and temporary residency for all foreign victims in accordance with the anti-human trafficking act. Regularization of stay was not dependent on the victim's cooperation with law enforcement, and the government offered legal alternatives to the removal of victims to countries where they may face hardship or retribution. Availability of translators was a barrier to providing timely and comprehensive care for victims. Despite progress since the previous reporting period, the government did not consistently screen potential victims of trafficking in cases that appeared to be smuggling; individuals who reportedly consented to being smuggled, including potential trafficking victims, were sometimes detained, charged, or deported without being screened for trafficking indicators. The government worked with an international organization to increase the capacity of front-line responders to screen for trafficking indicators in such situations.

PREVENTION

The government increased efforts to prevent trafficking. The government launched an updated national action plan covering 2018-2021 on trafficking and mixed and irregular migration. The national inter-ministerial committee and its secretariat, which was charged with oversight of national anti-trafficking efforts, met regularly with non-governmental stakeholders to assess trafficking trends and report on anti-trafficking efforts. The anti-trafficking inter-ministerial committee met quarterly and the secretariat met once a month to coordinate with government and non-government stakeholders on anti-trafficking efforts. The inter-ministerial committee, in coordination with an international organization, jointly funded and launched an awareness campaign in the seven districts most vulnerable to trafficking. The campaign educated the public on the methods and means traffickers used to fraudulently recruit victims, how to report potential trafficking cases, protective services available to victims, and the economic and social consequences of trafficking in their communities. The committee also presented the campaign during an agriculture and commercial expo in Lusaka to engage companies and individuals involved in agriculture and other related industries.

The government continued its partnerships in the region through routine coordination of anti-trafficking efforts with Zimbabwe and South Africa. It participated in four and hosted two cross-border bilateral meetings with Zimbabwean government officials to discuss challenges and successes in responding to trafficking and mixed migration issues. The Employment Act set forth requirements for the regulation of labor brokers, and the Ministry of Labor validated such brokers upon production of adequate legal documentation. The Ministry of Labor conducted inspections and investigations of labor brokers on a regular basis throughout the country to regulate recruitment practices and prevent fraudulent job offers that may lead to exploitation. The Employment Act prohibited labor brokers from charging prospective employees for any services rendered. The government effectively enforced these policies during the reporting period. During 2018, MLSS employed 160 labor inspectors, compared to 134 employed the previous year. The government did not make efforts to reduce the demand for commercial sex or forced labor. The government provided anti-trafficking training to its diplomatic personnel. The government trained peacekeepers

on anti-trafficking prior to deployment.

TRAFFICKING PROFILE

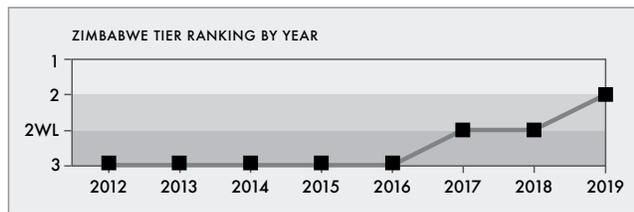
As reported over the past five years, human traffickers exploit domestic and foreign victims in Zambia, and traffickers exploit victims from Zambia abroad. Most trafficking occurs within the country's borders and involves traffickers exploiting women and children from rural areas in cities in domestic servitude or forced labor in agriculture, textile production, mining, construction, small businesses such as bakeries, and forced begging. Zambian children may be forced by Jerabo gangs engaged in illegal mining to load stolen copper ore onto trucks in Copperbelt Province. While orphans and street children are most vulnerable, children of village families are also at risk of trafficking because sending children to the city for work is perceived to confer status. Truck drivers exploit Zambian boys and girls in sex trafficking in towns along the Zimbabwean and Tanzanian borders, and miners exploit them in Solwezi. Traffickers exploit Zambian boys in sex trafficking in Zimbabwe and exploit women and girls in sex trafficking in South Africa. Domestically, extended families and trusted family acquaintances facilitate trafficking. Zambians from the depressed rural areas in the Western Province are coerced into forced labor in Namibia.

Traffickers exploit women and children from neighboring countries in forced labor and sex trafficking in Zambia. Traffickers lure Rwandan women to Zambia with promises of refugee status, coerce them into registering as Democratic Republic of the Congo nationals seeking refugee status in Zambia, and subsequently exploit them in sex trafficking and threaten them with physical abuse and reporting them to immigration officials for fraudulent refugee claims. Chinese traffickers bring in Chinese women and girls for sexual exploitation in brothels and massage parlors in Lusaka; traffickers use front companies posing as travel agencies to lure Chinese victims and coordinate with Zambian facilitators and middlemen. Chinese nationals are increasingly exploited in forced labor in Chinese-owned companies in the construction, mining, and service sectors.

ZIMBABWE: TIER 2

The Government of Zimbabwe does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Zimbabwe was upgraded to Tier 2. These efforts included sentencing a trafficker and increasing cooperation and coordination with NGOs to identify victims. The anti-trafficking inter-ministerial committee (ATIMC) finalized and adopted a National Referral Mechanism (NRM), which outlined Standard Operating Procedures (SOPs) on victim identification and referral. It also drafted and adopted implementing regulations, which gave legal force to key procedures set out in the NRM, empowered provincial operational task forces, and defined clear roles and responsibilities for front-line responders. The government conducted an evaluation of its 2016-2018 National Action Plan (NAP) to identify lessons learned, which informed the drafting of its new 2019-2020 action plan. However, the government did not meet the minimum standards in several key areas. The draft amendments to the 2014 Trafficking in Persons Act remained pending at the close of the reporting period; the government prosecuted and convicted fewer trafficking cases compared to the previous year; and there was a backlog of trafficking cases dating back to 2016. The government identified

fewer trafficking victims and did not provide adequate funding to its NGO partners on which it relied to provide protective services to victims.



PRIORITIZED RECOMMENDATIONS:

Amend the anti-trafficking law to criminalize all forms of trafficking in line with the 2000 UN TIP Protocol. • Increase efforts to proactively investigate and prosecute trafficking crimes, including complicit government officials and internal trafficking cases. • Provide financial or in-kind support to NGO service providers. • Expand training for law enforcement on investigative techniques. • Allocate adequate funding for law enforcement to proactively carry out investigations. • Train prosecutors and judges on trafficking and trafficking-related legislation. • Establish safe houses for trafficking victims in each province. • Implement, and allocate sufficient resources to, the NAP to combat trafficking. • Develop mutual legal assistance treaties (MLATs) and other agreements to facilitate information gathering and sharing with foreign governments.

PROSECUTION

The government maintained anti-trafficking law enforcement efforts, although it did make efforts to improve international case cooperation or increase sophistication in case management. Inconsistent with international law, the 2014 Trafficking in Persons Act defined trafficking in persons as a movement-based crime and did not adequately define “exploitation.” The 2014 act criminalized the involuntary transport of a person, and the voluntary transport for an unlawful purpose, into, outside, or within Zimbabwe. The focus on transport and the inadequate definition of “exploitation” left Zimbabwe without comprehensive prohibitions of trafficking crimes. The law prescribed penalties of 10 years to life imprisonment, which were sufficiently stringent and, with respect to sex trafficking crimes, was commensurate with penalties for other serious crimes, such as rape. Zimbabwe’s Labor Relations Amendment Act criminalized forced labor and prescribed penalties of up to two years’ imprisonment, which were not sufficiently stringent. The Criminal Law (Codification and Reform) Act criminalized procuring a person for unlawful sexual conduct, inside or outside of Zimbabwe and prescribed penalties of up to two years’ imprisonment; these penalties were not sufficiently stringent when applied to cases of sex trafficking. The act also criminalized coercing or inducing anyone to engage in unlawful sexual conduct with another person by threat or intimidation, prescribing sufficiently stringent penalties of one to five years’ imprisonment. The government, in partnership with an international organization, finalized a draft Trafficking in Persons (TIP) Act Amendment Bill and the inter-ministerial committee convened a final legislative workshop in February 2019 to adopt the bill; however, it remained pending passage by Parliament at the close of the reporting period.

