

Protection

The Mozambican government continued to show little progress in its efforts to protect victims. Implementing regulations for the non-criminal portions of the anti-trafficking law have not yet been issued, hindering the application of its protection and prevention provisions. Recognizing these gaps, the Minister of Justice in October 2010 tasked the Office for Technical Legal Reform to issue the necessary regulations. The government provided no funding to NGOs or international organizations assisting in anti-trafficking work in Mozambique. Government officials continued to rely on NGOs to provide shelter, counseling, food, and rehabilitation to victims; an NGO managed the country's only permanent shelter for child trafficking victims. The government continued to lack formalized procedures for identifying potential victims of trafficking and referring them to organizations providing protective services. Women and Children's Victim Assistance Units (GAMCs), established by the National Police, continued to operate in police stations throughout the country and provided temporary shelter for and worked with regional social workers to counsel an unknown number of trafficking victims; during the reporting period, the National Police established 27 new units, with a total of 231 now in existence. Additionally, the Ministry of Interior, in collaboration with UNODC and the Southern African Regional Police Chiefs Organization, established a "train the trainer" program, placing 20 trainers across the country who will train GAMC staff on victim identification and referral to NGO services; this training has increased authorities' understanding of the scope of human trafficking, including the potential for men to be victims of trafficking. The Ministry for Women and Social Action (MMAS) provided reintegration assistance to three Mozambican trafficking victims who were repatriated from South Africa. The government encouraged victims to assist in the investigation and prosecution of traffickers. However, the government continued to deport foreign trafficking victims without screening them for possible victimization, and the lack of formal identification procedures impaired the government's ability to ensure that all trafficking victims were not penalized for unlawful acts committed as a direct result of being trafficked. The government did not provide temporary residency status or legal alternatives to the removal of foreign victims to countries where they might face hardship or retribution.

Prevention

The government demonstrated increased trafficking prevention efforts during the reporting period. There is no single national coordinating body and no national action plan to guide the government's anti-trafficking efforts. In May 2010, the GAMC, funded by IOM and the National Police, placed anti-trafficking billboards in high visibility locations such as Ressano Garcia and around Maputo's downtown bus terminal, both departure points for travelers bound for South Africa. In December 2010, in partnership with NGOs, the GAMC designed and published brochures warning against the dangers of trafficking for distribution in schools.

In January 2011, in Quelimane (Zambezia Province), the GAMC director launched a modest campaign to increase

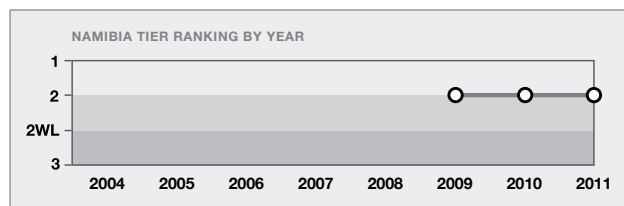
public awareness by distributing 8,000 anti-trafficking posters to schools and community leaders, to direct presentations on trafficking. In November 2010, the Women's Caucus of the national legislature led a team of parliamentarians to the provinces of Sofala and Nampula to conduct training for local officials and to raise awareness about legal remedies provided under anti-trafficking, spousal protection, and family laws. Also in November, MMAS held its second annual National Conference on Women and Gender, which featured a session on trafficking. In July 2010, the Provincial Court of Zambezia convicted two offenders under the anti-trafficking law and sentenced them each to 20 years' imprisonment, a fine of \$13,200, and payment of court costs for the transport and kidnapping of a young boy whose eyes and genitals were later removed for use in a ritual practice in Malawi. Inspectors with the Ministry of Labor took little initiative to prevent or combat child labor and were unable to monitor child labor in outlying areas. Additionally, there were no mechanisms in place for making complaints regarding forced child labor. The Ministry of Tourism, in May 2010, co-hosted an international conference with an NGO on the dangers of child sex tourism; following this conference, several hotels and restaurants adopted a code of conduct on prevention of child sex tourism. The government did not take any significant measures to reduce the demand for commercial sex acts during the year.

NAMIBIA (Tier 2)

Namibia is a country of origin, transit, and destination for women, children, and possibly men subjected to forced labor and sex trafficking. Victims are lured by traffickers to urban centers and commercial farms with promises of legitimate work for adequate wages, but instead are forced to work long hours and carry out hazardous tasks; victims may also be beaten or raped by traffickers or third parties. Traffickers exploit Namibian children, as well as children from Angola, Zambia, and possibly Zimbabwe, through exploitative, and in some cases, forced labor in agriculture, cattle herding, domestic service, charcoal production, and in prostitution in Namibia. In some cases, Namibian parents unwittingly sell their children to traffickers. Other adults subject the children of their distant relatives to forced labor or sex trafficking. Small business owners and farmers may also commit trafficking crimes against women or children. Unconfirmed reports indicate that truck drivers recruit and transport Namibian women and children to South Africa, who may later be subjected to forced prostitution. Among Namibia's ethnic groups, San girls are particularly vulnerable to be trafficked for domestic servitude; during the reporting period, for example, a 22-year-old San girl – lured six years earlier with promises of education – was discovered in a situation of domestic servitude, suffering physical, sexual, and psychological abuse.

The Government of Namibia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the year, the government investigated cases of child and adult labor trafficking, and rescued child victims of labor trafficking. It prosecuted nine suspected traffickers though

it did not convict any suspected traffickers. The government also opened two shelters and a one-stop shop for victim services and began renovating three other similar facilities, which will provide care for victims of gender-based violence, as well as trafficking, and raised public awareness via media campaigns and regional visits by a parliamentary delegation.



Recommendations for Namibia: Greatly increase efforts to investigate and prosecute trafficking offenses and convict and punish trafficking offenders under the Prevention of Organized Crime Act (POCA); continue to train law enforcement officials on the anti-trafficking provisions of the POCA; improve the formal victim identification mechanism and train law enforcement and social service personnel on its application; continue to dedicate adequate time and resources to complete ongoing shelter and safe house renovations; conduct additional national anti-trafficking public awareness campaigns, particularly in the border areas; and collect data and maintain databases on trafficking cases, including forced labor cases.

Prosecution

The Government of Namibia increased its anti-trafficking law enforcement efforts during the year by investigating suspected human trafficking offenses and related labor violations. In May 2009, the government enacted the Prevention of Organized Crime Act (POCA) of 2004, which explicitly criminalizes all forms of trafficking. Under the POCA, persons who participate in trafficking offenses or aid and abet trafficking offenders may be imprisoned for up to 50 years and fined up to \$133,000, penalties which are sufficiently stringent and commensurate with punishments prescribed for other serious crimes, such as rape. The government, however, has not yet prosecuted or convicted a trafficking offender under the POCA. The Namibian Police Force's Woman and Child Protection Unit (WACPU) investigated three trafficking cases in 2010, all involving females who were promised an education, though were instead subjected to domestic servitude and sexual abuse. Although one victim chose not to press charges against her employer, investigations remain ongoing in the other two cases. In 2010, the Ministry of Labor and Social Welfare (MLSW) investigated five cases of suspected child labor in violation of the 2007 Labor Act; in all instances, offenders were issued compliance orders in accordance with the Act, though otherwise not penalized. Labor inspectors also removed 10 children from cattle herding and domestic work in the Caprivi region, several of whom were reportedly trafficked from Zambia; offenders were issued compliance orders, though otherwise not penalized. During the reporting period, the MLSW followed-up on 111 cases of child labor discovered in 2009; police opened criminal investigations in nine instances

where employers failed to obey compliance orders received in 2009, charging them with hazardous child labor for the trafficking of nine children for the purposes of cattle herding. The government cooperated with the Zimbabwean police in the investigation of one trafficking case identified during the reporting period. In partnership with IOM, the government provided training for 90 law enforcement, social services, customs, and immigration officials on the identification of trafficking victims and the management of trafficking cases. In June 2010, in partnership with a foreign government, the Namibian government trained 35 members of the Namibian police force, officials from the Office of the Prosecutor General, and representatives from other ministries on the investigation and prosecution of trafficking cases. WACPU cooperates with police units nationally and locally, as well as with MLSW labor inspectors and Ministry of Gender Equality and Child Welfare (MGECW) social workers as they investigate trafficking cases and refer victims; however, there is a need for better data sharing between these entities.

Protection

The government maintained modest efforts to protect victims and ensure their access to appropriate services offered by non-governmental entities. Police have been previously trained to contact WACPU if they discover a woman or child victim, and WACPU police are subsequently responsible for referring victims to temporary shelter and medical assistance provided by NGOs or other entities. The government identified 27 trafficking victims; one was referred to the care of an NGO. The MGECW provided social workers to assist police in counseling victims of violent crimes, including trafficking; 12 trafficking victims received this care during the reporting period. The Namibian government has begun to provide long-term shelter and services designed to meet the specific needs of trafficking victims. The government continued its renovation of buildings to be used as shelters for women and child victims of gender-based violence and human trafficking; two were renovated during the reporting period, in addition to several government-subsidized shelters that are already operational. In addition to two one-stop shops for trafficking victim protection in Windhoek and Oshakati, WACPU opened a third in Rundu in 2010, featuring overnight accommodation, a private room for medical examinations, and space for social workers to provide counseling and psychosocial support; however, this facility did not provide care to trafficking victims during the reporting period. The MGECW began use of a national database on gender-based violence, which includes statistics on trafficking and child labor victims.

The Namibian legal system provides protection to victims who wish to testify against their abusers, and, on a case by case basis, offers a legal alternative to foreign victims' removal to countries where they may face hardship or retribution; however, such benefits were not provided during the reporting period. Given the weaknesses in Namibia's formal victim identification process, trafficking victims may have been jailed or prosecuted for violating laws related to immigration and prostitution before they were identified as victims; however, there were no reports that this occurred. During the reporting period,

there were no reports of trafficking victims being fined or jailed for unlawful acts committed as a direct result of their being trafficked. In 2010, Ministry of Home Affairs and Immigration officials began working with social workers and psychologists to interview illegal immigrants and screen them for human trafficking indicators. The government cooperated with Zambian authorities on the repatriation of several children. Following repatriation, Namibian victims were reunited with their families, entitled to counseling, and provided medical care – in some cases free of charge. During the reporting period, at least four Namibian victims were repatriated from other countries.

Prevention

The Namibian government increased efforts to raise awareness of human trafficking throughout the country during the reporting period. The deputy chairperson of the National Council advocated for the rights of gender-based violence and trafficking victims in nine of Namibia's 13 regions by educating parents about the dangers of trafficking, particularly for young people sent abroad to study or work. The Inter-Ministerial Committee, which coordinates government activities on gender-based violence and trafficking, developed a national action plan, covering April 2010 through April 2011, for prevention of gender-based violence and trafficking and the protection of victims. The MGECW led a multi-stakeholder working group and began drafting a national action plan on gender-based violence and trafficking. The government also continued the Zero Tolerance Against Gender-Based Violence and Trafficking in Persons media campaign from July to December 2010, in which it encouraged victims and members of the public to report suspected trafficking offenders and assist in investigations and prosecutions. From May to December, the MGECW also participated in weekly radio shows to raise awareness on gender-based violence and trafficking. In August 2010, the MLSW organized a nationwide public awareness campaign on child labor and labor inspections, which featured television and radio spots. The government made no efforts to reduce the demand for commercial sex acts during the reporting period.

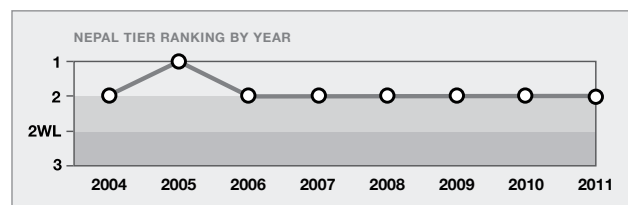
NEPAL (Tier 2)

Nepal is mainly a source country for men, women, and children who are subjected to forced labor and sex trafficking. Some Nepali women and girls are subjected to sex trafficking in Nepal, India, and the Middle East, and also are subjected to forced labor in Nepal and India as domestic servants, beggars, factory workers, mine workers, and in the entertainment industry, including in circuses and in pornography. They are subjected to sex trafficking and forced labor in other Asian destinations, including Malaysia, Hong Kong, and South Korea. Nepali boys also are exploited in domestic servitude and – in addition to some Indian boys – are subjected to forced labor in Nepal, especially in brick kilns and the embroidered textiles industry. One NGO is concerned that China is an emerging sex trafficking hub for Nepali girls. There were reports of traffickers in the remote Karnali region who deceive families into sending their children to urban areas

with false promises of schooling. Many of these children, however, are never sent to schools and some end up in forced labor, including forced begging. Bonded labor exists in agriculture, brick kilns, and the stone-breaking industry. Particularly in agriculture, this is often based on caste lines, where traditional landlord castes use debt bondage to secure unpaid labor from Dalit laborers. Traffickers generally target uneducated people, especially from socially marginalized and traditionally excluded groups. However, a growing number of victims are relatively well-educated and from traditionally privileged groups.

Many Nepali migrants seek work in domestic service, construction, or other low-skilled sectors in Gulf countries, Malaysia, Israel, South Korea, Afghanistan, and Libya with the help of Nepal-based labor brokers and manpower agencies. They travel willingly but some subsequently face conditions indicative of forced labor such as withholding of passports, restrictions on movement, nonpayment of wages, threats, deprivation of food and sleep, and physical or sexual abuse. Some are deceived about their destination country, the terms of their contract, or are subjected to debt bondage, which can in some cases be facilitated by fraud and high recruitment fees charged by unscrupulous agents. Many workers migrate via India; this is illegal, due to the 2007 Foreign Employment Act that requires all workers to leave for overseas work via the Kathmandu airport. Many migrants leave by land because it is easier and cheaper than traveling by air, and to avoid legal migration registration requirements, the scrutiny of a labor migration desk in the airport, and bribes that some officials reportedly require at the airport to secure migration documents. A recent survey of returned migrants served by the NGO *Maiti Nepal* assessed that 67 percent of female Nepali workers who returned from the Gulf were unhealthy; most disorders were psychological illnesses. Nepali officials have reported a large increase of Bangladeshis transiting through Nepal in recent years due to increasing migration restrictions of Bangladeshis by foreign countries. Officials believe many Bangladeshis illegitimately obtain Nepali visas and work permits for employment in the Gulf, and noted, because these Nepali documents are often produced fraudulently, the Bangladeshis are at risk of being trafficked.

The Government of Nepal does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so, despite limited resources. During the year, the government established the Central Crime Investigative Bureau's special unit to investigate trafficking and increased its direct financial support for protective services in Nepal and abroad. Incidents of trafficking-related complicity by government officials were not documented by the government, but reported by civil society. The lack of proactive victim identification remained a serious problem in Nepal.



Recommendations for Nepal: Increase law enforcement efforts against all types of trafficking, including labor trafficking, and against government officials who are found to be complicit in trafficking, while respecting the rights of victims and defendants; institute a formal procedure to identify victims of trafficking and refer them to protection services; ensure that sex trafficking victims are not punished for involvement in prostitution; improve protection services available for victims of all forms of trafficking; promote legal awareness programs to potential trafficking victims and government officials; work with Indian officials to establish a procedure to repatriate Nepali victims of trafficking in India; decentralize the system to file complaints under the Foreign Employment Promotion Board as a means to facilitate victims' access to legal remedies; consider increasing avenues for female migrant workers to migrate legally and safely to the Gulf; and provide disaggregated data under the Human Trafficking and Transportation Control Act.

Prosecution

Nepal prohibits most forms of trafficking in persons, including the selling of human beings and forced prostitution, through its Human Trafficking and Transportation Control Act (2007) and Regulation (2008) (HTTCA). Prescribed penalties range from 10 to 20 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The Bonded Labor (Prohibition) Act (2002) prohibits bonded labor, but has no penalties. Defendants in trafficking cases are not assumed innocent, violating fair trial standards. According to the Office of Attorney General, 174 offenders were convicted in 119 cases tried in court under the HTTCA; 71 cases resulted in convictions and 47 cases resulted in acquittals in Nepal's 2009-2010 fiscal year. This compares with 172 offenders convicted in 138 cases tried in court, with 82 cases resulting in convictions and 56 case acquittals, in the previous fiscal year. It is not known how many of these cases were for human trafficking, since the HTTCA also prohibits other offenses that do not constitute human trafficking, such as people smuggling. Government statistics did not include information about punishments and did not disaggregate whether convictions were for sex trafficking, labor trafficking, or non-trafficking offenses. The much lower number of convictions reported in the 2010 Report represented only convictions obtained from the Supreme Court, while the numbers offered above represent convictions obtained from district courts. Some Foreign Employment Tribunal case convictions under the Foreign Employment Act may have involved human trafficking. The tribunal is based in Kathmandu without branch offices, which restricts victims outside of the capital from filing cases. In 2010, the government established a special unit to investigate human trafficking within the Central Crime Investigative Bureau. One government source noted a decrease in victims' confidence in the prospect of justice in Banke district – a western district of Nepal – because very few labor traffickers of migrant workers have been punished in the district. This is believed to have negatively affected the number of trafficking cases filed with police in the district.

The incidence of trafficking-related complicity by government officials remained a problem. Anecdotal evidence suggests that traffickers use ties to politicians, business persons, state officials, police, customs officials, and border police to facilitate trafficking. Although in the past it was reported that many dance bars, "cabin restaurants," and massage parlors in Kathmandu that facilitate sex trafficking were co-owned by senior police and army officials, some security officials report that recently adopted police and army rules prohibit officials from running businesses without approval, and that this has decreased the practice; this has not yet been confirmed by civil society groups. Some Nepali officials may work with traffickers in providing false information in genuine Nepali passports. Politically-connected perpetrators enjoy impunity from punishment. There were no trafficking related investigations, prosecutions, or convictions of government officials for complicity in trafficking during the reporting period. Between January and March 2010, according to official statistics, the Maoists discharged the 2,973 child soldiers they recruited during the 10-year conflict, some of whom may have been trafficking victims. However, no Maoist official has been charged in connection with the conscription of child soldiers. Government officials who participated in counter-trafficking training-of-trainers programs led workshops in their various districts.

Protection

The Government of Nepal does not have a formal system of proactively identifying victims of trafficking among high-risk persons with whom they come in contact. Some police officers made arrests during raids on commercial sex establishments but did not identify victims. As a result, child trafficking victims were arrested, jailed, and then charged "bail" which the police and court allowed traffickers to pay; this further indebted the girls before they were handed back to their traffickers. A 2009 Supreme Court ruling which ordered police to not arrest females in these establishments was largely unheeded, but some NGOs recently filed successful contempt of court cases which released some girls from detention. Police arrested some Bangladeshi migrant workers during raids in 2010 while they were allegedly trying to fly overseas with fake Nepali passports, and did not make attempts to identify whether they were trafficking victims.