The government increased cooperation and information sharing with NGOs and international organizations during the reporting period, which resulted in more detailed law enforcement

data. The government investigated two potential cases of forced labor, compared to investigating two potential cases of forced labor in the previous reporting period. The government reported prosecuting two trafficking cases in 2018, compared with 14 prosecutions in 2017. One case involved an alleged trafficker facing more than 20 counts of trafficking for luring victims to Kuwait and exploiting them in forced labor and sex trafficking during the previous reporting period. Partnering with an international organization, the government increased coordination with a foreign government to locate the defendant abroad, request his extradition to Zimbabwe, and indicted him under the 2014 TIP Act. Both prosecutions remained ongoing at the close of the reporting period. The government reported convicting one trafficker, compared with three convictions during the previous reporting period. The trafficker was on trial since 2017 for exploiting numerous Zimbabweans in forced labor and sex trafficking in Kuwait as early as 2016. Several victims testified against the trafficker and the government convicted her of five counts of trafficking and sentenced her to 50 years’ imprisonment—the most severe sentence ever handed down to a trafficker since the government’s first trafficking conviction in 2007. Out of as many as 20 cases initiated in 2016 involving Zimbabwean victims exploited in Kuwait, only three have been prosecuted, while the others remained under investigation at the close of the reporting period.

Although some delays were beyond the control of criminal justice actors, particularly in cases where the alleged trafficker resided outside of the country, the government lacked relevant agreements with foreign governments such as MLATs, which slowed law enforcement cooperation and the judicial process. Unlike sexual offense cases, which were typically expedited in the courts, trafficking cases were not treated with the same urgency and often languished on the docket for years. A senior Detective Inspector trained Zimbabweans and other government participants at an annual INTERPOL training seminar. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. However, civil society organizations reported widespread judicial corruption; these allegations extended beyond magistrates and judges to senior government officials, who allegedly undermined judicial independence including by giving farms and homes to judges. The government partnered with neighboring governments and an international law enforcement organization to increase investigative capacity of law enforcement through an intelligence-driven operation. As a result of this cooperation, officials in two countries arrested suspected traffickers and identified 87 victims.

PROTECTION

The government demonstrated increased protection efforts by adopting a national referral mechanism and referring all identified victims to care. The government reported identifying 10 victims and an international organization reported identifying 21 additional victims, for a total of 31 potential trafficking victims identified, compared with 87 total victims identified by officials and partners in 2017. In addition, a local NGO-operated hotline responded to one verified case of trafficking during the reporting period. Of those 10 victims identified by the government, eight were female and two were male. The government did not identify any victims exploited within Zimbabwe. The government referred all victims to care, as compared to the previous year when it repatriated some victims and referred others to care. The government referred the eight female victims to an NGO that operated 11 shelters for women in eight of 10 provinces throughout the country; they received

protective services including counseling and medical care. Of these victims, two female victims were identified in Kuwait and one female victim was identified in China; all victims were exploited in both sex and labor trafficking. The Ministry of Public Service, Labor and Social Welfare (MPSLSW) partnered closely with the Zimbabwean embassies in both China and Kuwait to repatriate all three victims. Traffickers exploited four victims, two males and two females, in labor trafficking, in China. An international organization identified another 21 Zimbabwean victims, 19 female and two male, 17 of these victims were exploited in Kuwait and four were exploited in China. The MPSLSW partnered with an international organization to provide reintegration assistance and resources to begin income-generating projects to all 21 victims identified abroad by the organization. NGO shelters were capacitated to provide shelter for both male and female victims of gender-based violence, trafficking, and domestic violence. The NGOs that provided protective services did not receive funding from the government and struggled to operate without such support. While the 2014 Trafficking in Persons Act required the government to establish centers in each of Zimbabwe's 10 provinces to provide counseling, rehabilitation, and reintegration services, these centers have not been established since the passage of the law.

The government, in partnership with an international organization and other stakeholders, developed and adopted an NRM, which outlined SOPs in the identification, referral, and assistance of trafficking victims. The ATIMC drafted and adopted implementing regulations, which gave legal force to key procedures set out in the NRM, empowered provincial operational task teams, and defined clear roles and responsibilities for front-line responders. In partnership with an international organization, the government trained task force members on international and regional anti-trafficking legal frameworks, trafficking indicators, investigations and prosecutions, the NRM, and the South African Development Community (SADC) data collection tool. During the reporting period, the technical steering committee on the protections of victims of trafficking, led by the MPSLSW, met to oversee the protection and provision of reintegration assistance and services provided to victims of trafficking. The MPSLSW had a system whereby each potential trafficking case reported was handled jointly by an NGO and a Department of Social Welfare caseworker. The government encouraged victims to cooperate in the investigation and prosecution of trafficking cases and at least 10 victims testified during the reporting period. During the reporting period the government provided all 10 witnesses with transport, accommodation, and meals during while they provided testimony in court. The government implemented a comprehensive system for victim-witnesses, which included police units, courts, health services, and a referral system that were more victim-centered. Police officers were trained to obtain forensic reports, direct victims to medical care, and explain the judicial process. Courts had a separate room for victims to testify away from their alleged perpetrators and victims could choose to testify via video. Prosecutors, probation officers, and magistrates were trained to treat victims sensitively, handle cases quickly, and refer victims to post-trial support services. Health service providers were trained to collect evidence for criminal investigations, prepare medical affidavits, and offer immediate and long-term psycho-social support and health care. Despite having this framework in place, there have been cases in which traffickers gained access to victims or their families during court proceedings to compromise the witnesses' testimony. The government did not have legal alternatives to removal to countries in which victims would face retribution or hardship; however, no foreign victims were identified during the reporting period.