During the last year, the Ministry of Women, Children and Social Welfare (MWCSW) fulfilled a commitment reported in the 2010 TIP Report to open and partially-fund five NGO-run shelter homes for female victims of trafficking, domestic violence, and sexual assault; a total of eight NGO shelters are now given some funding by the government. As of February 2011, 77 victims were in those shelters. During the year, the MWCSW fulfilled a second commitment to open 15 emergency shelters across the country for victims of trafficking and other forms of abuse. All facilities that assist trafficking victims were run by NGOs and most provided a range of services, including legal aid, medical services, psychosocial counseling, and economic rehabilitation. The Nepal Police Women's Cells reportedly sustained partnerships with NGOs to ensure that victims were provided with available shelter; however,

it is unknown how many survivors received assistance. There were not sufficient facilities to meet the needs of all survivors, nor were there any protective services for males. The Government of Nepal allocated approximately \$7,000 for rescue efforts by the Nepal Embassy in India in the 2010 to 2011 fiscal year, a 55 percent increase compared to the previous fiscal year. The government continued to run emergency safehouses in Saudi Arabia, Qatar, Kuwait, and the United Arab Emirates. While the Foreign Employment Promotion Board collected fees from departing registered migrant workers for a welfare fund, most of the funds remain unused and are inaccessible to migrants who did not register with the Board; these irregular migrants may be most at risk to trafficking.

Limited protections for victims negatively affected law enforcement efforts. Victims were often intimidated in their communities not to pursue a case, and they did not want to prosecute due to concerns for personal and family safety, particularly as their traffickers may have been family members. Many victims were unaware that legal recourse was available against traffickers. The government did not encourage trafficking victims to participate in investigations against their traffickers. Judges reportedly often took an adversarial, rather than impartial, stance when dealing with trafficking victims.

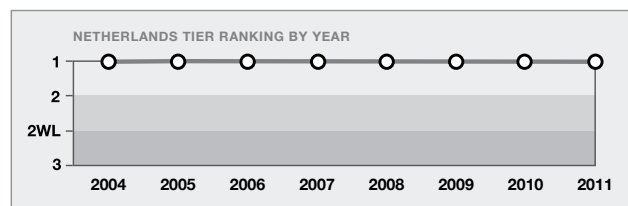
Prevention

The Government of Nepal improved efforts to prevent human trafficking during the reporting period. The government organized rallies and distributed posters and pamphlets to mark the fourth annual National Anti-Trafficking Day. The National Human Trafficking Task Force was more active in the reporting period; it met more times than in previous years, secured more funds for rescue, and helped repatriate a Nepali victim from a rehabilitation home in Bangladesh. The MWCSW established District Committees on Controlling Human Trafficking in 49 districts this past year. While all districts are now covered, a number of those in rural areas are not active. According to the Foreign Employment Promotion Board, during the year the Board conducted safe migration radio programs on more than 50 stations throughout the country; this is twice as many stations as was reported in the previous year. In January 2011, the Ministry of Labor formed a Committee to Hear the Issue of Undocumented Workers. The committee met once during the reporting period, and includes an NGO. Chapter 9 of the 2007 Foreign Employment Act criminalizes the acts of an agency or individual sending workers abroad through fraudulent recruitment promises or without the proper documentation, prescribing penalties of three to seven years' imprisonment for those convicted; fraudulent recruitment puts workers at significant risk of trafficking. Despite national registration drives and committees responsible for registering births, the Central Child Welfare Committee in 2008 reported that only 40 percent of children had birth registration certificates. All Nepali military troops and police assigned to international peacekeeping forces were provided some pre-deployment anti-trafficking training funded by a foreign government. Nepal is not a party to the 2000 UN TIP Protocol.

NETHERLANDS (Tier 1)

The Netherlands is primarily a source, destination, and transit country for men, women, and children subjected to sex trafficking and forced labor. Women from the Netherlands, Nigeria, Hungary, Bulgaria, Romania, and Sierra Leone were the top six countries of origin for identified female victims of forced prostitution in 2010. Approximately 113 victims identified last year in the Netherlands were male; these men and boys were subjected to sex trafficking and various forms of forced labor, including in agriculture, horticulture, catering, food processing, cleaning, and illegal narcotics trafficking. These male victims were primarily from Nigeria, Slovakia, India, the Netherlands, and Ghana. Groups vulnerable to trafficking include unaccompanied children seeking asylum, women with dependent residence status obtained through fraudulent or forced marriages, women recruited in Africa, and East Asian women working in massage parlors. Criminal networks are often involved in forced prostitution and forced labor involving foreigners, while those involved in forced prostitution of Dutch residents work independently, often recruit through the Internet, and exploit one to two victims at a time. The head of the national police force reported in 2010 that human traffickers increasingly took their victims to customers staying in hotels.

The Government of the Netherlands fully complies with the minimum standards for the elimination of trafficking. The government again showed regional and international leadership on anti-trafficking reforms. The Dutch national anti-trafficking rapporteur and other officials continued to take a pragmatic, self-critical approach to assessing its response to human trafficking, resulting in concrete improvements in its overall anti-trafficking efforts. The government sustained a strong effort to proactively identify and assist trafficking victims and improved its response to forced labor. Sentences for convicted traffickers, however, remained consistently low.



Recommendations for the Netherlands: Continue to improve capacity to investigate and prosecute forced labor and improve outreach to victims of this crime; ensure convicted trafficking offenders receive sentences commensurate with the gravity of the crime committed; continue to build capacity to improve identification of victims and prosecution of traffickers in the Caribbean islands of Bonaire, Saint Eustatius, and Saba (BES islands); continue to self-monitor and critique anti-trafficking efforts to advance the government's response; and expand the government's international leadership role to share best practices with other countries, in particular on victim identification and assistance, protection of unaccompanied

foreign minors, and establishment of a self-critical approach to enhance global anti-trafficking efforts.

Prosecution

The Dutch government continued to aggressively prosecute sex trafficking offenders and it increased prosecution of labor trafficking cases, however, the average sentences imposed on convicted traffickers continued to be less than two years. The Netherlands prohibits all forms of trafficking through Criminal Code Article 273, which prescribes maximum sentences ranging from eight to 18 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In 2009, the last year for which final trafficking statistics were available, police completed and referred for prosecution 141 human trafficking investigations, compared with 215 in 2008. In 2009, court verdicts were handed down in 91 cases, of which 69 were convictions, compared with 79 in 2008. There were 20 acquittals (33 acquittals in 2008), and nine trafficking offenders received community service or a fine as punishment. The average sentence for convicted trafficking offenders was approximately 21 months, the same average for sentences imposed in 2008 and 2007. In the period between October 2009 and June 2010, the National Rapporteur identified 18 labor exploitation cases, of which nine ended in a conviction. Before October 2009, Dutch courts handled 12 labor exploitation cases, of which four ended in a conviction. The National Rapporteur attributed this increase to an October 2009 Supreme Court precedent ruling which annulled a lower court decision that acquitted a Chinese restaurant owner of labor exploitation. The appellate decision rejected the lower court's finding that the Chinese were working in the restaurant voluntarily, emphasizing the vulnerable position of the Chinese migrants.

In December 2010, an appeals court sentenced *in absentia* a leader of a major Turkish-German human trafficking organization, to seven years and nine months' imprisonment for having forced at least 120 women into prostitution. The defense attorney filed an appeal to the Supreme Court; the appeal is still pending. Another court sentenced the same individual to an additional eight years' imprisonment for his involvement in two other trafficking cases and attempted murder. This case is also in appeal; prosecutors subsequently demanded more than \$3.9 million from him in a separate asset seizure trial. However, the defendant fled to Turkey in September 2009 after a Dutch court released him on temporary parole. In September 2010, the Dutch Human Trafficking Task Force publicly presented its second progress report and singled out Chinese massage parlors, nail studios, and restaurants as target areas for trafficking investigations in the coming year. In January 2011, the Judiciary Council adopted a taskforce proposal to limit litigation of trafficking cases to four specialized courts in the country in order to build necessary expertise among judges and to promote a uniform interpretation of the law. There are no reported cases of the involvement of government officials in or tolerance of trafficking at the national, local, or institutional level; there were no prosecutions for trafficking-related complicity in 2010.

Protection

The Government of the Netherlands made appreciable progress in its efforts to proactively identify and assist trafficking victims. In 2010, Comensha, the government-funded national victim registration center and assistance coordinator, registered 993 trafficking victims, an increase from 909 victims in 2009, and 826 victims in 2008. The majority of these 993 victims were identified by the police. The Government of the Netherlands has an extensive network of facilities providing a full range of trafficking-specialized services for children, women, and men; the government provided victims with legal, financial, and psychological assistance, shelter (in facilities that also serve victims of other crimes), medical care, social security benefits, and education financing. Victims in government shelters were not detained involuntarily. Dutch authorities provided temporary residence permits to allow foreign trafficking victims to stay in the Netherlands during a three-month reflection period, during which victims received immediate care and services while they considered whether to assist law enforcement. The government provided permanent residence status to some victims, based on particular conditions. In 2009, the government granted 280 out of 299 requests for temporary residency for trafficking victims. Since January 2008, the government has provided unaccompanied children seeking asylum with intensive counseling in secure shelters that protect them from traffickers; it extended this pilot project until the end of 2011 during the reporting period. The government encouraged victims to assist in the investigation and prosecution of traffickers; 39 percent of trafficking victims filed charges against their traffickers in 2010. Nevertheless, victims were often reluctant to assist law enforcement, personnel, due to fear of reprisals from traffickers, fear of law enforcement and lack of understanding of the criminal justice system in the Netherlands.

In June 2010, the Justice Minister officially launched a pilot project to house trafficking victims in three specialized shelters located in different parts of the country to determine whether doing so would increase victim cooperation; the pilot project provided assistance to 40 women, 10 male victims, and their children. There were no reports that any identified victims were punished for unlawful acts committed as a direct result of being trafficked. To facilitate safe and voluntary repatriation, the Ministry of Foreign Affairs has developed a system to evaluate victims' safety in five countries of return.

Prevention

The government continued to take proactive steps to prevent trafficking and address demand for commercial sex acts and forced labor during the reporting period. In December 2010, the Rotterdam police launched an information campaign to warn girls at 25 high schools about the ongoing trend of young men of Moroccan and Turkish descent who seduce vulnerable women and girls, and force them into prostitution. In November 2010, national police closed the websites of two escort businesses due to possible involvement in trafficking, some of which involved illegal hotel prostitution. Police simultaneously sent out text messages to approximately 1,300 mobile phone users who had contacted the sites, urging potential

clients to report possible human trafficking victims. The Justice Ministry continued to fund a multimedia awareness campaign about trafficking targeted at people in, and clients of, prostitution, as well as residents, shopkeepers, and taxi-drivers in areas where prostitution occurs. In December 2010, the City of Amsterdam re-launched a targeted campaign intended for tourists entitled, "Appearances Can be Deceptive;" the campaign was also put on special websites that are visited by clients of prostitution.

The government-funded, autonomous, Office of the Dutch National Rapporteur on Trafficking monitored the government's anti-trafficking efforts and, during the reporting period, published its eighth public report. In June 2010, the Social Affairs Ministry launched an awareness campaign informing citizens and certain target groups, including trade unions and work councils, about the existence of labor exploitation in the Netherlands. During the reporting period, the government subsidized a training film, called "Shockingly Forced," to raise awareness among labor inspectors and other officials about labor exploitation and forced labor. The government continued efforts to undertake efforts to prevent and identify child sex tourism; estimating it convicts approximately 12 child sex tourists every year. The Dutch military provided training to all military personnel on the prevention of trafficking and additional training on recognizing trafficking victims for Dutch troops being deployed abroad on missions as international peacekeepers.

Bonaire, St. Eustatius, and Saba

In October 2010, the Kingdom of the Netherlands obtained a new constitutional structure under which the "Netherlands Antilles" ceased to exist as an entity within the Kingdom. As of that date, Bonaire, St. Eustatius, and Saba (the BES islands) became part of the Netherlands. On September 27, 2010, the Criminal Code of the BES islands was adjusted to reflect the new structure. The Criminal Code thus includes an article prohibiting trafficking in persons, both for sexual and labor exploitation (Art 286f). The government reported this article is similar to the human trafficking article in the Dutch criminal code, although prescribed penalties are lower, ranging from six years' imprisonment for a single offense to 15 years' imprisonment in the case of a trafficking victims' death. The BES islands are a transit and destination area for women and children who are subjected to sex trafficking and for men and women who are in conditions of forced labor. The women in prostitution in the BES islands' regulated and illegal sex trades are highly vulnerable to human trafficking, as are unaccompanied children on the islands. Local authorities believe that men and women have also been subjected to domestic servitude and other forms of forced labor in the agriculture and construction sectors. Some migrants in restaurants and local businesses may be vulnerable to debt bondage.

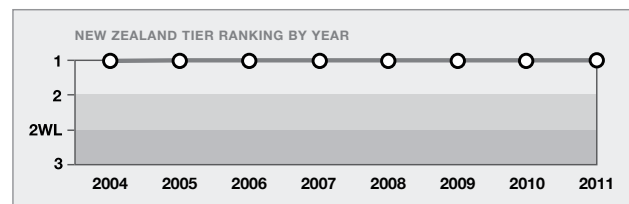
Although formal interagency anti-trafficking working groups operated in the BES islands, neither local authorities nor the Government of the Netherlands reported the identification of any potential trafficking victims. Moreover, no trafficking prosecutions or convictions were initiated on these islands during the reporting period. The government

continued to provide in-kind support for human trafficking hotlines in St. Maarten and Bonaire, though there were no awareness campaigns specifically targeting potential clients of the sex trade in the BES islands in an effort to reduce demand for commercial sex acts.

NEW ZEALAND (Tier 1)

New Zealand is a source country for underage girls subjected to sex trafficking within the country, and a destination country for foreign men and women in forced labor. New Zealand is reportedly a destination country for women from Asian countries, such as Hong Kong, Thailand, Taiwan, and China, and Eastern Europe trafficked into forced prostitution, though no new substantive information about such cases was discovered in the past year. According to a press report during the year, women, including some from Malaysia, are recruited by labor agents, but upon arrival in New Zealand, are handed over to brothel owners, who confiscate their passports and force them into prostitution for up to 18 hours a day to repay the "loan" of recruitment and transportation costs. Child trafficking victims are found engaging in prostitution illegally in brothels and off the street, some being closely controlled by local gangs. Asians and Pacific Islanders migrate to New Zealand voluntarily to work legally or illegally in the agricultural sector, and women from the Philippines migrate legally to work as nurses. Some foreign workers report being charged excessive and escalating recruitment fees, experiencing unjustified salary deductions, restrictions on their movement, confiscation of passports, and altered contracts or working conditions without their permission – all indicators of human trafficking. According to a press report and the United Nations Inter-Agency Project on human trafficking, there were concerns that some fishermen from Indonesia, Vietnam, and elsewhere in Southeast Asia are allegedly victims of forced labor in New Zealand waters; these men may have experienced conditions including passport confiscation, significant debts, physical violence and abuse, and are often forced to work a seven-day work week. No independent research has been conducted to determine the full extent of the trafficking problem in New Zealand.

The Government of New Zealand fully complies with the minimum standards for the elimination of trafficking. The government has in the past prosecuted traffickers under a range of laws; however, the government did not prosecute or convict any offenders of trafficking during the year, nor did it identify or assist any trafficking victims during the reporting period. The government did, however, make efforts during the year to raise public awareness of human trafficking through an anti-trafficking website and trafficking brochures.



Recommendations for New Zealand: Make efforts to study sex and labor trafficking occurring in New Zealand; significantly increase efforts to investigate and prosecute both sex and labor trafficking offenders; make efforts to proactively screen vulnerable populations, including women in prostitution, foreign workers, and illegal migrants, in order to identify and assist trafficking victims, through the routine employment of formal victim identification measures; identify and assist child trafficking victims engaged in commercial sexual activity; make proactive efforts to identify victims of labor trafficking, particularly among populations of vulnerable foreign laborers; investigate and prosecute employment recruiting agencies or employers who subject foreign workers to involuntary servitude or debt bondage; and develop and implement a visible anti-trafficking awareness campaign directed at clients of the legal and illegal sex trades.

Prosecution

The Government of New Zealand continued efforts to train front-line officers on trafficking, but did not make overall progress in its anti-trafficking law enforcement efforts during the past year. Authorities did not arrest or prosecute any sex or labor trafficking offenders during the past year, nor did it cooperate on any international trafficking investigations. The police did not report any prosecutions of “sellers” of sex services who profited from the labor of children in prostitution. New Zealand does not have a comprehensive anti-trafficking law and the Government of New Zealand does not feel that such a law is necessary, relying instead on a definition of trafficking that focuses on the transnational movement of people in prostitution. Part 5 and various amendments of the Crimes Act of 1961 prohibit transnational sex and labor trafficking. Laws against sexual slavery, the receipt of financial gain from exploiting children in prostitution, and labor exploitation prohibit forms of internal trafficking. Such crimes are not specifically included within the anti-trafficking provisions of the Crimes Act and therefore cases of internal trafficking are not recognized or tracked by the government as trafficking crimes. A press report during the year described cases of Asian women who were victims of forced prostitution in New Zealand, including a case of a Malaysian woman reportedly forced into prostitution for 16 hours a day who had her passport confiscated by the brothel owner. Authorities reported an initial investigation but the woman departed the country immediately upon having her passport returned to her, after police intervention. The Department of Labor investigated this case and reported that the woman was interviewed and found to be working willingly. The government trained staff from Customs, Immigration, Labor, and Police on People Trafficking on identifying victims of trafficking and victim interview techniques. Compliance inspectors who inspect sex industry premises use interview templates to determine whether individuals are willingly and voluntarily in New Zealand’s legal sex industry; the template has questions related to trafficking indicators.

Protection

The Government of New Zealand offers an extensive network of protective services to both internal and

transnational trafficking victims, regardless of whether they are officially recognized as trafficking victims. The government, however, did not report identifying or assisting any trafficking victims during the year, despite reports of children exploited in the commercial sex trade and foreign workers subjected to passport confiscation, debt bondage, threats of financial harm, and other internationally-recognized indicators of forced labor. The government did not have formal procedures for referring victims to NGOs and service providers. Authorities did not report the number of children under 18 found to be in prostitution during the year. Press reporting indicated authorities identified at least 13 girls under the age of 16 in prostitution in Auckland and put them in Child, Youth, and Family custody, but the government asserted that children under 18 identified in prostitution were not victims of trafficking, as they did not cross an international border and were not compelled into prostitution. There are currently no shelters specifically dedicated to trafficking victims. Authorities reported that were they to be identified, victims would receive food and shelter and would be informed of available physical and mental health services, legal services, and social welfare. The law allows foreign victims temporary legal residence and relief from prosecution for immigration offenses. However, as the government claims to have never identified a trafficking victim, this provision has never been offered. The Department of Labor developed a policy to allow police-certified trafficking victims, were they to be identified, to remain in New Zealand and work for up to one year on a temporary visa; however, this provision has never been utilized. It is possible that trafficking victims were deported as immigration violators instead of being investigated as possible trafficking victims.

Prevention

The Government of New Zealand made some efforts to increase public awareness of trafficking during the year. The Ministry of Social Development distributed brochures on trafficking indicators in six languages to regional departments, who distributed them to community groups around the country. In June 2010, the Department of Labor partnered with ECPAT to convene a forum on trafficking for representatives from government agencies and non-government organizations. Fraudulent employment and recruiting practices are prohibited under the Crimes Act of 1961 and the Wages Protection Act of 1983. New Zealand has never prosecuted trafficking offenders under these laws. Sufficiently stringent penalties of up to 20 years’ imprisonment and/or a fine of \$250,000 under the above statutes are commensurate with those prescribed for other serious crimes. The Immigration Act prohibits retention or control of a person’s passport or any other travel or identity document, but there were no prosecutions for passport confiscation during the year. During the year, the Department of Labor launched an anti-trafficking Internet website to raise awareness of trafficking. The government’s Inter-Agency Working Group on trafficking, led by the Department of Labor, met once during the year. The government did not make efforts to address the demand for commercial sex acts in the decriminalized commercial sex industry. The government gave \$22,800 to ECPAT to raise awareness about child sex trafficking. The Department of

Labor reported over 1,500 labor inspection visits during the year – an increase over the previous year, including 424 compliance inspections of horticulture and viniculture businesses. It did not report the number of brothel compliance inspections conducted during the year. In August 2010, authorities arrested one New Zealand citizen for organizing and promoting child sex tours; his case remains pending. The government provided anti-trafficking training to military personnel prior to their deployment abroad on international peacekeeping missions.

NICARAGUA (Tier 2)

Nicaragua is principally a source and transit country for men, women, and children subjected to sex trafficking and forced labor. Nicaraguan women and children are subjected to sex trafficking within the country as well as in neighboring countries, most often to Guatemala, Costa Rica, El Salvador, Honduras, Mexico, and the United States. Trafficking victims are recruited in rural areas for work in urban centers, particularly Managua, Granada, and San Juan del Sur, and subsequently coerced into prostitution. To a lesser extent, adults and children are subjected to conditions of forced labor in agriculture and domestic servitude within the country and in Costa Rica, Panama, and other countries in the region. Nicaragua is a destination country for a limited number of women and children recruited from neighboring countries for sex trafficking. Managua, Granada, Esteli, and San Juan del Sur are destinations for foreign child sex tourists from the United States, Canada, and Western Europe, and some travel agencies are reportedly complicit in promoting child sex tourism. Nicaragua is a transit country for migrants from Africa and East Asia migrating to the United States; some may fall victim to human trafficking.

The Government of Nicaragua does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Over the last year the government increased its anti-trafficking law enforcement efforts, specifically through increased prosecutions, five convictions of trafficking offenders, and the establishment of dedicated anti-trafficking police units. The anti-trafficking coalition increased its training and prevention efforts and began to establish working groups at the regional level. While officials identified a location for a future shelter for trafficking victims, the Government of Nicaragua provided no specialized victim services and relied on civil society organizations to provide most victim care.



Recommendations for Nicaragua: Continue to investigate and prosecute all forms of human trafficking, and convict and punish trafficking offenders; institute clear, formal, and proactive procedures for identifying

trafficking victims among vulnerable populations such as women and children in prostitution; increase training and resources for government officials in order to identify and provide services to victims of forced prostitution and forced labor; dedicate resources to specialized services for trafficking victims, including a shelter; provide increased services for adult trafficking victims; provide foreign victims with legal alternatives to deportation; strengthen mechanisms at the regional level to raise awareness and to identify and respond to trafficking cases; and continue to raise awareness of all forms of human trafficking.

Prosecution

The Government of Nicaragua increased its law enforcement efforts against human trafficking during the reporting period. Nicaragua criminalizes all forms of human trafficking through Article 182 of its penal code, which prohibits trafficking in persons for the purposes of slavery, sexual exploitation, and adoption, prescribing penalties of seven to 10 years' imprisonment. A separate statute, Article 315, prohibits the submission, maintenance, or forced recruitment of another person into slavery, forced labor, servitude, or participation in an armed conflict; this offense carries penalties of five to eight years' imprisonment. These prescribed punishments are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. In September 2010, the Government of Nicaragua passed an organized crime law typifying human trafficking as a form of organized crime, allowing officials to employ enhanced investigation methods such as undercover agents, preventive detention, and the right to seize property and funds used or earned in trafficking crimes. Officials reported using these methods for all trafficking investigations conducted after the law went into effect. In October 2010, authorities announced the creation of anti-trafficking units within the intelligence and judicial police forces, as well as a trafficking department within the Women's Police Commission.

During the reporting period, the government investigated 19 potential cases of sex trafficking and initiated five prosecutions, compared with nine investigations and three prosecutions initiated during the previous reporting period. The government achieved five convictions during the reporting period, with sentences ranging from seven to 37 years: this represents an increase from the two convictions secured during the previous reporting period. Nicaraguan authorities collaborated with the governments of neighboring countries and the United States to jointly investigate trafficking cases and repatriate returning trafficking victims from abroad. Authorities provided specialized training on trafficking to over 500 officials, including law enforcement officials, diplomats, and immigration agents along the border, often in partnership with NGOs. In 2010, the National Police Academy included a human trafficking component in their permanent curriculum. The government investigated three police officials in Granada for possible complicity in human trafficking, but the case was dismissed due to lack of sufficient evidence.

Protection

The Nicaraguan government made limited efforts to protect trafficking victims during the last year, and NGOs and international organizations continued to be the principal providers of victim services. There was no formal system for identifying trafficking victims among high-risk populations, such as adults and children in prostitution. Police reported identifying 18 trafficking victims in 2010, all but three of whom were children; an NGO reported working with 16 trafficking victims, five of whom were referred by government officials. The government could provide basic shelter and services to some child trafficking victims through its one temporary shelter for children who are victims of domestic or sexual abuse, although it was unclear if any trafficking victims were assisted at the shelter during the reporting period. There were no government-operated shelters for trafficking victims, though NGOs operated shelters for children subjected to commercial sexual exploitation and for female adult victims of domestic abuse, and officials referred trafficking victims to these shelters. Adult trafficking victims were largely unable to access any government-sponsored victim services, although the government provided limited legal, medical, and psychological services to some victims. During the reporting period the Government of Nicaragua identified a location to serve as a future shelter for victims of trafficking. The government encouraged victims to participate in trafficking investigations and prosecutions, though many were reluctant to do so due to social stigma and fear of retribution from traffickers. The new anti-organized crime law contained provisions establishing protection services for those who testify against traffickers, but procedures to implement this law were still under development. While the rights of trafficking victims are generally upheld, some victims may not have been identified as victims of human trafficking by authorities. Although there is no legal alternative to the removal of foreign victims to countries where they may face hardship or retribution, authorities and NGOs reported that victims were allowed to remain in the country temporarily before voluntary repatriation.

Prevention

The Nicaraguan government significantly increased its efforts to prevent trafficking during the last year. The government-run anti-trafficking coalition, which is composed of government and civil society actors, was responsible for coordinating anti-trafficking efforts, and conducted various awareness-raising events and launched a strategic plan for 2010-2012 during the reporting period. In 2010 the coalition began to organize regional working groups to address trafficking at the local level. The understaffed government hotline on child welfare, which takes calls on human trafficking, received 6,000 calls in 2010, 31 of which related to potential trafficking cases and were referred to the police. Transparency in the government's anti-trafficking measures was limited; it did not publicly report on the effectiveness of its own efforts during the year, although it assessed its efforts internally. The government did, however, partner with civil society organizations on several prevention efforts, including an initiative to map which regions of the country are most vulnerable to trafficking. In collaboration with NGOs,

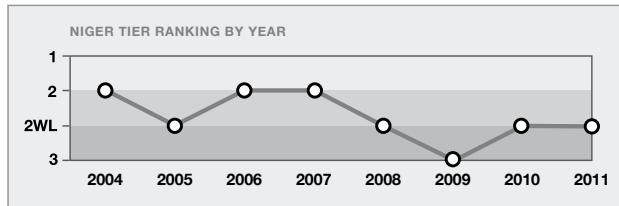
the National Police estimated that its brochures, posters, and videos educated over 50,000 people about trafficking. Teachers who had been trained on trafficking by the Ministry of Education in 2009 trained other teachers during 2010. In conjunction with an NGO, the Government of Nicaragua began printing information about trafficking on the back of all entry and exit forms used by immigration at land borders. There were no reported investigations of child sex tourists during the reporting period. The government made limited efforts to reduce the demand for commercial sex acts by working with an NGO to educate high school students in Managua. The government undertook no other initiatives to reduce demand for commercial sexual acts, and it did not report any efforts to reduce demand for forced labor.

NIGER (Tier 2 Watch List)

Niger is a source, transit, and destination country for children and women subjected to forced labor and sex trafficking. Caste-based slavery practices continue primarily in the northern part of the country. Nigerien children are subjected to forced begging within the country, as well as in Mali and Nigeria, by religious instructors known as *marabouts*. They also are subjected to domestic servitude, prostitution, and forced labor in gold mines, agriculture, and stone quarries within the country. Nigerien children, primarily girls, also are subjected to prostitution along the border with Nigeria, particularly along the main highway in the towns of Birni N'Konni and Zinder. Nigerien girls reportedly entered into "marriages" with citizens of Nigeria, Saudi Arabia, and the United Arab Emirates, whereby they were forced into domestic servitude upon arrival in these countries. In the Tahoua region of Niger, girls born into slavery were reportedly forced to marry men who bought them and subsequently subjected them to forced labor and sexual servitude. Niger is a transit country for women and children from Benin, Burkina Faso, Cameroon, Gabon, Ghana, Mali, Nigeria, and Togo migrating *en route* to Algeria, Libya, and Western Europe; some may be subjected to forced labor in Niger as domestic servants, mechanics and welders, or laborers in mines and on farms. To a lesser extent, Nigerien women and children are recruited from Niger and transported to Nigeria, North Africa, the Middle East, and Europe for domestic servitude and sex trafficking.

The Government of Niger does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these efforts, the government did not demonstrate overall increased efforts to address human trafficking over the previous year; therefore Niger is placed on Tier 2 Watch List for a second consecutive year. The government acknowledges that trafficking, including slavery, is a problem in the country. The country was led by a transition government during the reporting period; this regime, appointed following the February 2010 coup, lacked a budget and constitutional authority for much of the year. In December 2010, the transitional government enacted the country's first specific law to address trafficking; however, the government's few efforts to investigate and prosecute trafficking offenses during the year came only after

receiving complaints from NGOs, and efforts to prosecute cases of traditional slavery and to provide assistance to victims remained weak.



Recommendations for Niger: While continuing to respond to legal complaints filed by NGOs, increase efforts to initiate investigations and prosecute and punish trafficking offenders, particularly those guilty of slavery offenses; prescribe adequate sentences for individuals convicted of committing trafficking crimes, and enforce the judgments of the court; in coordination with NGOs and international organizations, train law enforcement officials to proactively identify trafficking victims among vulnerable populations, such as women in prostitution or children in worksites, and refer them to protective services; increase efforts to rescue victims of traditional slavery practices; allocate sufficient funds to establish the National Agency to Combat Trafficking in Persons and the National Commission to Coordinate Efforts to Combat Trafficking in Persons, as mandated by the 2010 anti-trafficking law, and establish a clear division of responsibilities among the two bodies and the National Commission against Forced Labor and Discrimination; complete and adopt a National Action Plan to combat trafficking; and implement an initiative to raise public awareness about the new anti-trafficking law and encourage victims to exercise their rights under the law.

Prosecution

The Government of Niger demonstrated limited progress in its anti-trafficking law enforcement efforts, seen largely through its enactment of a law prohibiting all forms of trafficking, including slavery and practices similar to slavery. The government demonstrated weak efforts to investigate and prosecute trafficking cases using existing laws. In December 2010, the transitional government enacted Order No. 2010-86 on Combating Trafficking in Persons, a comprehensive anti-trafficking law that prohibits all forms of trafficking, including slavery and practices similar to slavery, and prescribes a punishment of five to 10 years' imprisonment for committing trafficking crimes against adults. These prescribed penalties are sufficiently stringent, but not commensurate with penalties prescribed for other serious crimes, such as rape. The law prescribes an increased penalty of 10 to 30 years' imprisonment when the victim is a child. The law defines slavery and practices similar to slavery and includes a specific provision prohibiting exploitative begging. Existing statutes prohibited some forms of trafficking: the country's penal code prohibits slavery, procurement of a child for prostitution, and the encouragement or profiting from child begging in Articles 270 (as amended in 2003), 292-293, and 181, respectively, and its labor code outlaws forced and compulsory labor in Article 4. The penal code's prescribed penalty of 10 to 30 years'

imprisonment for slavery offenses is sufficiently stringent. The penalties prescribed in the labor code for forced labor, fines ranging from \$48 to \$598 and from six days' to one month's imprisonment, are not sufficiently stringent. The government arrested three suspected trafficking offenders during the year — all of whom were brought to its attention through complaints filed by NGOs — and obtained two convictions. In June 2010, a court in Madaoua convicted two individuals under a statute prohibiting the corruption of minors for prostituting five girls under the age of 15; the traffickers each received a sentence of six months' suspended imprisonment and a fine of approximately \$100. In May 2010, a Nigerien man was arrested and detained for allegedly re-enslaving two of his former slaves; at the end of the reporting year, he remained in detention without a trial date. The same man is awaiting trial on both an appeal of a fine imposed upon him in the previous year and on charges filed by an NGO that this sentence was inadequate. The status of five other women whom he had allegedly enslaved is unknown. In July 2010, he was awarded custody of two children he fathered with one of his former slaves. Also during the year, a Nigerian man — arrested during the previous reporting period for allegedly trafficking his nephew in Nigeria — spent four months in pre-trial detention, but fled the country when he was granted provisional release. A man was convicted during the previous reporting year of holding a woman in slavery remained in prison, though he did not pay the \$24,000 in fines ordered by the court. There were no reported developments in a slavery case that has been pending since 2006. Nigerien authorities collaborated with officials from Nigeria and, in April 2010, they provided information to the Nigerian National Agency for the Prohibition of Trafficking in Persons that led to the arrest of two Nigerien men suspected of trying to sell a 5-year-old Nigerien girl, possibly for the purposes of exploitation. The government did not provide specialized training to law enforcement officers on the investigation of trafficking cases, but in May 2010, the Ministry of Justice provided a one-day training for an unknown number of law enforcement officers on trafficking prevention and victim protection. In September 2010, representatives from the Ministries of Defense and Justice spoke at the opening and closing ceremonies of a capacity-building training held by an NGO for 30 officials from the police, gendarmerie, and National Guard, which included training on investigating trafficking offenses and protecting victims. There were no reports of government officials being investigated, prosecuted, or convicted for involvement in trafficking or trafficking-related criminal activities during the reporting period.

Protection

The transition government demonstrated limited efforts to protect child trafficking victims during the year, but did not provide the same care to adult trafficking victims or victims of traditional slavery practices. Authorities did not take proactive measures to identify trafficking victims among vulnerable populations, such as women in prostitution or children at worksites. NGOs reported rescuing 95 child trafficking victims without government involvement. The government did not have a system for referring victims to protective services, but it reportedly provided medical assistance and temporary shelter in social

service facilities to an unknown number of child victims and referred them on an *ad hoc* basis to local NGOs for care. The government assisted in repatriating 89 children to Mali, Nigeria, Burkina Faso, Benin, Cameroon, and Liberia, as well as returning trafficked Nigerian children to their villages. The regional government of Agadez continued to operate a committee comprised of police and local officials to assist undocumented Nigerian migrants expelled from North Africa to return to their countries or communities of origin, though it did not make efforts to identify trafficking victims among this population. There were no reports that victims were detained, fined, or jailed for unlawful acts committed as a direct result of being trafficked; however, the government did not make adequate efforts to identify trafficking victims, which may have led to some victims being treated as law violators. The anti-trafficking law includes provisions allowing victims to file civil suits against trafficking offenders, though none exercised this right in 2010. Victims' participation in the investigation of trafficking offenses was neither encouraged nor discouraged, but they were often reluctant to cooperate with law enforcement.

Prevention

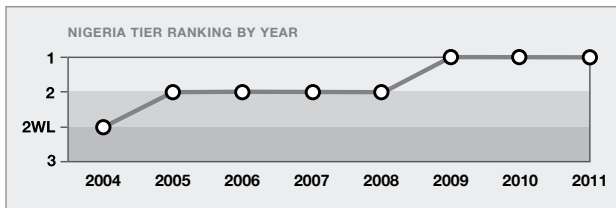
The Transition Government of Niger sustained modest efforts to prevent human trafficking during the year, primarily through campaigns to educate the public about trafficking, though it did not make efforts to prevent traditional slavery. The multi-stakeholder National Commission against Forced Labor and Discrimination continued to meet sporadically during the year. In April 2010, the Ministry of Labor, with support from an international organization, held a workshop to educate 22 performing artists expected to play a role in future campaigns about the worst forms of child labor, including labor trafficking. In August, the government, with support from an international organization, held a town hall meeting to raise awareness about child trafficking among community members in Agadez. Subsequently, local authorities created vigilance committees assigned to track and report any cases of child trafficking to local law enforcement agencies, though they did not report identifying any cases during the year. In June 2010, during a regional conference in Chad, the government signed the N'Djamena Declaration denouncing the use of children in armed conflict, though there were no reports that the government used children in its armed services. By-laws governing Niger's armed forces require troops to receive anti-trafficking training prior to their deployment abroad on international peacekeeping missions, though the government did not confirm the implementation of this training.