PREVENTION

The government increased efforts to prevent trafficking. The ATIMC met quarterly and led the implementation of the NAP. The government conducted an evaluation of the 2016-2018 NAP to take stock of completed activities and lessons learned, which informed the drafting of an updated NAP for 2019-2020 that included input from 13 government ministries. In 2018, the ATIMC adopted guidelines for engagement between the government and civil society actors, which will establish a National Coordinating Forum, set to provide a platform for such engagement. In partnership with international organizations, the ATIMC developed the capacity of its seven provincial task teams with targeted trainings. Together, they trained members of the provincial task teams on international and regional anti-trafficking legal frameworks, trafficking indicators, victim-centered investigations and prosecutions, Zimbabwe's NRM, the 2014 Trafficking in Persons Act, and the NAP. The government organized and funded a commemoration of the World Day Against Trafficking in Persons in Bulawayo and distributed materials with anti-trafficking messages to the public at the event. The government set up anti-trafficking booths at the annual Zimbabwe International Trade Fair and the Harare Agricultural Show, which drew thousands of participants; officials distributed educational materials and hosted focus group discussions. Although the government funded awareness-raising activities, it did not allocate adequate resources to fully implement the NAP during the reporting period and relied on funds from international organizations to implement some of the activities. The government continued to participate in the SADC regional data collection tool by uploading information about trafficking cases, victim and trafficker profiles, and sharing information with countries in the region. The government continued to screen companies that employed foreign nationals and it prohibited proxy employment permit applications. The government did not provide anti-trafficking training to its diplomatic personnel. The government did not make efforts to reduce the demand for commercial sex acts or forced labor.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Zimbabwe, and traffickers exploit victims from Zimbabwe abroad. Traffickers exploit women and girls from Zimbabwean towns bordering South Africa, Mozambique, and Zambia in forced labor, including domestic servitude, and sex trafficking in brothels catering to long-distance truck drivers on both sides of the borders. Traffickers subject Zimbabwean men, women, and children to forced labor in agriculture and domestic service in the country's rural areas, as well as domestic servitude and sex trafficking in cities and surrounding towns. Family members recruit children and other relatives from rural areas for work in cities where traffickers exploit them in domestic servitude or other forms of forced labor. Some children, particularly orphans, are lured with promises of education or adoption. Traffickers recruit girls for child sex trafficking in Victoria Falls. Traffickers subject children to forced labor in the agricultural and mining sectors and force them to carry out illegal activities, including drug smuggling. There were reports of traffickers subjecting children from Mozambique to forced labor in street vending in Zimbabwe, including in Mbare. Additionally, the practice of *ngozi*, giving a family member to another family to avenge the spirits of a murdered relative, creates a vulnerability to trafficking.

Traffickers lure Zimbabwean women and men into exploitative labor situations in agriculture, construction, information

technology, and hospitality largely in neighboring countries; some subsequently become victims of forced labor, and some women become victims of sex trafficking. Traffickers exploit women in domestic servitude, forced labor, and sex trafficking in Kuwait and Saudi Arabia. There were previous reports of Zimbabwean women lured to China and the Middle East for work, where they are vulnerable to trafficking. There were reports of traffickers luring Zimbabwean students to Cyprus and elsewhere with false promises for education via scholarship schemes where they are exploited in forced labor and sex trafficking. Many Zimbabwean adult and child migrants enter South Africa with the assistance of taxi drivers who transport them to the border at Beitbridge, or nearby unofficial crossing locations, where traffickers subject them to labor and sex trafficking. Some migrants are transferred to criminal gangs that subject them to abuse, including sex trafficking in Musina, Pretoria, Johannesburg, or Durban. Traffickers exploit some Zimbabwean men, women, and children in South Africa to months of forced labor without pay, on farms, at construction sites, in factories, mines, and other businesses. Traffickers transport men, women, and children, predominantly from East Africa, through Zimbabwe en route to South Africa; some of these migrants are trafficking victims. Refugees from Somalia and Democratic Republic of the Congo reportedly travel from Zimbabwe's Tongogara Refugee Camp to Harare, where traffickers exploit them and, in some cases, coerce them into prostitution. Traffickers force Chinese nationals to labor in restaurants in Zimbabwe. Chinese construction and mining companies in Zimbabwe reportedly employ practices indicative of forced labor, including verbal, physical, and sexual abuse, and various means of coercion to induce work in unsafe or otherwise undesirable conditions.

SPECIAL CASE: LIBYA

Libya is a Special Case for the fourth consecutive year. The Libyan Government of National Accord (GNA) struggled to govern large swaths of Libyan territory, as it did not exercise control in several parts of the country. The judicial system was not fully functioning, as courts in major cities throughout the country have not been operational since 2014. Violence driven by militias, civil unrest, and increased lawlessness continued to plague Libya throughout the reporting period. Extra-legal armed groups continued to fill a security vacuum across the country; such groups varied widely in their make-up and the extent to which they were under the direction of state authorities. These groups also committed human rights abuses, including unlawful killings. During the reporting year, there were continued reports that criminal networks, militia groups, government officials, and private employers exploited migrants, refugees, and asylum seekers in sex and labor trafficking. Endemic government corruption and militias' influence over government ministries contributed to the GNA's inability to effectively address trafficking.

GOVERNMENT EFFORTS

Lack of institutional capacity, as well as lack of Libyan law enforcement, customs, and military personnel, especially along its borders, hindered authorities' efforts to address human trafficking crimes. Libyan law criminalized some forms of sex trafficking, but did not criminalize labor trafficking. Articles 418, 419, and 420 of the penal code criminalized some forms of sex trafficking involving women, and prescribed penalties

of up to 10 years' imprisonment and a fine between 100 and 500 Libyan *dinars* (\$72-\$361), which were sufficiently stringent and commensurate with penalties prescribed for other serious crimes such as rape. However, inconsistent with international law, the definition of trafficking within these provisions required transnational movement of the victim and did not criminalize sex trafficking acts that were induced through fraudulent or coercive means. The law did not criminalize sex trafficking involving adult male victims. Article 425 criminalized slavery and prescribed penalties of five to 15 years' imprisonment. Article 426 criminalized the buying and selling of slaves and prescribed penalties of up to 10 years' imprisonment. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes.

Libya's criminal judicial system was not fully functioning in 2018. The Ministry of Interior (MOI), which was nominally responsible for anti-trafficking law enforcement efforts, was unable to carry out any anti-trafficking operations during the reporting period. Libyan police forces were not adequately staffed or funded. In late 2018, the MOI formed a Human Rights Office, which was granted arrest authority and the responsibility to investigate human rights abuses, including human trafficking crimes, perpetrated by police officers. To improve law enforcement capacity, the GNA—in partnership with international organizations—provided anti-trafficking training to several hundred police officers in Tripoli in December 2018. The Ministry of Justice (MOJ) did not report statistics on prosecutions or convictions of trafficking offenders, including government officials who were allegedly complicit in trafficking crimes or government-aligned militias and other armed groups that recruited and used child soldiers. In January 2019, the Office of the Attorney General issued arrest warrants for 35 individuals allegedly involved in human trafficking and migrant smuggling crimes. The Attorney General's Office reportedly continued to investigate 205 people, for whom it issued arrest warrants in the previous reporting period, on allegations of human trafficking and other crimes related to a widely publicized 2017 case. However, it did not report additional information about this case.

International observers reported rampant complicity of government officials involved in human trafficking and migrant smuggling operations, including Libyan Coast Guard officials, immigration officers, security officials, Ministry of Defense (MOD) officials, members of armed groups formally integrated into state institutions, as well as officials from the MOI and MOI's Department to Combat Irregular Migration (DCIM). Several credible sources continued to report that DCIM prison officials and detention camp guards forced detained migrants and refugees to work in DCIM-run detention centers and on farms and construction sites. According to an international organization, the Special Deterrence Force, which nominally operated under the MOI, was involved in the trafficking of detained migrants and benefited from extortion payments sent by the migrants' family members for the migrants' release. Additionally, during the reporting period, the MOD continued to operate an anti-illegal migration unit with strong affiliation to one of the two armed groups involved in migrant smuggling and human trafficking in northwestern Libya; this allegiance allowed the armed group to continually shift its activities from committing smuggling and trafficking crimes, to policing migrants for the government. In June 2018, the UN and the United States sanctioned a top regional leader of the Libyan Coast Guard's Unit in the city of Zawiya and the leader of the Shuhada al-Wadi militia, who ran the GNA-controlled

Nasr migrant detention center, for alleged involvement in human trafficking and migrant smuggling. The GNA removed the Coast Guard official from his position, but it did not initiate further investigation or prosecute either official for these allegations. The GNA was supportive of these sanctions and issued public statements of condemnation against the trafficking and smuggling of migrants.

The government did not have any policy structures, institutional capacity, or resources to proactively identify and protect trafficking victims among vulnerable groups, such as foreign migrants, refugees, and asylum seekers, women and girls in prostitution, child victims of sexual abuse, and children recruited and used by armed groups. The government also did not provide permanent or temporary residency status to trafficking victims. Female victims of trafficking and other crimes faced sexual harassment and assault and degrading treatment by predominantly male law enforcement and judicial officials in Libya. The government continued to operate rehabilitation centers for women in prostitution and victims of sex trafficking and other forms of sexual abuse; however, these centers reportedly operated as de facto prisons, and international observers documented incidents of abuse in these centers.

The government regularly arrested, detained, and otherwise punished victims for unlawful acts traffickers compelled them to commit, such as immigration and prostitution violations. DCIM operated more than 20 official detention centers across the country where it arbitrarily and indefinitely detained approximately 5,000 male, female, and child migrants throughout the reporting period; the number of migrants in the detention centers decreased substantially from 20,000 migrant detainees reported at the end of 2017 due to a concerted effort by international organizations and donor states to repatriate the migrants throughout 2018. Nevertheless, these detention facilities suffered from massive overcrowding, lack of basic infrastructure, dire sanitation problems, and food shortages. Detained migrants—including trafficking victims—had no access to medical care, legal aid, and other forms of protective services. DCIM guards subjected detainees to severe abuse, forced labor, unlawful killings, and rape and other forms of sexual violence. No DCIM detention centers employed female guards, except for the Tariq al-Sekka detention center, where in January 2018 it hired an unknown number of female personnel to staff a section of the center reserved for women and child migrants. An international organization reported the climate of impunity for sexual violence, and lack of safeguards in these centers created an environment where women and girls in detention were highly vulnerable to sexual exploitation. In 2018, the Director of the DCIM issued instructions to 26 DCIM-run detention centers with explicit directions to treat detained migrants humanely, which included issuing information to migrants about their rights under Libyan law. Despite these directives, many militia groups in charge of detention centers around the country did not observe these directives and procedures, in part because they benefited from involvement in trafficking crimes. The Director also ordered the closure of five DCIM-run centers where gross human rights violations reportedly occurred.

The government did not have formal procedures to safely and humanely refer or transfer to protective care identified trafficking victims, including those detained, arrested, or in custody. However, during the reporting period, the government cooperated with international organizations and NGOs to provide assistance to refugees and migrants, a population highly vulnerable to trafficking, in official government-run detention centers. In December 2018, the MOI and an international

organization jointly opened a transit center for migrants and refugees in Tripoli, which was managed by a relief organization, to provide more humane conditions for as many as 1,000 detainees; however, the GNA did not have policies in place to identify potential trafficking victims among the population in this facility. Libyan authorities continued to cooperate with international organizations to repatriate, resettle, or evacuate migrants, which likely included unidentified trafficking victims. The GNA processed the necessary permits and facilitated exit visas to allow an international organization to conduct more than 16,000 flights to repatriate migrants in 2018; it also allowed the evacuation of 4,080 refugees and asylum seekers. The government did not, however, provide foreign trafficking victims with legal alternatives to their removal to countries where they could face hardship or retribution.

Libya is a party to the 2000 UN TIP Protocol, but the government lacked the institutional capacity and resources to prevent human trafficking. Alleged government complicity further exacerbated the overall human trafficking problem in the country and the region. While the government's efforts to close some detention facilities prevented migrants in those locations from further exploitation, migrants in other DCIM-run detention centers remained highly vulnerable to trafficking. During the reporting period, the Ministry of Foreign Affairs (MFA) improved regional cooperation on migration issues to which trafficking was inextricably linked in Libya with the African Union, and established a regional mechanism to discuss migration issues in Libya, Chad, Niger, and Sudan. The MFA also continued to co-chair a migration working group with an international organization, which focused on developing a migration management strategy and writing an inter-ministerial study on border security. During the reporting period, the GNA continued to coordinate with the Italian government to disrupt human trafficking and migrant smuggling operations, substantially reducing the flow of irregular migrants crossing the Mediterranean. However, some European and international NGOs criticized this coordinated effort of turning migrant boats back to Libya and stopping other migrants from attempting the crossing to Italy, citing severe security and human rights conditions and an increased risk of trafficking for migrants forced to remain in Libya. In turn, the Italian government and other European governments documented how some European and international NGOs working to assist migrant populations partnered with smuggling groups inside Libya in order to help these migrants cross the Mediterranean. The GNA did not have a national coordinating body responsible for combating human trafficking. The government did not conduct any public anti-trafficking awareness campaigns, nor did it take actions to reduce the demand for commercial sex acts, child sex tourism, or forced labor. However, in December 2018, the Criminal Investigation Department within the Ministry of Interior partnered with an international organization to train police officers on document forgery, including those used by traffickers and migrant smugglers. The government took no steps to prevent the recruitment and use of children by militia groups, groups affiliated to or aligned with the government, and other armed groups operating throughout the country. The government did not provide anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Libya. Instability and lack of government oversight in Libya continued to allow for human trafficking crimes to persist and become highly profitable

for traffickers. Trafficking victims—including men, women, and children—are highly vulnerable to extreme violence and other human rights violations in Libya by government officials and non-state armed groups, including physical, sexual, and verbal assault; abduction for ransom; arbitrary killings; inhumane detention; and child soldiering. Credible reports since 2013 indicate numerous armed groups and militias, some of which are used as combat forces or security enforcement by the government, recruit and use children; an international organization documented incidents in 2018 in which local armed groups forcibly recruited boys aged 13-15 years old. Children associated with armed groups in Libya are also reportedly exposed to sexual violence. Uncorroborated media reports in 2018 also claimed that ISIS trained and used children in suicide attacks, to fire weapons, and make improvised explosive devices.