NIGERIA (Tier 1)

Nigeria is a source, transit, and destination country for women and children subjected to forced labor and sex trafficking. Trafficked Nigerian women and children are recruited from rural, and to a lesser extent urban, areas within the country's borders – women and girls for domestic servitude and sex trafficking, and boys for forced labor in street vending, domestic servitude, mining, stone

quarries, agriculture, and begging. Nigerian women and children are taken from Nigeria to other West and Central African countries, including Gabon, Cameroon, Ghana, Chad, Benin, Togo, Niger, Burkina Faso, the Central African Republic, and The Gambia, as well as South Africa, for the same purposes. During the year, reports indicated significant numbers of Nigerian women are living in situations of forced prostitution in Mali and Cote d'Ivoire. Children from West African countries, primarily Benin, Togo, and Ghana, are forced to work in Nigeria, and many are subjected to hazardous labor in Nigeria's granite mines. Nigerian women and girls, primarily from Benin City in Edo State, are taken to Italy for forced prostitution, and others are taken to Spain, the Netherlands, Germany, Turkey, Belgium, Denmark, France, Sweden, Switzerland, Norway, Ireland, Greece, and Russia for the same purposes. Nigerian women and children are recruited and transported to destinations in North Africa and the Middle East, including Saudi Arabia, the United Arab Emirates, Lebanon, Egypt, Libya, and Morocco, where they are held captive in the sex trade or situations of forced labor. During the reporting period, traffickers decreasingly relied on air travel to transport trafficking victims, and more often utilized land and sea routes, for example by forcing victims to cross the desert on foot to reach Europe.

The Government of Nigeria fully complies with the minimum standards for the elimination of trafficking. Over the last year, the Nigerian government sustained a modest number of trafficking prosecutions as well as the provision of assistance to several hundred trafficking victims, but did not demonstrate an increase in its anti-trafficking law enforcement efforts. Although the government claimed to have increased its budget allocation to the National Agency for the Prohibition of Trafficking in Persons and Other Related Matters (NAPTIP), which was forecasted to receive an estimated \$7 million last year, the government did not disclose actual disbursements to NAPTIP. An apparent increase in referrals to NAPTIP of cases involving non-trafficking crimes against children – such as pedophilia and baby selling – appears to have burdened the organization. Longstanding plans to relocate NAPTIP's flagship shelter for victims – in a Lagos building abandoned by the national security service – were not fulfilled. Other victims' shelters operated below their full capacity, offered limited reintegration services, and were not always well maintained. Despite the documented magnitude of the problem of Nigerian trafficking victims in countries around the world, the government inconsistently employed measures to provide services to repatriated victims, and did not make public the number of victims it repatriated during the year. In September 2010, senior NAPTIP officials traveled to Mali where they investigated reports that 20,000 to 40,000 Nigerian women were being held there in forced prostitution; despite identifying a considerable number of such victims, officials took no apparent action to engage Malian government counterparts to rescue victims or arrest traffickers in the subsequent six months before the close of the reporting period. It is of concern that senior NAPTIP officials' regular travel abroad during the year did not yield discernible results in terms of arrests of traffickers or rescues of victims.



Recommendations for Nigeria: Ensure that the activities of NAPTIP are adequately funded, particularly for protection of victims; increase investigations, prosecutions, and convictions of labor trafficking offenses; impose adequate sentences on convicted trafficking offenders, including imprisonment whenever appropriate; train police and immigration officials to identify trafficking victims among vulnerable populations, such as women in prostitution and young females traveling with non-family members; ensure that NAPTIP officials' foreign travel for fact-finding and training does not detract from the agency's core mission of investigating and prosecuting trafficking offenders and protecting victims; vigorously pursue investigation of cases to ultimate prosecution; provide Nigerian-led specialized training to all NAPTIP counselors and make this training mandatory before assigning an individual to a position in a shelter; increase the provision of educational and vocational training services to victims at government shelters; complete the long-promised relocation of the shelter in Lagos; develop a formal system to track the number of victims repatriated from abroad; in cooperation with Malian officials, initiate an operation to rescue Nigerian trafficking victims in Mali, and prosecute their exploiters; and take proactive measures to investigate and prosecute government officials suspected of trafficking-related corruption and complicity in trafficking offenses.

Prosecution

The Government of Nigeria did not demonstrate progress in its anti-trafficking law enforcement efforts to combat trafficking during the last year. The 2003 Trafficking in Persons Law Enforcement and Administration Act, amended in 2005 to increase penalties for trafficking offenders, prohibits all forms of human trafficking. The law's prescribed penalties of five years' imprisonment, a \$645 fine, or both for labor trafficking, are sufficiently stringent, but the law is written to allow convicted offenders to pay a fine in lieu of prison time for labor trafficking or attempted trafficking offenses, which is a penalty that is not proportionate to the crime committed. The law prescribes 10 to 15 years' imprisonment for sex trafficking offenses; these penalties are sufficiently stringent, and commensurate with penalties prescribed for other serious crimes, such as rape. NAPTIP reported initiating 262 new investigations—but did not specify how many of these were trafficking cases—which led to 12 prosecutions and convictions for trafficking crimes, all prosecuted under articles within the Trafficking in Persons Law Enforcement and Administration Act. Only three of the successful prosecutions involved forced labor, although more than half of the victims identified during the year were victims of forced labor. Sentences that imposed prison time ranged from two months' to 14 years' imprisonment. Four offenders – three convicted of attempted sex trafficking and one convicted of forcing

three children with disabilities to beg for money in Saudi Arabia—paid only fines and did not serve a prison sentence. Despite a reported government appropriation of more than \$7 million in funding to NAPTIP, the organization's inadequate operational capacity suggested a significant disparity between projected funds and actual disbursements to the agency. Throughout the year, investigators often were not provided funding for travel or access to a vehicle to investigate trafficking cases, and the agency relied almost entirely on foreign donor funding for training its staff.

Although NAPTIP demonstrated a sustained, strong ability to obtain convictions from the prosecutions it initiated, less than nine percent of investigations conducted during the year resulted in prosecutions, suggesting a need for increased specialized investigation skills among NAPTIP officials. The government did not provide specialized training to its officials on how to recognize, investigate, and prosecute trafficking cases. Fact-finding trips did not result in investigations or prosecutions. International donors provided training to judges and shelter staff counselors during the year, with support from NAPTIP in the form of logistics, staff, and other in-kind contributions, but expressed concerns that the frequency with which officials were reassigned to positions outside their area of expertise undermined the effectiveness of this training. During the year, the government signed two memoranda of understanding – one with Italy's chief organized crime prosecutor, and one with the Swiss justice system – to collaborate on investigations of trafficking cases, but did not report conducting any such collaborative investigations with foreign governments.

The government did not initiate any investigations, pursue prosecutions, or obtain convictions of government officials for involvement in trafficking-related corruption during the reporting period, although such corruption was known to have occurred in previous years.

Protection

The Government of Nigeria did not demonstrate appreciable progress in its efforts to protect trafficking victims during the year, despite the government's considerable resources. The government continued to lack a formal system for identifying victims among vulnerable populations, such as women in prostitution, and authorities outside of NAPTIP – such as police and immigration officers assigned to other units – were not well-trained to identify victims. Furthermore, some police reportedly extorted women in prostitution for money. The government maintained a database of trafficking victims identified by the government and NGOs; it reported a total of 932 trafficking victims identified by NGOs and the government during the year. Of this total, 540 were victims of forced labor and 392 were victims of sex trafficking; approximately half were children. In September 2010, senior NAPTIP officials traveled to Mali to investigate reports that 20,000 to 40,000 Nigerian women were being held there in forced prostitution. Despite identifying significant numbers of such victims, and pledging a commitment to pursue action, Nigerian authorities have not taken steps to rescue these victims.

The government paid stipends to NGOs and other organizations that provided protective services to trafficking victims, but did not report its expenditures on shelter facilities and victim protection services. NAPTIP continued to operate eight shelters for victims, which reportedly assisted 1,047 women and children victims of trafficking during the year. Although NAPTIP shelters offered capacity for 470 victims at a time, observers reported most operated well under capacity during the year, and did not have the capability to respond to sizeable influxes of victims. The government did not have a formal procedure in place to repatriate and reintegrate Nigerian victims subjected to trafficking abroad, and it did not provide information on the number of such victims cared for during the year; it reportedly received all such victims at its inadequate facility on Ikoyi Island in Lagos, and undertook efforts to renovate a new facility, though this was not completed during the year. NGOs sometimes picked up repatriated victims from Lagos' international airport when NAPTIP did not arrive to meet the victims. Since 2009, NAPTIP has regularly reported imminent plans to move this shelter to a more adequate structure in nearby Ikeja, and to the detriment of victims, has moved slowly to accomplish this plan. All victims in shelters received counseling, legal services, and basic medical treatment, and victims who required specialized care received treatment from hospitals and clinics through existing NAPTIP agreements with these institutions. The government did not always require individuals assigned to work in shelters to have previous professional experience or training for assisting victims, and it did not provide any such specialized training, though it made in-kind contributions to foreign donors who provided training to 38 NAPTIP counselors during the year. Observers reported shelters at times severely lacked resources, and staff members were sometimes forced to use personal funds to purchase food for victims or to pay for transportation to return victims to their families.

Victims were able to decide whether to remain in a shelter after undergoing initial counseling and an interview for their legal cases. Victims were allowed to stay in NAPTIP shelters for up to six weeks—a limit which was extended by up to four additional weeks in extenuating circumstances—during which time they received informal education or vocational training; after this time, those who needed long-term care were referred to a network of NGOs who could provide additional services, though few long-term options were available for adult victims. Victims were not allowed to leave shelter premises for the duration of their stay, unless they were escorted by an NGO or other organization on a supervised trip or to receive specialized medical treatment or testify in court. Government officials appeared to adhere to the explicit provision of the 2003 Trafficking in Persons Law Enforcement and Administration Act which protects trafficking victims from punishment for offenses committed as a result of being trafficked. Trafficking suspects continued to be questioned in detention areas a considerable distance from victims' quarters. Officials encouraged victims to assist in the investigation and prosecution of trafficking cases, and NAPTIP reports that one victim served as a witness in each case of the 12 trafficking prosecutions that resulted in convictions during the year. However, cases took significantly longer

to be prosecuted than the six weeks during which victims remained in government shelters, and victims had often returned to villages outside this jurisdiction before the conclusion of the trial. The government did not consistently provide adequate services to enable victims to return to participate in cases, such as transportation and lodging; this may have negatively affected investigators' ability to build cases sufficient for initiating prosecutions. No victims obtained redress through civil court complaints during the year. All victims were eligible to receive funds from the Victims' Trust Fund, which was financed primarily through confiscated assets of convicted traffickers; in February 2011, the first distributions were made from the fund in the amount of approximately \$1,131 to each of 10 victims, proceeds of the seizure of brothels in the first quarter of 2010. The government provided a limited legal alternative to the removal of foreign victims to countries where they face hardship or retribution.

Prevention

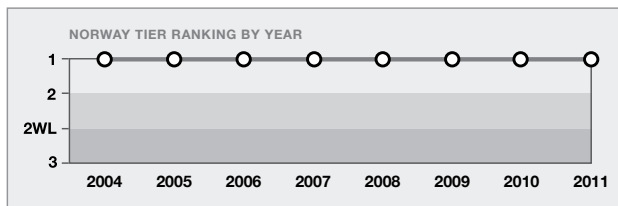
The Government of Nigeria sustained its efforts to prevent human trafficking through campaigns to raise awareness and educate the public about the dangers of trafficking. NAPTIP's Public Enlightenment Unit continued to conduct national and local programming, through radio and print media, in all regions of the country to raise awareness about trafficking, including the use of fraudulent recruitment for jobs abroad. The objective of these and several related programs was to sensitize vulnerable people, sharpen public awareness of trends and tricks traffickers used to lure victims, warn parents, and encourage community members to participate in efforts to prevent trafficking. The Stakeholder Forum, with participants from law enforcement agencies, government ministries, NGO groups, and other countries' diplomatic missions, continued to meet quarterly to foster collaboration, share information, and update the National Plan of Action. NAPTIP's budget and programming follows the National Plan of Action, which sets forth program priorities and cost estimates through 2012. The Nigerian Immigration Service did not systematically monitor emigration and immigration patterns for evidence of trafficking, but some officers who had received training reported suspected trafficking activity to NAPTIP; an unknown number of arrests resulted from this information. The government provided training to groups of citizens embarking on government-sponsored religious pilgrimages, to warn them against trafficking. In June 2010, the Minister of the Federal Capital Territory made a declaration ordering women in prostitution to leave Abuja, the capital; officials subsequently initiated raids on brothels and arrested women in prostitution without screening for trafficking victims among them. The government took no discernible steps to decrease the demand for forced labor. The government, with foreign donor support, provided anti-trafficking training to Nigerian troops prior to their deployment abroad on international peacekeeping missions.

NORWAY (Tier 1)

Norway is a destination and, to a lesser extent, a transit and source country for women and girls subjected to sex trafficking and for men and women subjected to forced

labor in the domestic service and construction sectors. Foreign children are subjected to forced begging and forced criminal activity, such as shoplifting and drug sales. Most trafficking victims identified in Norway in 2010 originated in Nigeria, while others came from Algeria, Lithuania, Romania, Bulgaria, China, the Philippines, Ghana, Eritrea, Cameroon, Kenya, Somalia, and the Democratic Republic of Congo. These victims usually travel to Norway on Schengen visas issued by other European countries, and transit several countries, such as Italy, Spain, and Morocco. Approximately 25 percent of all trafficking victims in Norway in 2010 were children. Criminal organizations are often involved in human trafficking in Norway, and trafficking schemes varied by victims' countries of origin. Children in Norwegian refugee centers and migrants who are denied asylum are vulnerable to human trafficking in the country; unofficial reports indicated that 47 children disappeared from refugee centers during the 2010 calendar year.

The Government of Norway fully complies with the minimum standards for the elimination of trafficking. The government increased the number of trafficking convictions and lengthened the sentences imposed on convicted trafficking offenders, although Norwegian authorities did not prosecute any labor trafficking cases this year. The government approved a new permanent residency permit to trafficking victims who face retribution and hardship in their home country, even in the absence of court testimony, if the victim testifies to police. NGOs reported, however, that a child trafficking victim was deported in 2010 despite identification as a victim.



Recommendations for Norway: Continue efforts to vigorously prosecute and convict both sex and labor trafficking offenders, and analyze why some criminal investigations into suspected human trafficking offenses are dropped or downgraded to pimping; continue training efforts for immigration authorities and refugee reception centers to ensure that trafficking victims are identified and not punished or deported before investigation; consider establishing procedures by which deportation orders could be revoked once issued if it is discovered that trafficking occurred; ensure that male and child trafficking victims also receive adequate protection services and that all governmental anti-trafficking efforts are structured to address male as well as female victims of trafficking; improve partnerships among anti-trafficking authorities, local police, and child welfare officers; ensure that front-line responders understand the reflection period and offer it to identified victims; fund a national anti-trafficking awareness campaign; and establish a national anti-trafficking rapporteur to draft critical assessments of Norway's anti-trafficking efforts.

Prosecution

The Norwegian government improved its law enforcement efforts during the reporting period, though many of its labor trafficking investigations failed to result in prosecutions. Norway prohibits all forms of trafficking in persons through Criminal Code Section 224, which prescribes a maximum penalty of 10 years' imprisonment in aggravated cases – a penalty sufficiently stringent and commensurate with punishments prescribed for other serious offenses, such as rape. Norwegian authorities initiated 26 sex trafficking investigations and 11 labor trafficking investigations in 2010, compared with 31 sex trafficking and seven labor trafficking investigations initiated in 2009. The government prosecuted 11 trafficking offenders under Section 224 for sex trafficking, an increase from seven sex trafficking offenders in 2009. International organizations and the specialized police unit reported that forced labor victims were less likely to be identified than victims of sex trafficking and no investigations of forced labor this year resulted in prosecution. Eight trafficking offenders were convicted in 2010, compared with six offenders convicted in 2009. As during the prior year, all of the trafficking offenders received jail sentences; there were no suspended sentences. Seven of the eight trafficking offenders convicted in 2010 received terms of imprisonment between nine months and four years, with an average sentence of two years in prison. At least two of these cases involved the sex trafficking of children. One sex trafficking offender, who exploited two boys, received a sentence of 10 years. This was an increase in the terms of imposed sentences, as offenders convicted in 2009 received an average of 30 months' imprisonment. The government also investigated labor crimes involving children. In 2010, the Bergen police placed in custody six Romanians on charges of trafficking five children from Romania to Norway to steal, beg, and peddle illegal drugs. In addition to the Government of Norway's specialized anti-trafficking unit housed in the Police Directorate, the government operated specialized anti-trafficking investigators in its two largest cities, Oslo and Bergen. Norwegian authorities collaborated with several European governments to investigate trafficking cases, including the governments of Lithuania, Bulgaria, Romania, Slovakia, the Czech Republic, Italy, and Spain.

Protection

The Government of Norway sustained strong victim protection efforts, although an NGO reported that a child trafficking victim was penalized and deported for crimes that he or she committed as a result of being trafficked. The government empowered and trained a diverse set of actors to proactively identify and refer victims of trafficking; municipalities, police, international organizations, NGOs, and other Norwegian authorities made 531 referrals of potential victims to the National Coordination Unit for official victim identification. In 2009, the government referred approximately 292 victims to care. In September 2010, the coordination unit for victims of human trafficking conducted a two-day national seminar on identifying trafficking victims. The 200 participants included representatives from the police, immigration authorities, asylum centers, child protective services, and NGOs. The government provided

some services directly to victims and other services through an NGO-operated project. In 2010, the Norwegian government reported providing services for 319 trafficking victims, including 194 sex trafficking victims, 105 victims of labor trafficking, and 20 victims of both sex and labor trafficking. The government gave trafficking victims in Norway shelter in domestic violence centers, medical care, vocational training, stipends, Norwegian classes, and legal assistance. Although the formal mandate of the government's anti-trafficking program covers only women, government-funded NGOs provided care to men as well during the reporting period. There were no state-funded shelters providing specialized services to child victims of trafficking. Victims were permitted to stay in Norway without conditions during a six-month reflection period, a time for them to receive immediate care and assistance while they consider whether to assist law enforcement. Under new regulations adopted in 2010, the Norwegian government approved a new permanent residency permit for victims facing retribution or hardship in their countries, on the condition that they give statements to the police outside of court. Any victim of trafficking, regardless of potential retribution or hardship at home, who made a formal complaint to the police, could remain in Norway for the duration of trial; victims who testified in court were entitled to permanent residency. Inter-governmental organizations observed that very few people outside of the active anti-trafficking circles were aware of the reflection period. A child victim of trafficking reportedly was detained and deported for criminal activity because the immigration authorities had not identified the child as a trafficking victim. When immigration authorities were informed of the child's status as a victim of trafficking, they reportedly continued with the deportation.