Migrants in Libya are extremely vulnerable to sex and labor trafficking, including those seeking employment in Libya or transiting Libya en route to Europe. As of December 2018, an international organization documented at least 663,445 migrants in 100 municipalities in Libya. The country continued to serve as a significant departure point for migrants, including unaccompanied minors crossing the Mediterranean from North Africa; however, the numbers of sea departures from Libya to Italy substantially decreased throughout 2018. Elements of the GNA Libyan Coast Guard reportedly work with armed groups and other criminals, including traffickers, to exploit migrants for profit. There are financial incentives for smugglers and traffickers to prevent the disembarkation of migrants transiting the Mediterranean and to re-transit migrants back to Libya for detention and further exploitation. A fear of GNA Libyan Coast Guard units, who return migrants rescued at sea to detention centers in Libya where they may be subjected to forced labor, led some migrants to refuse the help of these units at sea. Various armed groups, criminal gangs and networks, smugglers, and traffickers, have cooperated and competed in the smuggling and trafficking of migrants to and through Libya, while carrying out serious human rights abuses and violations against migrants. Highly organized trafficking and migrant smuggling networks that reach into Libya from Niger, Nigeria, Chad, Eritrea, Ethiopia, Somalia, Sudan, and other sub-Saharan and Sahel states subject migrants to forced labor and sex trafficking through fraudulent recruitment, confiscation of identity and travel documents, withholding or non-payment of wages, debt-based coercion, and verbal, physical, and sexual abuse. In some cases, migrants reportedly pay smuggling fees to reach Tripoli, but once they cross the Libyan border they are sometimes abandoned in southern cities or the desert where they are susceptible to severe forms of abuse and human trafficking. For example, in January 2018, 94 migrants escaped detention by their smugglers in the border area of Tazerbou Municipality while transiting northward to disembarkation points; these migrants were highly vulnerable to trafficking. In May 2018, 100 migrants from Eritrea, Ethiopia, and Somalia—some of whom may have been trafficking victims—escaped a camp in Bani Walid where they were reportedly tortured.

Several credible sources continue to report that migrants held in detention centers controlled by both the DCIM and non-state armed groups and militias were subjected to severe abuse, rampant sexual violence, denial of medical care, and forced labor. Private employers and DCIM prison officials use detained migrants from official and unofficial detention centers for forced labor as domestic workers, garbage collectors, and construction, road paving, and agricultural workers. Once the work is completed, employers return the migrants to

detention. In some cases, detained migrants were forced to work in exchange for their release from prison. In November 2017, an international media outlet released a video depicting unidentified individuals selling African migrants reportedly for labor in an undisclosed location in Libya. Furthermore, an international organization reported in 2017 that many militias in Libya fill their ranks with migrants from Niger, Nigeria, and Chad to perform labor or to serve in other non-combat roles.

There is a reported high prevalence of sexual assault and other forms of sexual violence and exploitation of female migrants either along the migration routes to Libya or once inside Libya, including in GNA-run and militia-run detention facilities; perpetrators of sexual violence against female migrants include various armed groups, smugglers, traffickers, and GNA officials. Prostitution rings reportedly subject sub-Saharan women and girls to sex trafficking in brothels, particularly in the towns of Ubari, Sebha, and Marzouq in southern Libya; Nigerian women and girls and Ivoirian women are at increased risk of forced prostitution in Libya. According to a European NGO, Nigerian gangs recruit Nigerian girls from rural regions of the country and facilitate the transportation of the girls through Libya for sex trafficking in Italy and other European countries. For example, in 2016 a trafficking network that spanned from Nigeria to Italy via Libya involved a group of Nigerian and Libyan traffickers that forced Nigerian women into prostitution in both Libya and Italy; the network held the victims in warehouses in Sebha and Tripoli until it transported them to Sicily for further sexual exploitation. In 2015 and 2016, ISIS in Libya abducted and took into captivity at least 540 migrants and refugees, including at least 63 women whom ISIS forced into sexual slavery for its fighters. However, since the defeat of ISIS across most of eastern Libya, there were limited reports of such incidents in 2018.

SPECIAL CASE: SOMALIA

Somalia remains a Special Case for the 17th consecutive year. The country continued to face protracted conflict, insecurity, and ongoing humanitarian crises during the reporting period. The Federal Government of Somalia (FGS) controlled its capital city, Mogadishu, and Federal Member State (FMS) governments retained control over most local capitals across the country. The self-declared independent region of Somaliland and the Puntland FMS retained control of security and law enforcement in their respective regions. The FGS had limited influence outside Mogadishu; the al-Shabaab terrorist group continued to occupy and control rural areas in the Juba River Valley, and maintained operational freedom of movement in many other areas in south-central Somalia, which it used as a base to exploit the local population by collecting illegal taxes, conduct attacks across the country, and was itself involved in human trafficking. The FGS focused on capacity-building and securing Mogadishu and government facilities from attacks by al-Shabaab. The sustained insurgency by al-Shabaab continued to be the main obstacle to the government's ability to address human trafficking in practice. The government demonstrated a slightly improved capacity to address most crimes; however, there was demonstrated minimal efforts demonstrated in all regions on prosecution, protection, and prevention of trafficking.

GOVERNMENT EFFORTS

The FGS, Somaliland, and Puntland authorities sustained minimal efforts to combat trafficking during the reporting

period. Due to the protracted campaign to degrade al-Shabaab and establish law and order in Somalia, law enforcement, prosecutorial personnel, and judicial officials remained understaffed, undertrained, and lacked capacity to effectively enforce anti-trafficking laws. The pre-1991 penal code—applicable at the federal and regional levels—criminalized labor trafficking and some forms of sex trafficking. Article 455 criminalized slavery, prescribing penalties of five to 20 years' imprisonment. Article 464 criminalized forced labor, prescribing penalties of six months' to five years' imprisonment. Article 457 criminalized the transferring, disposing, taking possession or holding of a person, and prescribed penalties of three to 12 years' imprisonment. All of these penalties were sufficiently stringent. Article 408(1) criminalized compelled prostitution of a person through violence or threats, prescribing penalties of two to six years' imprisonment, which was sufficiently stringent but not commensurate with those prescribed for other serious crimes, such as rape. The provisional constitution prohibited slavery, servitude, trafficking, and forced labor under Article 14. Article 29(6) under the provisional constitution prohibited the use of children in armed conflict. In September 2017, Somaliland endorsed a draft human trafficking law, designed in consultation with an international organization; although relevant line ministries endorsed the draft law, the Somaliland Parliament did not pass it by the close of the reporting period due to continued disagreements on various provisions. In November 2017, Puntland ratified a human trafficking legislative framework after three years of consultations with an international organization. The legal framework was composed of new penal and criminal procedure codes and a law that specifically prohibited trafficking. Neither the FGS nor authorities in Puntland and Somaliland reported on law enforcement efforts. Analogous to previous years, no comprehensive statistics existed at either the federal or regional levels on investigations, prosecutions, or convictions of or related to trafficking. During the previous reporting period, the Somali Police Force (SPF) under the FGS reportedly investigated one potential trafficking case involving South Sudanese traffickers, but it did not report the verdict of the case; in Puntland, authorities prosecuted 23 child sex trafficking cases, three of which resulted in convictions and five-year prison sentences plus a fine. The government did not report efforts to investigate, prosecute, or convict any official for involvement in trafficking or criminal activities related to trafficking during the reporting period. It failed to take criminal action against military officials for the unlawful recruitment and use of children during the year. During the reporting period, the Criminal Investigations Department of the SPF established an anti-trafficking and migrant smuggling unit, which was staffed by six police officers and mandated to investigate potential cases of trafficking to be referred for prosecution. The unit, supported by an international organization, investigated 43 potential trafficking cases during the year.

The FGS lead anti-trafficking official was the Special Envoy for Children's and Migrants' Rights, who steered a small staff under the Office of the Prime Minister. According to a foreign government donor estimate, the Special Envoy had a roughly \$5.5 million budget during the reporting period. The inter-ministerial Trafficking and Smuggling Task Force ostensibly served as the national anti-trafficking coordinating body, which included representation from the SPF, Ministry of Internal Security, Ministry of Foreign Affairs, Ministry of Justice, and Ministry of Interior and Federal Affairs. Although the Ministry of Internal Security reportedly led the task force, interdepartmental competition hampered its progress. It did not report progress on development of its national action plan on trafficking efforts for the second consecutive year. International organizations

sponsored all trainings during the reporting period, as the FGS and Somaliland possessed negligible capacity to fund or facilitate their own. Between August and September 2018, an international organization conducted three general human trafficking courses—one in Mogadishu and two in Garowe—which reached a total of 50 officials. In October 2018, the same entity ran three additional courses for a total of 42 people, two of which targeted investigators and one that pertained to the Maritime Police Unit. According to another international organization, immigration officials hosted two separate trafficking trainings during the reporting period that reached 125 officials and aimed to specifically help officials at border points accurately identify trafficking victims. The Somaliland government established the Counter Human Trafficking Agency of Somaliland in 2016, which included representatives from immigration, police, coast guard, the attorney general's office, and the ministries of commerce, finance, and civil aviation. The agency was mandated to coordinate counter-trafficking efforts including developing legislation and collecting data, but its work remained limited in reach.

No governmental entity had systematic procedures to identify or refer trafficking victims to protective services, and all relied fully on international organizations and NGOs to provide victim assistance, including food, clothing, shelter, legal support, medical aid, counseling, and reintegration services. Statistics for trafficking victims in Somalia were unavailable, and relevant government bodies lacked the resources and expertise critical to the collection and analysis of such data. Furthermore, the FGS did not possess the financial means necessary to provide direct protective services for trafficking victims or auxiliary support to organizations assisting these victims. Trafficking victims in Somaliland received assistance at an international organization-run Migration Response Center (MRC) in Hargeisa and at the Hargeisa Orphanage Center, managed by the government, until they can be reunited with their respective families. Neither facility was dedicated solely to trafficking victims but instead intended broadly for the vulnerable transiting migrant population. However, an international organization responsible for screening at MRCs noted trafficking victims comprised a large proportion of individuals who received assistance there. In the previous reporting period, Puntland authorities developed and operationalized a regional referral mechanism for trafficking victims, with support from an international organization; the extent to which officials employed it during the current period was unclear. Victim care varied significantly across the country, and some specialized care (e.g. mental health counseling) was unavailable due to a dearth of qualified practitioners in-country. Beyond the scope of an international organization's migrant response centers, victims had limited access to protective provisions. In 2018, the FGS facilitated the repatriation of 585 returnees to Somalia, a marked increase from 24 Somali migrants it worked to repatriate from Libya, with auxiliary support from the EU, in 2017. There were no legal alternatives to the removal of foreign trafficking victims from Somalia to countries where they may face hardship or retribution.

Authorities across Somalia demonstrated minimal efforts to prevent trafficking during the year. The FGS held several trafficking-related awareness campaigns, including one entitled "Telling the Truth", which aimed to engage returnees and trafficking survivors to tell their stories at universities and through dialogue with community leaders. No government entity provided funding to agencies for labor inspections, and no inspectors were employed to enforce labor laws. Authorities across Somalia did not make any discernible efforts to reduce the demand for commercial sex acts or forced labor. The

government did not provide anti-trafficking training for its diplomatic personnel. Somalia was not a party to the 2000 UN TIP Protocol.

The dire security situation and restrictions on movement continued to hamper detailed child soldier reporting during the year. Even so, during the year, there were continued reports of the Somali National Army (SNA) and allied militias, such as the Ahlu Sunna Wal Jama'a (ASWJ), clan militias, unknown armed elements, the African Union Mission in Somalia (AMISOM), and al-Shabaab unlawfully recruiting and using child soldiers (between ages eight and 17), with the latter entity committing the vast majority of violations. UN officials documented the recruitment and use of more than 1,850 children between April and December 2018, and 80 percent of such cases were attributed to an upsurge in recruitment by al-Shabaab militants. Al-Shabaab's recruitment techniques included school raids, infiltration of madrassas and mosques, and harassment and coercion of clan elders. Somali press frequently reported accounts of increasingly aggressive al-Shabaab indoctrination at schools, abductions, and forceful recruitment of students into its ranks. In addition, in 2018 al-Shabaab reportedly conducted numerous "handing-over" ceremonies in the presence of village and clan elders, during which the terrorists forced communities to "volunteer" hundreds of their children to fight among its ranks. Al-Shabaab militants subjected children in military camps to weapons and bomb making training, malnutrition, severe physical punishment, and compulsory religious education and used them on the front-lines as direct participants in hostilities. The terrorist organization also enslaved an indeterminate number of young girls and exploited them in sexual servitude. Children identified in SNA units were reportedly observed wearing SNA uniforms and wielding weapons and were primarily used for guarding military bases and other support roles. Reports continued of child soldiers who defected from al-Shabaab after being forcibly recruited and who subsequently joined government-affiliated armed forces. An international organization reported peacekeeping forces of the AMISOM abducted, recruited, or used two children during the year.

The government continued to implement the 2012 action plan to end the unlawful recruitment and use of children by the SNA, although efforts to do so remained incomplete; the FGS retained limited ability to command and control the SNA and allied militias, especially those outside of Mogadishu. However, during the reporting period, the SNA's Child Protection Unit (CPU) officers, in coordination with an international organization, conducted sensitization trainings, verification, and screenings of an unknown number of soldiers to address the use of children in its ranks. During the reporting period, the CPU visited SNA and SNA-affiliated units across five sites in South West, Hirshabelle, and Galmudug states, as well as two sites in the Mogadishu/Benadir region. Site visits included the Jazeera Military Training Camp in Mogadishu, SNA Sector 43 Headquarters in Kismayo, and Danab bases in Baledogle and Galkacyo. Trainings focused on child rights, principles of SNA command and control structure, and the importance of preventing child recruitment into the security forces. The CPU also developed radio and print media content regarding the prevention of child recruitment and conscription in armed conflict. In August 2018, the president of Puntland officially pardoned children who were previously sentenced to imprisonment for their association with al-Shabaab following their capture in earlier years. Nonetheless, NGOs continued to report concerns about the arrest and detention by government forces of some children allegedly associated with al-Shabaab,

and the lack of application of juvenile justice standards and the adherence to international obligations. In early 2019, an international organization reported it worked with local Somali organizations to provide services to more than 300 children who had been associated with armed forces. Reintegration activities included the provision of psycho-social assistance, "back-to-school" support programs, and vocational training.