Prevention

The Norwegian government improved its trafficking prevention efforts this reporting period. In December 2010, the government issued its new anti-trafficking action plan for 2011-2014, which focuses on the protection of children and the monitoring of illegal capital flows from human trafficking. Senior government officials visited asylum centers that care for unaccompanied foreign children to study this potential trafficking problem and raise its profile. The national action plan also set forth new strategies to prevent forced begging. The national coordinating unit for victims of human trafficking collected annual statistics on trafficking and published its results in public reports; the new national action plan required annual reports on trends, challenges, and research needs on trafficking. The government also commissioned two other major studies from research institutions on the reflection period and on collaboration with intergovernmental institutions. The coordination unit for victims of human trafficking operated a national trafficking hotline. The government did not, however, fund any national trafficking awareness campaigns targeting labor or sex trafficking. The government continued its leadership role as an international donor to anti-trafficking initiatives, providing approximately \$12.8 million to international efforts and bilateral cooperation against human trafficking. This was a significant increase from the approximately \$9.3 million awarded in foreign assistance for anti-trafficking efforts in

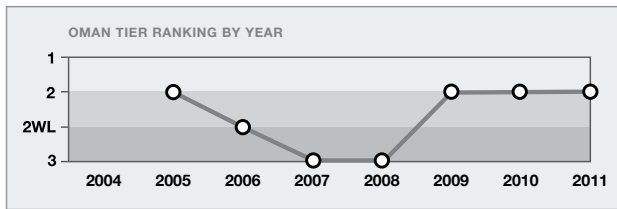
2009. The Norwegian government made efforts to combat the demand for prostitution by charging approximately 280 individuals with the crime of purchasing or attempting to purchase sexual services. In 2010, the government funded a small-scale education campaign carried out by an NGO and targeting 18-year old students to increase their awareness of prostitution issues. In February 2011, the government funded a project to reach out to prospective purchasers of sexual services and counsel against the illegal practice. The government provided anti-trafficking training to Norwegian troops before their deployment overseas on international peacekeeping missions.

OMAN (Tier 2)

Oman is a destination and transit country for men and women, primarily from India, Pakistan, Bangladesh, Sri Lanka, the Philippines, and Indonesia, some of whom are subjected to conditions indicative of forced labor and, to a lesser extent, forced prostitution. Most of these migrants travel willingly to Oman with the expectation of employment in domestic service or as low-skilled workers in the country's construction, agriculture, or service sectors. Some of them subsequently face conditions indicative of forced labor, such as the withholding of passports and other restrictions on movement, nonpayment of wages, long working hours without food or rest, threats, and physical or sexual abuse. Unscrupulous labor recruitment agencies and their sub-agents in migrants' original communities in South Asia, as well as labor brokers in the United Arab Emirates (UAE), Oman, and Iran, may deceive workers into accepting work that in some instances constitutes forced labor. Many of these agencies provide false contracts for employment either with fictitious employers or at fictitious wages and charge workers high recruitment fees (often exceeding \$1,000) at usurious rates of interest, leaving workers vulnerable to trafficking. Oman is also a destination and transit country for women from China, India, Morocco, Eastern Europe, Uganda, Kenya, and other parts of South Asia who may be forced into commercial sexual exploitation, generally by nationals of their own countries. Male Pakistani laborers, and others from India, Bangladesh, Sri Lanka, and East Asia, transit Oman *en route* to the UAE; some of these migrant workers are exploited in situations of forced labor upon reaching their destination.

The Government of Oman does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government continued to prosecute sex trafficking offenders and sentence convicted traffickers to imprisonment; the number of convictions, however, declined from the last reporting period and did not include any criminal punishment of labor trafficking offenses. The government improved its victim protection efforts by opening a permanent shelter for victims of trafficking and began assisting victims there. The government also created a criminal division within its court system specifically to address trafficking cases and appointed specialized judges and prosecutors to oversee these cases. During the reporting period, the Public Prosecution and Royal Oman Police received training in trafficking victim identification.

Nonetheless, Omani authorities continued to lack comprehensive formal procedures to proactively identify trafficking victims among those detained for immigration violations. As a result, the government may not have adequately identified victims of forced labor or punished their traffickers.



Recommendations for Oman: Continue to investigate and prosecute trafficking offenses and sentence convicted traffickers to imprisonment; make greater efforts to investigate and prosecute forced labor offenses, including those perpetrated by recruitment agents and employers; institute formal procedures for identifying trafficking victims among all vulnerable populations, such as illegal immigrants; enact and enforce penalties for employers who withhold their employees' passports as a measure to prevent labor trafficking; increase and enforce legal protections for domestic servants, including coverage under the labor laws of Oman; continue training government officials in all relevant departments to recognize and respond appropriately to human trafficking crimes; and increase public awareness campaigns or other prevention programs to reduce the demand for forced labor and commercial sex acts.

Prosecution

Royal Decree No. 126/2008, the Law Combating Human Trafficking, prohibits all forms of trafficking and prescribes punishments of three to 15 years' imprisonment, in addition to financial penalties. These punishments are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. A legally enforceable government circular prohibits employers' withholding of migrant workers' passports, a practice contributing to forced labor; the circular, however, does not specify penalties for noncompliance. The Government of Oman failed to adequately enforce its prohibition on the withholding of passports and this practice remains widespread among employers in Oman, including among government officials. The government reported that it resolved 202 cases of withholding workers' passports through Ministry of Manpower mediation and referred 40 cases to courts for resolution; the government did not, however, report launching investigations for potential trafficking situations resulting from these complaints. During the reporting period, the Government of Oman convicted four individuals for sex trafficking offenses, a decrease from the nine convictions for sex trafficking reported last year. One trafficking offender received a sentence of imprisonment of one year and the other three were sentenced to three to 15 years' imprisonment. These traffickers also paid fines ranging from \$160 to \$130,000; of these fines, \$75,400 was used to provide restitution to their victims. The government reported

resolving numerous labor complaints through mediation and its court system, but did not identify trafficking cases among these complaints and consequently did not report arresting, prosecuting, convicting, or sentencing any individuals for forced labor. In May 2010, an assistant public prosecutor specializing in trafficking trained judges, other public prosecutors, police officers, and officials from the Ministries of Manpower, and Social Development, and other security agencies on trafficking in persons. In October 2010, the Ministry of Manpower, in conjunction with ILO, hosted a training session for government officials on labor forms of trafficking. In addition, in January 2011, the Muscat Court of Appeals created a new criminal division consisting of two judges and two to three support staff to hear human trafficking cases. The government did not report any law enforcement efforts against the trafficking complicity of Omani public officials.

Protection

In January 2011, the Royal Oman Police officially opened a permanent shelter for victims of trafficking; this shelter can accommodate up to 50 men, women, and children who are victims of forced labor or sex trafficking. Victims in this shelter may not leave the premises unchaperoned, but can readily access shelter employees to accompany them offsite. During the reporting period, Omani authorities assisted 24 victims of trafficking with shelter, six of whom were in the permanent shelter; two women had been victims of sex trafficking and four were domestic servants who had been abused by their employers. Nonetheless, the government continued to lack formal procedures to proactively identify victims of trafficking among all vulnerable groups, including migrants detained for immigration violations. Omani authorities reportedly made some efforts, however, to identify victims among particular groups and provided training to police officers on victim identification. For example, Ministry of Manpower representatives interviewed all employees who ran away from sponsors and immigration officials interviewed all departing migrant workers to determine if they experienced a labor violation; however, the government did not report any victims identified through this process. Government authorities also report that victims can be identified either through the government's 24-hour hotline or during the course of prosecution by trained prosecutors and police. Due to a lack of comprehensive victim identification procedures, the Government of Oman may not have ensured expatriates subjected to forced labor were not inappropriately incarcerated, fined, or otherwise penalized for unlawful acts committed as a direct result of being trafficked. The government reportedly encourages potential trafficking victims to assist in the investigation and prosecution of crimes against them, but does not provide a standard legal alternative to removal to countries in which they may face hardship or retribution; some victims may be permitted to stay in Oman on a case-by-case basis. Victims are not permitted to work pending trials, but they may leave the country or switch sponsors if their employer is found in violation of labor law provisions.

Prevention

The government sustained modest efforts to prevent human trafficking during the reporting period. In January 2011, the Ministry of Manpower issued regulations requiring Omani labor recruitment agencies to provide all workers with a copy of their contract and repatriate the worker at its own expense if, within six months, it is found that the work to be performed by the employee is different from the work specified in that contract. Oman continued to distribute brochures in numerous languages highlighting the rights and services to which workers are legally entitled to source country embassies and to new migrant laborers at airports, recruitment agencies, and in their places of work. The government continued to operate an anti-trafficking hotline, but did not report the number of calls it received during the reporting period. The government also continued its public awareness campaign, which included placement of at least one article or editorial each week in the press about trafficking issues, including forced labor. In addition, the government's decision to segregate massage facilities not associated with hotels by gender resulted in the closure of 18 massage parlors, which may have been fronts for prostitution.

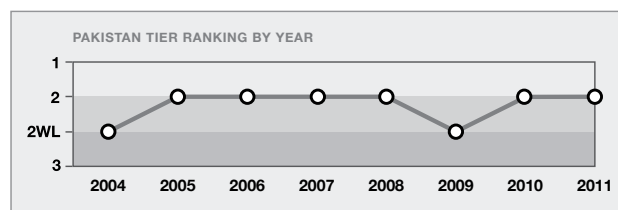
PAKISTAN (Tier 2)

Pakistan is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. The country's largest human trafficking problem is bonded labor, concentrated in the Sindh and Punjab provinces in agriculture and brick making, and to a lesser extent in the mining, carpet-making, glass bangle, and fishing industries. Bonded labor also exists in the fisheries, mining, and agricultural sectors of Balochistan. Estimates of bonded labor victims, including men, women, and children, vary widely. The Asian Development Bank estimates that 1.8 million people – one percent of the population – are bonded laborers. In extreme scenarios, when bonded laborers attempt to seek legal redress, landowners have kidnapped them and their family members. Boys and girls are also bought, sold, rented, or kidnapped to work in organized, forced begging rings, domestic servitude, and prostitution. Recent press stories reported on the violence in child domestic servitude, including sexual abuse, torture, and death. Illegal labor agents charge high fees to parents with false promises of decent work for their children, who are later exploited and subject to forced labor in domestic servitude, unskilled labor, small shops, and other sectors. Disabled children and adults are forced to beg in Iran. Girls and women also are sold into forced marriages; in some cases their new "husbands" move them across Pakistani borders and force them into prostitution. NGOs and police reported markets in Pakistan where girls and women are bought and sold for sex and labor. Non-state militant groups kidnap children or coerce parents with fraudulent promises into giving away children as young as 12 to spy, fight, or die as suicide bombers in Pakistan and Afghanistan. The militants often sexually and physically abuse the children and use psychological coercion to convince the children that the acts they commit are justified. News organizations, NGOs,

and international organizations reported that the 2010 floods contributed to increased trafficking in Pakistan.

Many Pakistani women and men migrate voluntarily to the Gulf States, Iran, Turkey, South Africa, Uganda, Greece, and other European countries for low-skilled employment such as domestic work, driving, or construction work; once abroad, some become victims of labor trafficking. False job offers and high fees charged by illegal labor agents or sub-agents of licensed Pakistani overseas employment promoters increase Pakistani laborers' vulnerabilities and some laborers abroad find themselves in involuntary servitude or debt bondage. Employers abroad use practices including restrictions on movement, nonpayment of wages, threats, and physical or sexual abuse. Moreover, traffickers use violence, psychological coercion, and isolation, often seizing travel and identification documents as a means to coerce Pakistani women and girls into prostitution in the Middle East. There are reports of child sex trafficking between Iran and Pakistan. Pakistan is a destination for men, women, and children from Afghanistan, Iran, and, to a lesser extent, Bangladesh, who are subjected to forced labor and prostitution. Many traffickers who force Pakistanis into prostitution or labor abroad know their victims personally.

The Government of Pakistan does not fully comply with the minimum standards for the elimination of human trafficking, but is making significant efforts to do so, despite the severe floods the country experienced in 2010. The government continued its programs to prevent and combat bonded labor, but did not criminally convict any bonded labor offenders or officials who facilitated trafficking in persons. The government continued to lack adequate procedures to identify trafficking victims among vulnerable populations and adequate protection for these victims.



Recommendations for Pakistan: Significantly increase law enforcement activities, including imposing adequate criminal punishment for labor and sex traffickers, as well as labor agents who engage in illegal activities; vigorously investigate and prosecute government officials suspected of being complicit in trafficking and convict public officials at all levels who participate in or facilitate human trafficking, including bonded labor; strengthen counter-trafficking legislation, including by amending the Prevention and Control of Human Trafficking Ordinance (PACHTO) to include all forms of transnational and internal trafficking; raise awareness and increase enforcement of the provisions of the Bonded Labor System (Abolition) Act (BLSA) among law enforcement officers; sensitize government officials to the differences between human trafficking and smuggling; improve methods for identifying victims of trafficking, especially among vulnerable persons; in light of the

ongoing devolution process, strengthen provincial labor departments' capacity to combat bonded labor through training, awareness-raising, improving communication between provincial and district offices, and improving transportation for inspectors in remote districts with high levels of bonded labor; in light of the devolution process, ensure that the federally-run Shaheed Benazir Bhutto Centers continue to be managed as places where victims can receive assistance; undertake local-language awareness campaigns on human trafficking, targeted to parents who sell their children; and improve efforts to collect, analyze, and accurately report counter-trafficking data.

Prosecution

The Government of Pakistan made less progress in law enforcement efforts to combat human trafficking than in the previous year. On July 29, 2010, floods of unprecedented proportions began in Pakistan, affecting approximately 20 million people. During this period, most government officials focused their entire attention on disaster relief and recovery; as a result, the government's ability to prosecute counter-trafficking crimes and provide data was hampered. Several sections in the Pakistan Penal Code, as well as provincial laws, criminalize forms of human trafficking such as slavery, selling a child for prostitution, and unlawful compulsory labor, prescribing punishments for these offenses that range from fines to life imprisonment. Pakistan prohibits all forms of transnational trafficking in persons, and appears to cover some non-trafficking offenses as well, through PACHTO; the penalties range from seven to 14 years' imprisonment. Government officials and civil society reported that judges have difficulty applying PACHTO and awarding sufficiently stringent punishments, because of confusion over definitions and similar offenses in the Pakistan Penal Code. In addition, the BLSA prohibits bonded labor, with prescribed penalties ranging from two to five years' imprisonment, a fine, or both. Pakistani officials have yet to record a single conviction under this law. Prescribed penalties for above offenses vary widely; some are sufficiently stringent and commensurate with those for other serious crimes, such as rape. Other penalties are not sufficiently stringent.

During 2010, the government reported that it convicted 310 offenders under PACHTO – 75 fewer than in 2009. The majority of these cases resulted in penalties of either no jail time or imprisonment of less than six months, which are far less than PACHTO's prescribed minimum penalties. However, at least five cases resulted in six months' to two years' imprisonment; nine cases resulted in two to 10 years' imprisonment, and one case resulted in 10 to 14 years' imprisonment. The Federal Investigation Agency (FIA) reported that in 2010, a human trafficker who was wanted to stand trial in Pakistan for 30 cases filed under PACHTO was extradited from Italy. Government officials sometimes conflated human smuggling and human trafficking. Furthermore, the FIA's anti-trafficking cells dealt with undocumented migration and smuggling, in addition to human trafficking. The government reported that it also took law enforcement actions against traffickers under the vagrancy ordinances. Under various sections in the penal code, the government prosecuted at least 68

traffickers in 2010: six for sex trafficking and 38 for labor trafficking, and 24 for either labor or sex trafficking. In a publicized case, an additional sessions judge in November 2010 acquitted the former Lahore Bar Association president and his two family members of torturing their 12-year-old maid to death, ruling that the girl's death was the result of an infection.

Some feudal landlords are affiliated with political parties or are officials themselves and use their social, economic, and political influence to protect their involvement in bonded labor. Furthermore, police lacked the personnel, training, and equipment to confront landlords' armed guards when freeing bonded labors. Additionally, media and NGOs reported that some police received bribes from brothel owners, landowners, and factory owners who subjected Pakistanis to forced labor or prostitution, to ignore these illegal human trafficking activities. In 2010, 70 officials were disciplined and 26 were given minor sentences, including: restrictions on conducting immigration work; compulsory retirement; removal from service; and demotion. Eight officials were either removed from the service or given compulsory retirement; some of these officials may have facilitated human trafficking.

In Sindh province, individuals had the opportunity to report labor problems to district vigilance committees (DVC) for resolution, though none did. Landlords and brick kiln owners often had seats on the DVCs, however, preventing the committees' effectiveness in providing remedies. In other cases, DVCs were dormant. The FIA trained 214 officials to address transnational trafficking issues at the FIA Academy. The FIA also lectured on transnational trafficking at the police training colleges.

Protection

The Government of Pakistan made some limited progress in its efforts to protect victims of human trafficking. The government continued to lack adequate procedures and resources for proactively identifying victims of trafficking among vulnerable persons with whom they come in contact, especially child laborers, women and children in prostitution, and agricultural and brick kiln workers. According to the FIA, the majority of the 16,530 Pakistani nationals who were deported from other countries during 2010 were identified as victims of trafficking.

The FIA has a process to refer trafficking victims to protective services, although universal application of this process remains problematic. There is no coordinated process to refer victims of internal trafficking to protective services, and access to protective services varies within the country. There were reports that women were abused in some government-run shelters. Shelters faced resource challenges and were sometimes crowded and understaffed. While female trafficking victims could access 26 government-run and funded Shaheed Benazir Bhutto Centers and the numerous provincial government "Dar-ul-Aman" centers offering medical treatment, vocational training, and legal assistance, the majority of the women assisted by these facilities were not trafficking victims. The quality of the Dar-ul-Aman facilities vary from district to district within the provinces. The quality and level of

service in Punjab is stronger than in other provinces. Since 2009, the government, with the support of a local NGO, has operated a rehabilitation center for boys who have been recovered from militant or extremist groups in the Malakand district. As of March 2010, 150 boys were staying at the facility. In 2010, a second similar facility for girls was opened; as of March 2010, five girls were staying in that facility. In 2010, the FIA reported that in partnership with NGOs, it provided some medical support, transportation, shelter, and limited legal services to some Pakistani victims of trafficking who were deported to Pakistan.