Beyond the screening and training trips, the FGS continued to launch public awareness campaigns, with support from an international organization, to promote broad awareness of child protection issues and means of removing children from armed conflict. In November 2018, the FGS began drafting legislation on children's rights, and in October 2018, the FGS launched its Education Sector Strategic Plan (ESSP 2018-2020), which identified that children's lack of school access increased vulnerability for recruitment into armed groups. In early 2019, an international organization supported a consultative meeting on the Somalia strategy and operational framework on the prevention and response of child recruitment, release, and reintegration. The director general's level of relevant ministries endorsed the strategy, but it awaited parliamentary approval at the close of the current reporting period. Most Somalis lacked birth certificates, and in the absence of established birth registration systems or standardized methods for recruitment, verifying claims of child soldiering remained difficult. To increase transparency and accountability in the security sector and curb the recruitment and use of child soldiers in the SNA, during the reporting period the FGS undertook a process of biometric registration of SNA soldiers to validate their identities, force numbers, locales, electronic payment accounts, and registered weapons.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Somalia, and traffickers exploit victims from Somalia abroad. Information regarding trafficking trends and victims in Somalia remains challenging to obtain or authenticate. Four cross-border routes, mirroring migration flows, are most commonly used by traffickers: a northern route towards Europe via Libya; an eastern route to Europe via Turkey; a direct southern path to Kenya, Tanzania, or South Africa; and finally from south-central Somalia through Puntland onward to Yemen via the Bab el-Mandeb strait. During the reporting period, officials reported an uptick in trafficking cases along the eastern and southern trafficking routes. In Somaliland, some women act as recruiters and intermediaries who transport victims to Puntland, Djibouti, and Ethiopia for the purposes of domestic servitude or sex trafficking. Notwithstanding the unavailability of reliable figures, in previous reporting periods the FGS noted that, anecdotally, fewer Somalis arrive in their intended destination countries but rather become stranded in transit countries. Anecdotal evidence purports al-Shabaab continues to facilitate human trafficking crimes, using deception, infiltration of madrassas and mosques, and coercion of clan elders, to recruit and subsequently force victims—including children and hailing most heavily from south-central Somalia and Kenya—into sexual slavery, military support roles, direct combat, and marriages to al-Shabaab militants.

IDPs, certain marginalized ethnic minorities, people residing in al-Shabaab territory, and youth aged 18-35 remain the most vulnerable to sex trafficking and forced labor. In particular, Somali youth working in the informal sector are at high risk of trafficking as they are often driven by familial or economic pressure to seek employment opportunities abroad. These

economic migrants sometimes incur debts under the trafficking scheme dubbed “go now, pay later” or through economic exploitation. According to an international organization, traffickers extort payments from the respective families left behind or exert threats if they refuse or are unable to do so. In general, the predominant factors that compel migrants to leave Somalia are poverty, insecurity, and natural disasters. An international organization reported that, as of March 2019, it registered more than 800,000 refugees and 2.6 million IDPs from Somalia. Some Somalis willingly surrender custody of their children to people with whom they share familial ties and clan linkages; some of these children may be subsequently exploited in forced labor or sex trafficking. While many children work within their own households or family businesses, some traffickers may force children into labor in agriculture, domestic work, herding livestock, selling or portering *khat*, crushing stones, or in the construction industry. Although there remains a dearth of reliable statistics, Somaliland and Puntland continued to receive an influx of economic migrants and refugees from war-torn Yemen and the Oromia region of Ethiopia during the reporting period. In addition, at the conclusion of the reporting period, Puntland officials documented it assisted approximately 7,500 migrants and Somali returnees coming primarily from Yemen, Saudi Arabia, and Ethiopia.

Most trafficking networks continue to be run by a combination of Somali, Djiboutian, Eritrean, and North African traffickers. Typically, traffickers employ deception as the predominant recruitment method, although al-Shabaab often uses coercion and force. An increasing number of traffickers target and recruit children, without their parents’ awareness or support by false promises that no payment will be demanded until they reach their targeted destinations. Traffickers and smugglers reportedly take advantage of the vulnerability of IDP women and children, mostly from southern and central Somalia, at times using false promises of lucrative jobs in Europe and North America. Traffickers transport Somali women, sometimes via Djibouti, to the Middle East, where they frequently endure domestic servitude, forced labor, or sex trafficking. Somali men experience conditions of forced labor in farming and construction in the Gulf States. Traffickers transport children to Saudi Arabia and Djibouti and force them to beg on the streets. Dubious employment agencies facilitate human trafficking by targeting individuals desiring to migrate to the Gulf States or Europe for employment. In previous years, trucks transporting goods from Kenya to Somalia sometimes return to Kenya with young girls and women; traffickers procure these young girls and women and exploit them in brothels in Nairobi or Mombasa or send them to destinations outside Kenya. Undocumented Ethiopians in northern Somalia also remain vulnerable to trafficking as they seek employment in Puntland and Somaliland to fund subsequent travel to the Middle East.

SPECIAL CASE: YEMEN

Yemen remains a Special Case for the fourth consecutive year. The civil conflict and humanitarian crisis in Yemen continued during the reporting period. Information on human trafficking in the country has been increasingly difficult to obtain since March 2015 when much of the Republic of Yemen Government (ROYG) took refuge against the Houthi onslaught in Riyadh, and stopped controlling significant portions of the country. NGOs reported vulnerable populations in Yemen were at an increased risk of human trafficking due to large-scale violence

driven by protracted armed conflict, civil unrest and lawlessness, and worsening economic conditions. Migrant workers from the Horn of Africa who remained or arrived in Yemen during the reporting period may have endured intensified violence, and women and children may have become vulnerable to trafficking. The international organizations and NGOs remaining in Yemen focused primarily on providing humanitarian assistance to the local population and lacked adequate resources and capacity to gather reliable data on trafficking. A vast majority of Yemenis required broad assistance and basic social services, which have collapsed. For the purposes of this report, Yemen retained Special Case status.

GOVERNMENT EFFORTS

Due to the protracted conflict and tenuous political situation, the government faced serious challenges to combat trafficking, including substantial internal security threats, weak institutions, systemic corruption, economic deprivation, food insecurity, social disintegration, limited territorial control, and poor law enforcement capabilities. The government made few discernible anti-trafficking law enforcement efforts, though senior ROYG officials have repeated their commitment to fighting trafficking. The absence of a law criminalizing all forms of trafficking and the government’s conflation of trafficking and smuggling hindered government efforts to investigate and prosecute trafficking offenders. Article 248 of the penal code criminalized slavery and prescribed penalties of up to 10 years’ imprisonment; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with the penalties prescribed for other grave crimes, such as rape. However, Article 248 narrowly focused on transactions and movement and therefore did not criminalize many forms of labor and sex trafficking, as defined under international law. Article 279 criminalized child sex trafficking under its prostitution provision and prescribed penalties of up to seven years’ imprisonment, which could be increased to up to 15 years’ imprisonment under aggravating circumstances; these penalties were sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In 2014, the government adopted a bill that it subsequently referred to the Parliament, which aimed to combat all forms of trafficking, protect and assist victims, generate societal awareness of the risks of trafficking in order to reduce the phenomenon, and promote national cooperation.

The legitimate government of the Republic of Yemen did not have full oversight of the courts and therefore did not report efforts to prosecute, convict, or punish trafficking offenses during the year. In addition, the government was unable to pursue any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses, despite continued reports of officials engaged in trafficking in both urban and rural areas, including the domestic servitude of children and women, sex trafficking of women, recruitment and use of child soldiers by the government of the Republic of Yemen Armed Forces, and forced labor of migrant workers. Prior to the conflict, the government did not effectively enforce anti-trafficking provisions and lacked resources and awareness of trafficking crimes.

The government did not have the access or capacity to identify and provide adequate protection services to trafficking victims among vulnerable groups, such as women in prostitution and migrant laborers, some of whom were transiting en-route to the Gulf States. As a result, the government was unable to ensure trafficking victims were not inappropriately incarcerated, fined, or otherwise penalized for unlawful acts traffickers

compelled them to commit, such as prostitution or immigration violations. Although formal standard operating procedures for proactive identification of trafficking victims existed, efforts to implement or train law enforcement on these procedures were suspended due to the prolonged unrest. Furthermore, the government did not encourage victims to assist in investigations or prosecutions of their traffickers and was financially unable to provide assistance to its nationals repatriated after enduring trafficking abroad. During the reporting period, militia forces—including some aligned with the legitimate government—continued to unlawfully recruit and use some child soldiers; however, the government took some action in criticizing or condemning the active and aggressive rebel recruitment of child soldiers, including public press statements, and expressed its commitment to properly address this crime.