The federal government, as part of its National Plan of Action for Abolition of Bonded Labor and Rehabilitation of Freed Bonded Laborers, continued to provide legal aid to bonded laborers in Punjab and Khyber Pakhtunkhwa, and expanded services to Balochistan and Sindh provinces. The Sindh provincial government continued to implement its \$116,000 project (launched in 2005), which provided state-owned land for housing camps and constructed 75 low-cost housing units for freed bonded laborer families. The government encouraged foreign victims to participate in investigations against their traffickers by giving them the option of early statement recording and repatriation or, if their presence was required for the trial, by permitting them to seek employment. The government did not provide foreign victims with legal alternatives to removal to countries where they may face hardship or retribution. In some instances, trafficking victims were detained at police stations, borders, or in airport receiving facilities. Identified foreign victims of trafficking reportedly were not prosecuted or deported for unlawful acts committed as a direct result of being trafficked; however, not all trafficking victims were identified and adequately protected. Pakistani adults and children who were deported from other countries, some of whom may have been trafficking victims, were detained and fined up to \$95, higher than one month's minimum wages. Due to insufficient shelters, police sometimes placed freed bonded laborers in a police station for one night before presenting them to a judge. In July 2010, the Regional Police Office in Hyderabad and an NGO established Pakistan's first anti-bonded labor cell in Mirpukhas, Sindh. The cell is in its nascent stage, but will permit bonded laborers to file police reports and obtain legal advice. In January 2011, the federal Ministry of Labor and Manpower hosted several provincial-level training seminars for local labor officers, designed to increase the effectiveness of labor officers in registering violations against landowners and brick kiln owners who use bonded, forced, or child labor.

Prevention

The Pakistani government made limited progress in its efforts to prevent human trafficking. The Punjab provincial government continued implementation of its project to eliminate bonded labor in brick kilns (launched in 2008). There were reports that this project helped 3,237 bonded laborers obtain identity cards and 1,906 bonded laborers obtain no-interest loans in the reporting period. The government also reported the establishment of 110 more on-site schools, for a total of 170. During the reporting period, the Sindh Department of Labour registered 710 brick kilns, a first step in guaranteeing that labor laws

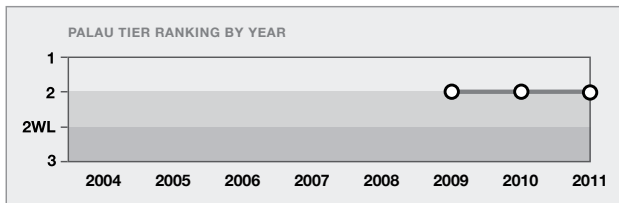
are applied to work sites, and a labor officer from district Larkana in Sindh registered 127 of these kilns. The government's inter-agency task force on human trafficking met a few times in the reporting period. The FIA met with NGOs and international organizations during the year to discuss trafficking and smuggling prevention. Some FIA officials participated in NGO-run awareness campaigns, and the government donated radio air time for the FIA to broadcast public service announcements on human trafficking and human smuggling. In November 2010, the Ministry of the Interior (MOI) designed a plan to monitor and track human trafficking cases, as well as to provide victims with identification and services. The MOI is in the process of rolling out the plan to the district level police officers and the FIA. According to UNICEF, only 27 percent of children are registered at birth, as of 2009. The National Database and Registration Authority continued campaigns to register women in rural areas and internally displaced people to receive ID cards. In 2010, all 250 Pakistani UN Peacekeeping Mission forces received training from various government training academies that included combating human trafficking. The government took measures to reduce the demand for commercial sex acts by prosecuting, but not convicting, 74 clients of prostitution. The FIA continued its quarterly meeting with civil society organizations and the anti-trafficking units to discuss best practices for trafficking victim identification and to increase the links between law enforcement and civil society organizations. Pakistan is not a party to the 2000 UN TIP Protocol.

PALAU (Tier 2)

Palau is a destination country for women from countries in the Asia-Pacific region who are subjected to forced prostitution and people from the Philippines, China, and Bangladesh who are subjected to conditions of forced labor. The foreign population including workers and dependents is an estimated 5,000 — more than one-third of the county's population of 14,000 — with the majority from the Philippines, China, and Bangladesh. Some reports indicate that employers recruit foreign men and women to work in Palau through fraudulent representation of contract terms and conditions of employment. Some foreign workers pay thousands of dollars in recruitment fees and willingly migrate to Palau for jobs in domestic service, agriculture, or construction but are subsequently coerced to work in situations significantly different than what their contracts stipulated. Excessive hours without pay, threats of physical or financial harm, confiscation of their travel documents, and the withholding of salary payments are used as tools of coercion to obtain and maintain their compelled service. Some women from China and the Philippines migrate to Palau expecting to work as waitresses or clerks, but are subsequently forced into prostitution in karaoke bars and massage parlors. Non-citizens are officially excluded from the minimum wage law, and new regulations make it extremely difficult for foreign workers to change employers, consequently increasing their vulnerability to involuntary servitude and debt bondage.

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

however, it is making significant efforts to do so. The government has a comprehensive anti-trafficking law, though it did not investigate or prosecute any trafficking cases during the year, including neither of two reported trafficking cases brought to their attention, one for the forced labor of a Filipina domestic worker, and one for the forced prostitution of several Filipina women recruited for waitressing. In the past, the government worked with the local Catholic Church to offer victim protection services, but did not assist any victims through this mechanism during the reporting period year. The government made some efforts to raise awareness of or prevent trafficking during the year.



Recommendations for Palau: Continue publicly to highlight the issue and to recognize and condemn incidences of trafficking; significantly increase efforts to proactively investigate, prosecute, and punish trafficking offenders; increase resources devoted to address anti-trafficking efforts; prohibit the confiscation of identity documents of foreign workers; develop a national plan of action to combat human trafficking; continue to make vigorous efforts to combat corruption by officials involved in the exploitation of foreign workers; monitor employment agents recruiting foreign men and women for work in Palau for compliance with existing labor laws to prevent their facilitation of trafficking; establish formal procedures for front-line officers to identify and refer trafficking victims to protective services; forge effective partnerships with local or regional NGOs or international organizations to provide additional services to victims; and continue to develop and implement anti-trafficking information and education campaigns.

Prosecution

The Government of Palau did not report any efforts to investigate, prosecute, and convict trafficking offenders during the reporting period. Palau's Anti-Smuggling and Trafficking Act of 2005 prohibits all forms of trafficking in persons, and prescribes sufficiently stringent penalties for these offenses, ranging from 10 to 50 years' imprisonment and fines up to \$500,000; these are commensurate with penalties prescribed for other serious crimes, such as rape. The government did not report investigating, prosecuting, or convicting any offenders of trafficking during the year, despite a case of forced prostitution that was brought to the attention of senior officials. The government again failed to investigate allegations of labor recruiters, facilitators, and employers involved in the recruitment and exploitation of foreign trafficking victims. The government did not train law enforcement officers to proactively identify and assist victims or to identify victims among vulnerable populations, such as foreign workers or foreign women in prostitution.

There were reports of corruption among labor officials related to the regulation and permits of foreign workers. As cited during the previous reporting period, two government officials were charged with corruption in 2009. Both individuals allegedly participated in a scheme to assist irregular migrants in avoiding standard immigration procedures; these migrants were from populations which had been identified as trafficking victims in Palau in the past. In April 2011, one of these two officials, the former Chief of the Division of Labor, pled guilty to misconduct in office and a violation of the Code of Ethics; he was sentenced to three years' probation for the charge of misconduct in office; the sentencing hearing on charges for the violation of the Code of Ethics had not yet taken place as of the date of publication. The prosecution of the other individual charged in 2009, the former Director of the Bureau of Immigration, is still before the court.

Protection

The Government of Palau made inadequate efforts to identify and protect victims of trafficking during the reporting period. The government did not develop or implement a formal system of proactively identifying victims of trafficking among high-risk persons with whom they come in contact and referring victims to available services; they did not proactively identify any victims during the reporting period. The government worked with the local Catholic Church to offer victim protections including shelter, food, and housing to trafficking victims; however, no victims were assisted through this mechanism during the year. The government did not have any formal or informal arrangements or mechanisms in place to provide trafficking victims with access to legal or psychological services, and had no plans to develop the capacity to do so. Two Filipina victims who were recruited for waitressing and subsequently forced into prostitution came forward and were brought to the attention of authorities, who worked with the Philippines Embassy to repatriate the victims to the Philippines; the government provided health services to the victims, but did not provide shelter, counseling, legal, or any other assistance to the victims. The government did not encourage the victims to assist in the investigation and prosecution of their traffickers, nor did it provide legal alternatives to the removal of victims to countries where they may face hardship or retribution. The Palau government did not make efforts to identify international organizations or community groups to provide assistance to victims of trafficking.

Prevention

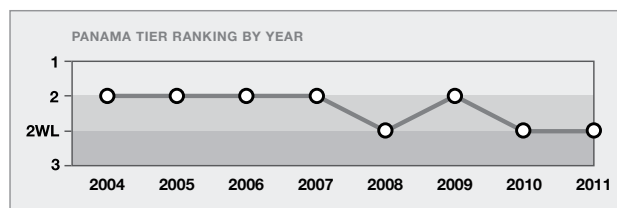
The government made some efforts to prevent human trafficking through public awareness efforts during the year. Palau's president made public statements against human trafficking that were widely covered in the media. In April 2011, the President established an anti-trafficking task force to examine the trafficking problem, and develop recommendations for fighting trafficking in Palau. During the year, Palau hosted two human rights forums that included human trafficking. In response to public complaints of foreign workers changing employers, the government passed a new law to restrict foreign workers in Palau from changing employers, except under three

circumstances – if their employer died, if the company they were employed at dissolved, or if the worker left Palau for a duration of five years and returned. This law, combined with a lack of labor rights for foreign workers, increased the vulnerability of foreign workers to involuntary servitude and debt bondage. A draft bill to end the restrictions on foreign labor movement is currently being considered for congressional approval. The government did not provide any training for government or law enforcement officials on how to recognize, investigate, and prosecute instances of trafficking. The government made no discernible efforts to address the demand for commercial sex acts or the demand for forced labor during the reporting period. Palau is not a party to the 2000 UN TIP Protocol.

PANAMA (Tier 2 Watch List)

Panama is a source, transit, and destination country for women and children subjected to sex trafficking and forced labor. Although some Panamanian women and girls are subjected to sex trafficking in other countries in Latin America and in Europe, most Panamanian trafficking victims are exploited within the country. Both NGOs and government officials anecdotally reported that the commercial sexual exploitation of children was greater in rural areas, the Darien region, and in the city of Colon, than in Panama City, though NGOs report that some Panamanian children, mostly young girls, are subjected to domestic servitude. Most foreign trafficking victims are adult women from Colombia, neighboring Central American countries, and the Dominican Republic; some victims migrate voluntarily to Panama to work but are subsequently forced into prostitution or domestic servitude. During the reporting period, some Chinese citizens were smuggled into the country to work in grocery stores and laundries, apparently in situations of debt bondage. Weak controls along Panama's borders make the nation a transit point for irregular migrants, from Latin America, East Africa, and Asia, some of whom may fall victim to human trafficking *en route* to the United States.

The Government of Panama does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period authorities established a commission which drafted comprehensive anti-trafficking legislation to bring anti-trafficking laws in line with the 2000 UN TIP Protocol. Authorities identified at least 43 trafficking victims and prosecuted five sex trafficking offenders, and in partnership with civil society and foreign governments, provided training to Panamanian officials. However, Panama continued to lack prohibitions against forced labor in its penal code, and authorities did not convict any trafficking offenders during the year. Specialized victim services, particularly for adult victims, remained limited, and authorities did not report using proactive procedures to identify trafficking victims among detained migrants.



Recommendations for Panama: Enact anti-trafficking laws to prohibit forced labor, including domestic servitude; intensify law enforcement efforts to investigate and prosecute trafficking offenses, and convict and sentence trafficking offenders; enhance training for police officers, immigration officials, social workers, and other government officials in anti-trafficking laws and victim identification and care; dedicate additional resources for victim services, including specialized services for adult victims, which could include construction of a shelter; increase staff and funding for anti-trafficking police and prosecutors, and consider establishing a dedicated prosecutorial unit; strengthen interagency coordination and referral mechanisms; and develop a formal system for identifying trafficking victims among vulnerable populations, particularly women in prostitution and irregular migrants.

Prosecution

The Government of Panama maintained efforts against sex trafficking crimes during the reporting period; while authorities investigated a number of cases and prosecuted five trafficking offenders, they reported no convictions for trafficking crimes during the year. Article 178 of the Panamanian penal code prohibits the internal and transnational movement of persons for the purpose of sexual servitude. The prescribed penalties for convicted offenders of this crime is four to six years' imprisonment, which is increased to six to nine years if offenders use deceit, coercion, or retention of identity documents, and further increased to 10 to 15 years' imprisonment if the victim is under 14 years of age. Article 177 prohibits sexually exploiting another person for profit. Under aggravated circumstances of threat, force, or fraud, this constitutes human trafficking, and carries a sentence of eight to 10 years. Article 180 prohibits the internal and transnational trafficking of minors for sexual servitude, prescribing prison terms of eight to 10 years' imprisonment, and Article 179 prohibits subjecting an individual to sexual servitude using threats or violence. Prosecutors may also use other statutes, such as anti-pimping laws, to prosecute sex trafficking crimes. Punishments are sufficiently stringent and commensurate with those prescribed for or other serious crimes, such as rape. Panamanian law, however, does not specifically prohibit forced labor, including forced domestic service. In September 2010, a presidential decree established an interagency commission to draft a law that would bring Panama's anti-trafficking legislation in line with international standards and prohibit forced labor. The commission presented a draft law to the Minister of Security, who approved it and sent it onto the Cabinet in March 2011. The draft law would formalize the nascent national action committee, which has been working since September 2010, and contains a proposed

budget for providing victim services and conducting trafficking investigations.

During the reporting period, authorities investigated a number of trafficking cases and initiated the prosecution of five trafficking offenders under sex trafficking and pimping statutes; the offenders remain incarcerated. Authorities did not report convicting any trafficking offenders during the year. In comparison, during the previous reporting period, authorities achieved one conviction under a statute prohibiting pimping. Authorities maintained a small law enforcement unit to investigate sex trafficking and related offenses, but the unit was reportedly understaffed. Authorities fired six immigration officials and initiated prosecutions for their role in smuggling Chinese citizens who were subsequently handed off to Chinese-run laundries and grocery stores to work in debt bondage, reflecting a notable commitment to address official complicity in human trafficking crimes. Officials participated in trafficking awareness training provided by NGOs, international organizations, and foreign governments in collaboration with Panamanian authorities. Additionally, in partnership with an international organization, the Foreign Ministry provided training for 30 consular officials on victim identification and assistance.

Protection

The Panamanian government maintained efforts to assist trafficking victims during the reporting period, though overall victim services remained inadequate, particularly for adult victims. Authorities did not employ systematic procedures for identifying trafficking victims among vulnerable populations, such as detained undocumented migrants. Panamanian law requires the National Immigration Office's trafficking victims unit to provide assistance to foreign trafficking victims. However, for the second year in a row the Immigration Office indicated that there were no foreign victims of trafficking over the past year, and the unit was reportedly not being used to identify victims. Law enforcement officials reported identifying at least 43 trafficking victims during the reporting period, including 27 Panamanian children in prostitution. The authorities collaborated with NGOs to provide victims with food, clothing, and shelter. The government continued to provide partial funding to an NGO-operated shelter with dedicated housing and social services for children subjected to commercial sexual exploitation. This shelter, another NGO shelter working with at-risk youth, and the government's network of shelters for victims of abuse and violence were equipped to provide services to child victims of trafficking. There was no shelter care available exclusively for adult victims of trafficking. The government could house adult victims in hotels on an *ad hoc* basis. Victims identified by law enforcement officials received a psychological evaluation, as well as medical, psychological, and legal services. Authorities reported referring victims to NGOs and other institutions providing care services on an *ad hoc* basis. There were no long-term services available to trafficking victims. Panamanian authorities encouraged victims to assist with the investigation and prosecution of trafficking offenders, though officials reported difficulties in obtaining victim participation in investigations. There

was no information on how many victims assisted with investigations during the year. The government reported that foreign sex trafficking victims could remain in the country by judicial order during investigations and judicial proceedings, but did not report if any foreign trafficking victims did so during the reporting period. Trafficking victims were not penalized for unlawful acts committed as a direct result of being trafficked; however, due to the lack of victim identification strategies, not all foreign victims may have been identified before deportation.

Prevention

The Government of Panama maintained efforts to prevent human trafficking during the reporting period. Most of these efforts focused on the commercial sexual exploitation of children. The government is in the process of formalizing a permanent interagency mechanism to coordinate Panama's anti-trafficking efforts. Transparency in the government's anti-trafficking efforts was limited; it shared some information on anti-trafficking measures with the media and foreign governments, though it did not publish assessments of its own anti-trafficking policies or efforts during the year. In partnership with an international organization, the government launched a multimedia campaign raising awareness about the commercial sexual exploitation of children. Child sex tourism is prohibited by law, though there were no reported investigations of sex tourists during the reporting period. During the reporting period, various government agencies continued to implement the National Plan for Prevention and Elimination of Commercial Sexual Exploitation of Children and Adolescents, through working with the tourism sector to combat child sex tourism. The government undertook no initiatives to reduce demand for forced labor.

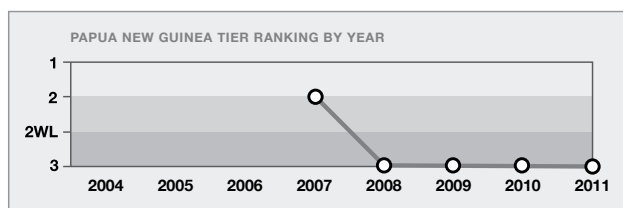
PAPUA NEW GUINEA (Tier 3)

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

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

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

The Government of Papua New Guinea does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Despite the government's acknowledgement of trafficking as a problem in the country, the government did not investigate any suspected trafficking offenses, prosecute or convict any trafficking offenders under existing laws, address allegations of officials complicit in human trafficking crimes, or identify or assist any trafficking victims during the year.



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

Prosecution

The Government of Papua New Guinea failed to show progress in its anti-trafficking law enforcement efforts during the year. Authorities did not report efforts to investigate any trafficking crimes or arrest or prosecute any trafficking offenders during the year. Furthermore,

the government did not systematically monitor its anti-trafficking efforts. Papua New Guinea does not have a comprehensive anti-trafficking law, and the penal code does not prohibit all forms of trafficking. Its criminal code prohibits forced labor and slavery, though the legal definition for "forced labor" may exclude victims who initially agreed to a particular job, only to be subsequently held through coercion. While it prohibits trafficking of children for commercial sexual exploitation and slavery, it does not prohibit the trafficking of adults. Penalties prescribed for the crime of child trafficking are up to life imprisonment, and are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The criminal code prescribes various penalties for the forced prostitution of women. Low fines or sentences of up to two years' imprisonment for these offenses, including holding a woman in a brothel against her will, are not sufficiently stringent. Prescribed penalties of up to seven years' imprisonment for perpetrators who use fraud, violence, threats, abuse of authority, or drugs to procure a person for purposes of forced prostitution are sufficiently stringent and commensurate with penalties prescribed for other serious crimes. There is no indication that any of these statutes have been used to prosecute trafficking cases. The Ministry of Justice continued deliberations on a comprehensive anti-trafficking law for another year. Trafficking-related crimes in rural areas were referred to village courts, which administered customary law, rather than criminal law, and adjudicated cases through restitution paid by the trafficking offender to the victim rather than criminal penalties assigned to the offender. Survivors of internal trafficking sometimes reportedly received customary compensation payments from the offender and were reluctant to notify police or bring additional criminal charges against their traffickers. The government did not train any police officers or front-line officials on trafficking during the year. Wealthy business people, politicians, and police officials who benefit financially from the operation of commercial sex establishments were not prosecuted. Most law enforcement and other government offices remained weak as the result of corruption, cronyism, a lack of accountability, and a promotion system based on patronage. While government officials made public statements recognizing corruption, such as border control officials allowing foreigners to enter the country without documentation and to conduct illegal activities, the government made no discernible efforts to investigate or prosecute trafficking-related complicity, and some provincial officials expressed frustration at the lack of efforts to address trafficking-related corruption.

Protection

The Government of Papua New Guinea did not make any efforts to identify or assist victims of trafficking during the reporting period. The government did not proactively identify trafficking victims among vulnerable populations, and did not regularly refer victims to NGO service providers. It did not operate any victim care facilities for trafficking victims. Due to resource constraints, the government relied on NGOs to assist victims of crime, though none of these organizations reported identifying or assisting any victims of trafficking during the year. The government has yet to provide funding to any international

organizations or NGOs to work with trafficking victims. Due to poor victim identification by authorities, potential victims who came to the attention of police may have been punished for crimes committed as a direct result of being trafficked; this was especially true for victims of sex trafficking. While laws protect sex trafficking victims from being penalized for unlawful acts they might have committed as a direct consequence of their being trafficked, there are no such provisions for victims of forced labor. The government did not offer legal alternatives to the removal of foreign victims of trafficking to countries where they may face hardship or retribution.

Prevention

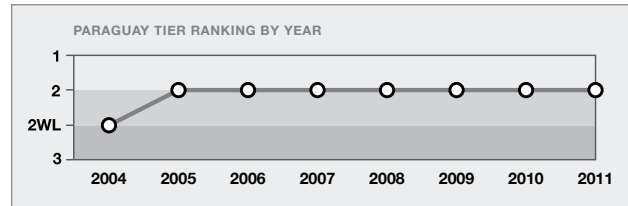
During the past year, the Papua New Guinean government made no significant efforts to prevent human trafficking. In November 2010, the government participated in a foreign-funded workshop in the Solomon Islands to share information with the Solomon Islands government on human trafficking. Officials took modest steps to reduce the demand for commercial sex acts through public awareness campaigns against prostitution and the country’s growing HIV/ AIDS epidemic. The Papua New Guinean Department of Justice and Attorney General led the Interagency National Human Trafficking Committee with the support of IOM, and provided comments on the draft human trafficking law, though it reported doing little else during the year. While some government offices agreed to be members of the Committee, attendance was often poor. Papua New Guinea is not a party to the 2000 UN TIP Protocol.

PARAGUAY (Tier 2)

Paraguay is a source country for women and children subjected to sex trafficking, as well as a source country for men, women, and children subjected to forced labor. Many Paraguayan trafficking victims are found in Argentina, Chile, Bolivia, and Spain; smaller numbers of victims are exploited in Brazil. In one case last year, 32 Paraguayan women were identified in forced prostitution in the Spanish province of Cuenca and, in two other cases, over 50 Paraguayan women were rescued from forced prostitution in brothels in Argentina. Domestic servitude and sex trafficking of adults and children within the country remain a serious problem. Indigenous persons are particularly at risk of being subjected to forced labor or forced prostitution, and during the reporting period the local media highlighted cases of indigenous girls in prostitution at the behest of family members. Poor children from rural areas are subjected to forced commercial sexual exploitation and domestic servitude in urban centers such as Asuncion, Ciudad del Este, and Encarnacion, and a significant number of street children are trafficking victims. To a lesser extent foreign trafficking victims from Bolivia and Peru have been identified in situations of forced labor within Paraguay. Many undocumented migrants, some of whom could be trafficked, travel through the Tri-Border Area of Paraguay, Argentina, and Brazil.

The Government of Paraguay does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do

so. The government sustained modest anti-trafficking law enforcement efforts and significantly increased funding for victim services and awareness efforts during the year. However, the government did not convict any trafficking offenders during the reporting period. The current legal framework failed to adequately prohibit internal cases of forced labor or forced prostitution and authorities had no formal system to proactively identify trafficking victims.



Recommendations for Paraguay: Address deficiencies in anti-trafficking laws to prohibit forced labor and forced prostitution occurring within the country’s borders; intensify efforts to investigate and prosecute trafficking offenses, including forced labor crimes, as well as efforts to convict and punish trafficking offenders, including officials who are involved in or facilitate human trafficking; increase training for government officials, including law enforcement officials and judges, on how to identify and respond to trafficking cases; provide access to comprehensive assistance for victims of all forms of trafficking; and strengthen efforts to raise public awareness about human trafficking, particularly among those seeking work abroad.

Prosecution

The Paraguayan government’s anti-trafficking law enforcement actions diminished during the past year, as no convictions of trafficking offenders were reported, despite a significant number of prosecutions. Paraguay’s penal code does not sufficiently prohibit all forms of trafficking in persons. Articles 129(b) and (c) of the new penal code, which came into force in July 2009, prohibit transnational sex and labor trafficking that involve the use of force, threats, deception, or trickery, prescribing penalties up to 12 years’ imprisonment. All of these prescribed penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Although Paraguayan law does not specifically prohibit internal trafficking, prosecutors could draw on exploitation of prostitution and kidnapping statutes, as well as other penal code provisions, to prosecute internal trafficking crimes, and reported doing so in a few cases during the year. During 2010, police anti-trafficking units in Asuncion, Puerto Elisa, Colonel Oviedo, Encarnacion, Caaguazu, and Ciudad del Este investigated 136 potential trafficking cases, conducted 17 raids on establishments suspected of trafficking, and arrested 32 suspected trafficking offenders.

The dedicated anti-trafficking unit in the Attorney General’s Office had a total of two prosecutors and 10 assistants, and this unit worked with prosecutors at the local level to investigate and prosecute human trafficking cases. In 2010, Paraguayan prosecutors opened investigations into at least 107 possible trafficking cases, compared with 138 possible

cases opened in 2009, almost all of which involved sex trafficking. Authorities indicted 38 suspected trafficking offenders but reported no convictions for human trafficking in 2010, as compared with two convictions for trafficking crimes under other statutes in 2009. During the past year, some government officials, including police, border guards, judges, and elected officials, reportedly facilitated trafficking crimes by accepting payments from trafficking offenders. Prosecutors investigated and charged a police officer and a public registry employee in separate cases of possible trafficking-related complicity in 2010; these cases had not gone to trial by the end of the reporting period. Paraguayan officials continued to work closely with foreign governments in their law enforcement efforts, cooperating with Argentine, Bolivian, Brazilian, Chilean, and Spanish authorities on trafficking investigations, some of which resulted in convictions of trafficking offenders in Chile and Argentina. In February 2011, the police adopted a new mandatory training manual containing material on human trafficking.

Protection

The Government of Paraguay increased efforts to protect victims of trafficking during the reporting period, but victim assistance remained inadequate. Authorities did not employ a formal system for proactively identifying trafficking victims among vulnerable populations such as prostituted women, domestic servants, or street children, and did not employ a formalized process for referring any such victims to care services. The Women's Secretariat (SMRP) ran one shelter for female trafficking victims in Asuncion that did not detain adult victims involuntarily. SMRP also funded other assistance programs, including three drop-in centers, for female victims of violence which could provide some short-term services, such as medical, psychological, and legal assistance. Anti-trafficking funds for SMRP increased almost five-fold during the reporting period to reach a total of approximately \$110,000. In partnership with another government entity, the secretariat opened two businesses — a beauty shop and an agricultural plot — designed to provide trafficking victims with employment. The Paraguayan government did not offer shelter facilities for male victims. In 2010, the SMRP provided services to 27 trafficking victims in its shelter, 17 of whom were children, as well as to 11 trafficking victims who did not stay at the shelter. The interagency anti-trafficking roundtable reported identifying 80 international victims of trafficking, including six children. Government-funded care services for foreign and Paraguayan trafficking victims remained limited, however, especially outside of the capital, and most victim assistance is funded at least in part by NGOs and international donors. Paraguayan authorities encouraged victims to participate in the investigation and prosecution of their traffickers, and some victims filed complaints to open investigations. Victims generally avoided the court system, however, due to social stigma, fear of retaliation, and the lengthy judicial process. Identified victims generally were not jailed, deported, or otherwise penalized for acts committed as a direct result of being trafficked. The Government of Paraguay could offer temporary or permanent residency status for foreign trafficking victims through its liberal immigration system, but did not report doing so in the past year.

Prevention

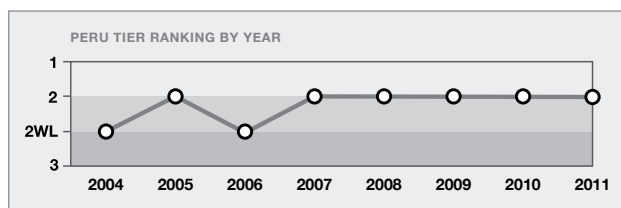
The Paraguayan government increased prevention activities during the reporting period. Government agencies and civil society participated in a government-run anti-trafficking roundtable, which consisted of five sub-committees. The roundtable began drafting comprehensive legislation as well as a national anti-trafficking plan in 2010. A separate plan to combat forced and child labor went into effect last year. In partnership with NGOs and an international bank, the government launched an anti-trafficking awareness campaign targeted at educating at-risk populations with radio and television ads in Spanish and Guarani. The SMRP continued to conduct regional workshops focused on improving the local government response to human trafficking, with a total of over 1,500 participants during the year. The government reported no efforts to reduce demand for commercial sex acts or forced labor. The government issued little public reporting on its anti-trafficking activities but collaborated significantly with NGOs in addressing human trafficking issues. Paraguay was not a known destination for child sex tourists, though foreign citizens from neighboring countries are reported to engage in commercial sexual exploitation of children in Ciudad del Este. The government provided human rights training, which included a human trafficking component, to troops deployed on international peacekeeping missions.

PERU (Tier 2)

Peru is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Several thousand persons are estimated to be subjected to conditions of forced labor within Peru, mainly in mining, logging, agriculture, brick making, and domestic service. Peruvian women and girls are recruited and coerced into prostitution in nightclubs, bars, and brothels in Peru's urban areas and mining centers, often through false employment offers or promises of education. The Madre de Dios province, as well as the cities of Cuzco and Lima, were identified as some of the main destinations for Peruvian sex trafficking victims. Indigenous persons are particularly vulnerable to debt bondage. Forced child labor remains a problem, particularly in informal gold mines, among begging rings in urban areas, and in cocaine production and transportation. There are reports that the terrorist group *Sendero Luminoso*, or Shining Path, recruited children to serve as combatants and in the illicit narcotics trade. There were also reports that a smaller number of adolescents were serving in the Peruvian Armed Forces: however, while there were 150 complaints to the Human Rights Ombudsman about underage soldiers, authorities reported only 20 such complaints made in 2010. Most trafficking is carried out internally, but Peruvian women are also, to a lesser extent, subjected to forced prostitution in Ecuador, Spain, Italy, Japan, and the United States, and forced labor in Argentina, Chile, Ecuador, and Brazil. Peru also is a destination country for some Ecuadorian, Bolivian, and Chinese women and girls subjected to sex trafficking, and some Bolivian nationals in conditions of forced labor. Child sex tourism is present in areas such as Cuzco and Lima. Traffickers reportedly operate with impunity

in certain regions where there is little or no government presence.

The Government of Peru does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Authorities sustained law enforcement efforts against sex trafficking and maintained strong public awareness efforts, including launching the first national anti-trafficking campaign. However, the government again failed to make sufficient efforts to address the high incidence of forced labor in the country and has never reported successfully prosecuting a forced labor offense. Furthermore, authorities did not provide adequate victim services for victims of all forms of trafficking, and a draft national plan to combat trafficking created in 2006 has yet to be formalized.



Recommendations for Peru: Vigorously investigate and prosecute trafficking offenses, and convict and punish trafficking offenders, especially for forced labor crimes, including corrupt officials who may facilitate trafficking activity; initiate proactive investigations of forced labor crimes through enhanced partnerships between law enforcement officials and labor officials; fund shelters and specialized services for all victims of trafficking or fund NGOs with capacity to provide these services; create and implement formal mechanisms to identify trafficking victims among vulnerable populations; offer enhanced anti-trafficking training for local prosecutors, judges, social workers, and law enforcement personnel; increase funding for specialized anti-trafficking police and prosecutorial units; enact and implement the draft national plan to combat trafficking; and continue to strengthen local government efforts to combat trafficking and to raise public awareness on all forms of human trafficking.

Prosecution

The Government of Peru continued to combat forced prostitution through law enforcement measures last year but again demonstrated weak efforts to investigate and prosecute forced labor offenses. Law 28950 of 2007 prohibits all forms of trafficking in persons, prescribing penalties of eight to 25 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. However, NGOs reported that law enforcement investigators, prosecutors, and judges often opt to classify human trafficking cases as less serious criminal offenses that prescribe lower penalties. During the reporting period, police investigated 83 potential trafficking cases; of these, two involved forced labor, and 25 involved sex trafficking. Authorities brought forth 18 trafficking cases to the judiciary and secured the convictions of 12 sex trafficking offenders, who received sentences of up to 30

years' imprisonment, in addition to fines. Authorities did not report how many sentences were suspended. In comparison, Peruvian authorities prosecuted 78 cases and convicted nine sex trafficking offenders the previous year. For the fifth consecutive year, there were very few prosecutions and no convictions reported for forced labor offenses, despite an estimated high incidence of forced labor in the country, and previous efforts to proactively investigate forced labor at mining sites in the Amazon were discontinued.

The government's dedicated anti-trafficking police unit consisted of 32 officers and was based in the capital. Police maintained and expanded the use of an electronic case tracking system for human trafficking investigations, although this system did not track judicial activity, such as prosecutions and convictions. Furthermore, NGOs reported that the system is not always used efficiently, as police in some areas do not enter investigations into the system in a timely fashion or at all. Prosecutors are supposed to accompany police on raids on brothels and other locations where trafficking is suspected; NGOs reported that sometimes poor coordination led to delayed action.

The government did not provide data on its investigation, prosecution, conviction, or sentencing of government employees complicit in human trafficking. Corruption among low-level officials enabled trafficking in certain instances, and individual police officers tolerated the operation of unlicensed brothels and the prostitution of children. In one case during the reporting period, NGOs and the media reported that local authorities protected the owner of a bar frequented by police officers and prosecutors where victims were subjected to forced prostitution. One of the main witnesses in this case died when she was run over by the accused trafficker, reflecting a need for better witness protection. In partnership with civil society, the government provided training on human trafficking to police officers, immigration officials, and social workers, among others. The government collaborated with the Argentine and Chilean government in several anti-trafficking investigations.

Protection

The government provided limited assistance to trafficking victims last year. The government did not employ a formal mechanism for identifying trafficking victims among vulnerable populations, such as adult women in prostitution or children in the informal mining sector. The government had no formal process for referring trafficking victims for treatment. Authorities reported referring child victims of trafficking to the network of 39 government-run children's homes for at-risk youth. Some adult female victims received services through the government's network of over 100 emergency centers, though these centers do not offer shelter services and none are specifically equipped or staffed to care for trafficking victims. The Peruvian national police maintained preventive centers for minors where some child victims of trafficking were temporarily housed before being referred to other shelters for services. NGOs provided care and shelters to sexually exploited women; however, specialized services and shelter for adult trafficking victims remained largely unavailable and there

were no dedicated shelters for trafficking victims in the country. In at least one case during the reporting period, an adult victim was housed in police facilities as no other shelter was available, and in some cases victims housed in police facilities had to sleep on the floor and did not receive proper assistance, including food. Law enforcement officials reported identifying 191 potential trafficking victims, and Peruvian prosecutors reported providing 27 victims with legal, social, and psychological services. The government did not provide financial assistance to anti-trafficking NGOs and adequate victim services remained unavailable in many parts of the country. Military officials pledged to NGOs in 2009 and to the Interamerican Commission on Human Rights in 2010 to discharge 1,000 child soldiers – some of whom might be trafficking victims – though authorities did not publicly report on how many children were actually demobilized from the ranks of the military during the reporting period.

Victim participation in the investigation or prosecution of traffickers remained limited, although several victims under government protection chose to testify against their traffickers during the reporting period. As of 2010, victims are allowed to pursue civil suits against their traffickers free of charge, though no victims were offered assistance in doing so during the reporting period. The government did not penalize victims for unlawful acts committed as a direct result of being trafficked. Trafficking victims were eligible for temporary and permanent residency status under Peruvian refugee law, and at least one victim was granted such permanent residency, although victims generally preferred to return to their countries of origin. However, some NGOs noted that authorities did not adequately screen irregular migrants before deportation to verify if they were trafficking victims.

Prevention

The Government of Peru continued strong anti-trafficking prevention efforts. The government's interagency committee continued to meet to coordinate anti-trafficking efforts and published an extensive annual report on government efforts over the past year. The government, however, has yet to formalize the draft national plan to combat trafficking that committee members drafted in 2006. During the reporting period, authorities launched the first national campaign against trafficking, in partnership with civil society and with financial support from a foreign government and an international organization. The government continued to advertise its anti-trafficking hotline, which received 31 reports of trafficking in 2010. The Madre de Dios region created a regional action plan against human trafficking, modeled on the draft national plan, with funding for implementation, and three other regions reported strengthened anti-trafficking networks during the reporting period. Some areas of the country are known child sex tourism destinations, and Peruvian laws prohibit this crime; during the reporting period, Peruvian authorities arrested an American tourist for pedophilia. The government provided training to 610 officials and tourism service providers about child sex tourism, conducted a public awareness campaign on the issue, and promoted codes of conduct for tour service providers; to date, 325 businesses have signed

code of conduct agreements nationwide. The government provided Peruvian peacekeepers with human rights training, including human trafficking awareness, prior to their deployment abroad on international peacekeeping missions. No efforts to reduce demand for commercial sex acts or forced labor were reported.