Due to its broad lack of access and capacity limitations, the government did not make efforts to prevent trafficking during the reporting period. The government established the National Committee to Combat Human Trafficking pursuant to Council of Ministers Decision No.46 of 2012; its members included governmental and non-governmental interlocutors. A draft national strategy to combat trafficking initiated by the Ministry of Human Rights in a previous reporting period, in coordination with an international organization, remained pending. The draft included plans for raising awareness, increasing cooperation between Yemen and neighboring countries, training officials in victim identification, and instituting procedures to protect victims. The government did not provide anti-trafficking training to its diplomatic personnel and did not make efforts to reduce the demand for commercial sex acts or forced labor.

Since the escalation of armed conflict in March 2015, human rights organizations reported parties to the conflict continued their unlawful recruitment and use of child soldiers. However, verification of such cases became increasingly challenging during the reporting period due to intensified security threats against the monitors and communities of interest, in addition to more restrictive humanitarian access. As a result of its limited capacity and the ongoing conflict, the ROYG has not implemented a 2014 UN action plan to end the recruitment and use of child soldiers, although the government continued to express interest in revitalizing the discussion on implementation. Despite the Council of Ministers-issued Decision No.212 of 2012 endorsing the Paris Commitments to protect children from unlawful recruitment or use by armed forces or armed groups and a 1991 law requiring members of the armed forces to be at least 18 years of age, in addition to the May 2014 UN action plan to prevent unlawful recruitment of children into its armed forces, credible reports indicated the protraction of unlawful recruitment of children throughout the country during the reporting period. Due to expansion of military activity by government and Houthi forces, tribal and coalition militias, and al-Qaeda in the Arabian Peninsula, during the year the recruitment, training, and mobilization of children as participants in the conflict intensified. An international organization reported armed groups used both boys and girls in combat and to guard checkpoints and military facilities during the reporting period. This is largely due to endemic customs and culture in which tribal leaders arm children to participate in local militias that may support the government, back the Houthi movement, act as an anti-Houthi force, or be part of an unaligned tribal, local, or regional group that protects the respective village from rival tribes or other outsiders. During the reporting period, verified cases of the unlawful recruitment and use of child soldiers occurred with some familial knowledge or consent, and monetary and material

support were utilized as incentives for joining the army, and to a lesser extent forced enrollment via abductions. Recruitment continued to target schools across Yemen. According to an international organization, between April and December 2018, armed groups unlawfully recruited and used at least 96 children between the ages of 14-17, compared to 370 the previous reporting period; the sharp decline was due to highly restrictive humanitarian access to areas in which heavy fighting occurred, particularly in Al Khawkhah, Ad Durayhimi, Hays, Al Hudaydah and other port city districts, which impacted the documentation and verification of incidents during the reporting period. The majority of incidents were attributed to the Houthis and affiliated factions (62), and to a lesser extent by groups affiliated with the Yemeni government but outside its command and control, as well as the Popular Committees (34). As in years past, in 2018, Yemeni officials did not report demobilizing any child soldiers. In 2018, the Saudi-led coalition demobilized and referred to Yemeni officials an unspecified number of child soldiers alleged to have been recruited by the Houthis. Yemen's security, political, and economic crises, cultural acceptance of child soldiering, weak law enforcement mechanisms, and limited political will continued to severely encumber the country's capacity to end the recruitment and use of child soldiers.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Yemen, and traffickers exploit victims from Yemen who reside abroad. The ongoing conflict, lack of rule of law, economic degradation, pervasive corruption, and fractional territorial control have disrupted some trafficking patterns and exacerbated others. Prior to the conflict, Yemen was a transit point and destination for women and children, primarily from the Horn of Africa, who were exploited in sex trafficking and forced labor. International organizations reported—despite the perilous Gulf of Aden boat crossing—an estimated 150,000 migrants entered Yemen via Djibouti in 2018, many of whom were vulnerable to trafficking, thereby underscoring the need for proactive screening of potential victims and child soldiering among migrants. Ethiopians and Somalis traveled voluntarily to Yemen with the hope of employment in Arabian Gulf countries, but traffickers exploited some women and children among this population in sex trafficking or domestic servitude in Yemen, and traffickers forced some to work on *khat* farms and in other industries. Other workers migrated based on fraudulent offers of employment as domestic workers in Yemen, where traffickers subsequently exploited them in sex trafficking or forced labor. Prior to the conflict's escalation and the government's departure in March 2015, Saudi Arabia allegedly deported Yemeni migrant workers and returned them to Yemen through the al-Tuwal and al-Buq border crossings. Most deportees reportedly returned to the impoverished Tihamah region located on the west coast of Yemen, many of whom remained displaced and highly vulnerable to exploitation, including trafficking. During the reporting period the country's civil war continued to generate a substantial flow of persons fleeing outward from Yemen to Djibouti. The Djiboutian government permitted thousands of Yemenis to enter freely and take refuge, some of whom had endured various types of exploitation, possibly including trafficking, in transit to Djibouti. However, given an uptick in refugee camp populations in Djibouti, austere and overcrowded conditions perpetuated trafficking vulnerabilities of Yemenis. Since the escalation of armed conflict in March 2015, human rights organizations reported all parties to the conflict continued their unlawful recruitment and use of child

soldiers, including as uniformed soldiers in combat and to guard checkpoints and military facilities. However, verification of such cases became increasingly challenging during the reporting period due to intensified security threats against the monitors and communities of interest, in addition to more restricted humanitarian access.

Past reports suggested traffickers forced some Yemeni children—mostly boys—to work in domestic service, begging, or in small shops after migrating to Aden or Sana’a, or to Saudi Arabia. Traffickers, employers, and some security officials also exploited some of these children in sex trafficking in Saudi Arabia. In hotels and clubs in the Governorates of Sana’a, Aden, and Taiz, traffickers reportedly exploited girls as young as 15 years old in commercial sex. Prior to the conflict, most child sex tourists in Yemen were from Saudi Arabia, with a smaller percentage originating from other Gulf nations. Some Saudi men used legally contracted “temporary marriages,” authorized by relevant Islamic authorities, for the purpose of sexually exploiting Yemeni girls, some reportedly as young as 10 years old. Civil society organizations and media outlets continued to assess that trafficking of Yemeni children gradually increased since the civil war commenced, and children were disproportionately affected by its protracted escalation.

A note on Samoa and Vanuatu: For the first time, media reports from the reporting period indicated Samoa as a country of origin and Vanuatu as a country of destination for victims of trafficking. Information on the anti-trafficking efforts of these governments and the nature and scope of trafficking in persons in each country were insufficient to achieve a full assessment for the 2019 Report. The Department of State will continue gathering information in the coming year and assess what, if any, reporting is appropriate for the 2020 TIP Report.



In Senegal and other parts of West Africa, it is a traditional practice to send children to receive a religious education at Quranic schools. However, in some cases traffickers exploit this practice and compel the children to beg for the traffickers' own personal gain.