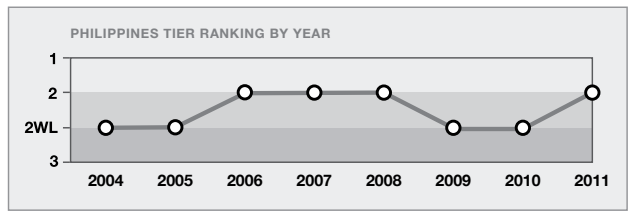
PHILIPPINES (Tier 2)

The Philippines is a source country and, to a much lesser extent, a destination and transit country for men, women, and children who are subjected to sex trafficking and forced labor. A significant number of Filipino men and women who migrate abroad for work are subjected to conditions of involuntary servitude worldwide. Men, women, and children are subjected to conditions of forced labor in factories, at construction sites, on fishing vessels, on agricultural plantations, and as domestic workers in Asia and increasingly throughout the Middle East. A significant number of women in domestic servitude abroad also face rape and violent physical and sexual abuse. Skilled Filipino migrant workers, such as engineers and nurses, are also subjected to conditions of forced labor abroad. Women were subjected to sex trafficking in countries such as Malaysia, Singapore, Hong Kong, South Korea, and Japan and in various Middle Eastern countries. Internal trafficking of men, women, and children also remains a significant problem in the Philippines. People are trafficked from rural areas to urban centers including Manila, Cebu, the city of Angeles, and increasingly to cities in Mindanao, as well as within urban areas. Men are subjected to forced labor and debt bondage in the agriculture, fishing, and maritime industries. Women and children were trafficked within the country for forced labor as domestic workers and small-scale factory workers, for forced begging, and for exploitation in the commercial sex industry. Hundreds of victims are subjected to forced prostitution each day in well-known and highly visible business establishments that cater to both domestic and foreign demand for commercial sex acts. Filipino migrant workers, both domestically and abroad, who became trafficking victims were often subject to violence, threats, inhumane living conditions, nonpayment of salaries, and withholding of travel and identity documents.

Traffickers, in partnership with organized crime syndicates and complicit law enforcement officers, regularly operate through local recruiters sent to villages and urban neighborhoods to recruit family and friends, often masquerading as representatives of government-registered employment agencies. Fraudulent recruitment practices and the institutionalized practice of paying recruitment fees often left workers vulnerable to forced labor, debt bondage, and commercial sexual exploitation. There were reports that illicit recruiters increased their use of student, intern, and exchange program visas to circumvent the Philippines government and receiving countries' regulatory frameworks for foreign workers. Recruiters took on new methods in attempts to get potential victims past immigration officers at airports and seaports. Traffickers utilized budget airlines, inter-island ferries and barges, buses, and even chartered flights to transport their victims domestically and internationally. Child sex tourism remained a serious

problem in the Philippines, with sex tourists coming from Northeast Asia, Australia, New Zealand, Europe, and North America to engage in the commercial sexual exploitation of children. One NGO estimated that there are over 900,000 undocumented Filipinos in the country, mostly based in Mindanao; the lack of official documentation is widely recognized as contributing to a population's vulnerability to trafficking. The Moro Islamic Liberation Front, a separatist group, and the New People's Army (NPA) were identified by the United Nations as among the world's persistent perpetrators of violations against children in armed conflict, including forcing children into service. During the year, there were continued reports to the United Nations that the Abu Sayyaf Group targeted children for conscription as both combatants and noncombatants.

The Government of the Philippines does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the year, the Philippine Department of Justice and Supreme Court issued directives to expedite the disposition of backlogged trafficking cases. The government convicted 25 trafficking offenders – an increase from nine convictions in the previous year – including two convictions in cases involving forced labor, the Philippines' first-ever labor trafficking convictions. Additionally, authorities made notable efforts to address trafficking-related corruption, and several criminal cases against Philippine officials were initiated and remain ongoing. The government enacted numerous measures and policies to improve institutional responses to human trafficking for this year and in future years, such as increased training of judicial, law enforcement, and diplomatic officials on trafficking issues; the creation and funding of anti-trafficking task forces in airports, seaports, regions, and localities; and an increase in dedicated staff to combating trafficking. Nevertheless, the government needs to further its efforts to address significant obstacles to anti-trafficking progress, including the remaining substantial backlog in trafficking cases pending in Philippine courts; the lack of vigorous efforts to pursue criminal prosecution of labor traffickers, including labor recruitment companies involved in the trafficking of migrant workers abroad; rampant corruption at all levels that enables traffickers and undermines efforts to combat trafficking; and uneven and insufficient efforts to identify and adequately protect victims of trafficking – particularly those who are assisting with prosecutions.



Recommendations for the Philippines: Sustain the intensified effort to investigate, prosecute, and convict effectively an increased number of both labor and sex trafficking offenders involved in the trafficking of Filipinos both within the country and abroad; continue to fund and strengthen the Inter-Agency Council Against

Trafficking (IACAT) and provide full-time staffing and management for the IACAT Secretariat; increase funding for anti-trafficking programs within IACAT member agencies; address the significant backlog of trafficking cases by developing mechanisms to track and monitor the status of cases filed with the Department of Justice and those under trial in the courts; strictly enforce anti-corruption laws and expedite adjudication of cases filed by the Ombudsman's anti-trafficking task force; conduct immediate and rigorous investigations of complaints of trafficking complicity by government officials and ensure accountability for leaders that fail to address trafficking-related corruption within their areas of jurisdiction; strengthen anti-trafficking training for police recruits, line officers, and police investigators; make efforts to improve collaboration between victim service organizations and law enforcement authorities with regards to law enforcement operations; make efforts to expand the use of victim processing centers to additional localities to improve identification of adult victims and allow for victims to be processed and assisted in a safe environment after a rescue operation; increase victim shelter resources to expand the government shelter system to assist a greater number of trafficking victims, including male victims of both sex and labor trafficking; increase funding for the Department of Justice's program for the protection of witnesses and entry of trafficking victims into the program; increase efforts to identify trafficking victims in destination countries and to pursue criminal investigation and prosecution of their traffickers; develop and implement programs aimed at reducing demand for commercial sex acts; and assess and improve methods to measure and address domestic and international labor trafficking.

Prosecution

The Government of the Philippines achieved its first ever conviction of a labor trafficking offender in February 2011. The Philippines criminally prohibits both sex and labor trafficking through its 2003 Anti-Trafficking in Persons Act, which prescribes penalties that are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. During the reporting period, the government convicted 25 trafficking offenders in 19 cases – compared with nine traffickers convicted in six cases during the previous year – including the conviction in February 2011 of a labor trafficker who sold two women into domestic servitude in Malaysia, where they were enslaved for nine months without pay. The labor trafficker was sentenced to 28 years' imprisonment and fined over \$28,000. Sentences for the other 24 convicted offenders ranged from six years' to life imprisonment. Nevertheless, hundreds of victims continue to be trafficked each day in well-known, highly visible establishments, many of which have never been the target of anti-trafficking law enforcement action. Ten of the 25 convictions were results of cases filed and prosecuted by an NGO on behalf of victims in a system whereby the Philippine government allows private attorneys to prosecute cases under the direction and control of public prosecutors. Under this arrangement, NGO lawyers were responsible for much of the prosecution workload. In June 2010, the Department of Justice ordered prosecutors to make trafficking cases a priority, and in October, the Supreme Court issued

a circular calling courts to expedite the disposition of trafficking cases and requiring that cases be decided within 180 days of arraignment. At the same time, widespread corruption and an inefficient judicial system continue to pose very serious challenges to the successful prosecution of trafficking cases. Philippine courts have 338 pending or ongoing trafficking cases.

In 2010, the Department of Justice designated 36 prosecutors in various national, regional, and airport task forces to work on anti-trafficking cases. In this task force model, for the first time, prosecutors are assigned to assist law enforcement in building cases against suspected trafficking offenders. The government ran a mandatory training session on trafficking at a judges' conference attended by over 400 judges and also expanded anti-trafficking training efforts to several hundred police and law enforcement officers, in partnership with NGOs and foreign donors. Nevertheless, NGOs continue to report a lack of understanding of trafficking and the anti-trafficking law among many judges, prosecutors, social service workers, and law enforcement officials, and this remains an impediment to successful prosecutions. Prosecutors continue to have difficulty distinguishing labor trafficking crimes from labor contract violations, which may be one cause for the lack of a greater number of criminal forced labor cases filed.

Law enforcement officials' complicity in human trafficking remains a pervasive problem in the Philippines, and corruption at all levels of government enables traffickers to prosper. There continued to be reports that officials in government units and agencies assigned to enforce laws against human trafficking permitted trafficking offenders to conduct illegal activities, including allowing traffickers to escape during raids, extorting bribes, accepting payments or sexual services from establishments known for trafficking women and children, and conducting fake raids on establishments known for trafficking women and children to extort money from their traffickers. Allegations continued that police officers at times conducted indiscriminate raids on commercial sex establishments to extort bribes from managers, clients, and women in the sex industry, sometimes threatening women with imprisonment for solicitation. During the last year, the government began to take steps to identify and prosecute officials complicit in trafficking and temporarily suspended officials suspected of involvement in trafficking, but no public officials were convicted for trafficking or trafficking-related corruption during the reporting period. The Department of Justice filed criminal cases against eight officials for trafficking-related offenses and administrative cases against an additional 21 officials, but none of the cases had been concluded as of the end of the reporting period. While the government began a partnership in 2009 with three NGOs to jointly prosecute corrupt officials and several investigations have resulted in this partnership, no criminal cases have been filed under this program.

Protection

The Department of Social Welfare and Development (DSWD) continued to operate 42 temporary shelters for victims of all types of abuse. There are no reliable

statistics on the total number of trafficking victims identified or assisted by the government during the year. The government did not report identifying or assisting any foreign victims of trafficking during the reporting period. The government referred victims to both government and private short- and long-term care facilities, though the government's capacity to provide shelter and protection remained very limited, due to insufficient budgets for victim protection provided to shelters by the government. Government shelters did not detain victims against their will. The government, through the Philippines Overseas Labor Offices, provided emergency shelter, medical care, and legal assistance to Filipino trafficking victims in several countries abroad, including the UAE, Kuwait, Saudi Arabia, Qatar, Jordan, Singapore, and Malaysia. Identification of adult trafficking victims remained inadequate, which left victims vulnerable to being charged, fined, and imprisoned for vagrancy. The government encouraged victims to assist in the investigation and prosecution of their traffickers, but the government's serious lack of victim and witness protection, exacerbated by a lengthy trial process and fear of retaliation by traffickers, caused many victims to decline or withdraw cooperation. During the year, the Department of Justice's program for the protection of witnesses assisted three trafficking victims. The lack of adequate witness protection and shelter remained a significant deficiency in the government's response to victims' need for protection and assistance. The government reported that it filed and tried civil and criminal cases on behalf of victims concurrently, unless the victims opted to pursue a civil case independently. The government sustained partnerships with local NGOs that provide shelter and assistance to trafficking victims. Local social welfare officers are not adequately trained on how properly to assist rescued trafficking victims, particularly children and male and female labor trafficking victims. The government allocated \$1.84 million in its 2011 budget to the Department of Foreign Affairs (DFA) for emergency assistance to Filipinos overseas, including trafficking victims, a decrease from \$3.15 million allocated for the previous year. The Department of Labor and Employment continued to deploy 51 labor attachés who serve in 38 overseas labor offices around the world to assist Filipino migrant workers.

Prevention

Authorities increased training and public awareness efforts on trafficking, including for judicial officials, diplomats, civil society groups, and overseas foreign workers. The Philippine Overseas Employment Agency (POEA) conducted 1,344 pre-deployment orientation seminars and 863 pre-employment seminars for over 100,000 prospective and outbound Filipino overseas workers. POEA and the Department of Labor and Employment also conducted anti-illegal recruitment and trafficking seminars in the country, attended by local prosecutors, law enforcement personnel, local government units, NGOs, recruitment agencies, and community members. The government conducted training seminars in Malaysia and Jordan for regional Philippine embassy personnel in Southeast Asia, the Middle East, and North Africa on victim identification, reporting of trafficking cases, victim-centered interview techniques, and discussion of options for filing trafficking cases or related criminal charges against traffickers in the destination

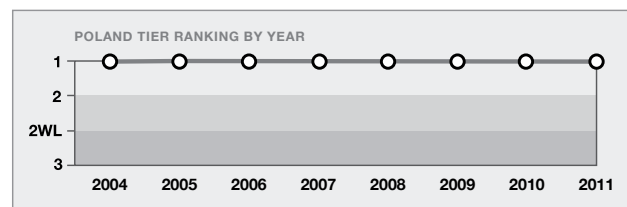
countries or in the Philippines. The DFA also continued to provide pre-deployment seminars on recognizing and responding to trafficking cases to government personnel before being assigned abroad. During the year, the IACAT significantly increased staffing to Manila's Ninoy Aquino International Airport Task Force Against Trafficking in Persons, which now operates 24 hours per day, seven days per week, is led by three senior airport officials, and includes 11 full-time airport police department officers, 10 Department of Justice prosecutors and staff members, and seven social workers from the Department of Social Welfare and Development. The National Bureau of Investigation (NBI) also designated 14 agents to assist the task force in law enforcement operations. Four regional anti-trafficking task forces consisting of prosecutors, law enforcement agents, social workers, and NGOs were created in trafficking hotspots around the country; these task forces received funding and personnel support from the IACAT and the Department of Justice. On March 15, the IACAT launched a 24-hour nationwide anti-trafficking hotline designed to respond to crisis calls from human trafficking victims. Despite significant local demand in the country's thriving commercial sex industry, the government's efforts to reduce the demand for commercial sex acts in the Philippines were limited, as were the government's efforts to address the demand for forced labor. In December, the Philippine Congress appropriated \$550,000 in the 2011 national budget to fund, for the first time, the Inter-Agency Council Against Trafficking and the Department of Social Welfare and Development's anti-trafficking programs. The Department of Justice created dedicated office space for the IACAT and increased staffing for the IACAT Secretariat from four to eight personnel, though the majority of these staffers were not assigned on a full-time basis. The government also overhauled its screening of immigration patterns for evidence of trafficking during the year. In August 2010, the Bureau of Immigration instituted new screening guidelines for ports of exit, leading to the interception of over 28,000 passengers identified as potential victims of trafficking, due to their lack of proper documentation and indicators of high risk for illegal recruitment and trafficking. Over 900 cases were referred to the IACAT, NBI, POEA, and DFA for further investigation. Through trafficking prevention efforts at major seaports in partnership with an NGO, over 1,800 potential victims of trafficking were intercepted, resulting in the filing of 21 criminal anti-trafficking cases. The Philippine armed forces reportedly rescued eight child soldiers during the year, all of whom were allegedly conscripted by the NPA. The government provided training, including a module on human trafficking, to Philippine troops prior to their deployment abroad on international peacekeeping missions.

POLAND (Tier 1)

Poland is a source, transit, and destination country for men and women subjected to conditions of forced labor and for women and children subjected to sex trafficking. Men and women from Poland are subjected to conditions of forced labor in the United Kingdom, Belgium, and the Scandinavian countries. Women and children from Poland are subjected to sex trafficking within Poland and also in

the United Kingdom, Germany, Austria, the Netherlands, and Italy. Women and children from Bulgaria, Ukraine, and Belarus are trafficked for commercial sexual exploitation in Poland. Polish men are forced under threat of violence to commit crimes, such as financial fraud, in Germany. In a more recently identified trend, Poland is a destination for migrant men and women from Azerbaijan, China, Nepal, the Philippines, Vietnam, Bangladesh, Thailand, Tajikistan, Uzbekistan, Ukraine, and West Africa who may be forced to work, in sectors such as agriculture, manufacturing, and food processing. Employers in Poland sometimes refuse to pay migrant workers and anonymously report them to the Border Guard for visa violation and potential deportation. Women and men are trafficked through Poland from Ukraine, Bulgaria, Belarus, Romania, and Moldova to Western Europe.

The Government of Poland fully complies with the minimum standards for the elimination of trafficking. In 2010, the government revised its anti-trafficking laws to improve their clarity, their coverage of all forms of trafficking in persons, and ease of applicability. The government continued to fund victim protection mechanisms in all areas of the country. The government, however, continued to face challenges in identifying victims of trafficking, particularly those in forced labor, and ensuring that the victims' rights were universally respected. Several identified victims were prosecuted by the government. NGOs reported concerns that the reflection period was rarely used in practice. A significant portion of convicted trafficking offenders were not sentenced to time in prison.



Recommendations for Poland: Fully implement the standard operating procedures for victim identification and adapt the referral mechanism to identify victims of labor trafficking better; ensure that all first-responders, including labor inspectors and border guards, have a clear mandate to identify and refer potential victims to care in accordance with standard operating procedures; enhance training of the lower-level police officers most likely to come into contact with trafficking victims; ensure that identified victims of trafficking are not penalized for acts committed as a direct result of being trafficked; take steps to ensure that the government's reflection period is offered to all victims, and that victims are not deported for initially refusing to be interviewed; take steps to ensure that a majority of trafficking offenders serve time in prison; continue to increase the shelter system's capacity to assist victims, including men and children; continue trafficking training for both prosecutors and judges; conduct additional awareness campaigns to reduce the demand for commercial sex acts; and organize training on human trafficking for peacekeepers preparing for deployment abroad on international peacekeeping missions.

Prosecution

The Government of Poland made significant improvements in its anti-trafficking law enforcement efforts, primarily by revising, in May 2010, its human trafficking laws to improve their clarity and to define specifically human trafficking offenses in the criminal code. Poland prohibits all forms of trafficking in persons through the newly enacted Articles 115.22 and 115.23, and 189a, which replaced Article 253 and Article 204 Section 4, Article 204 Section 3, and Article 203 of the criminal code. Prescribed punishments under the revised statutes range from a minimum of three years' up to 15 years' imprisonment; sentences are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In January 2011, the government transferred the anti-trafficking unit of the Polish National Police to the Central Bureau of Investigation to facilitate coordination and supervision of trafficking cases in all 17 regional police anti-trafficking units. Although the prosecutor's office does not have a specialized anti-trafficking unit, an anti-trafficking consultant was assigned to advise prosecutors responsible for trafficking cases.

In 2010, Polish police investigated 95 alleged trafficking offenses, down from 105 investigations in 2009. The government prosecuted 77 and convicted 28 trafficking offenders under Articles 203 and 253 in 2010 – convictions under the new statutes were not reported – in contrast to 79 prosecution and 52 convictions in 2009. Post-appeal sentences, which are considered final, are collected for trafficking offenses. In 2009, the most recent year for which post-appeal sentences were available, trafficking offenders received sentences ranging from three months to 10-15 years' imprisonment, which is the highest possible punishment for trafficking under Poland's criminal code. This was an increase from 2008, during which the highest sentence issued to a trafficking offender was five years in prison. Nevertheless, in 2009, approximately 52 percent of convicted offenders received suspended sentences, compared with 53 percent in 2008. During 2010, the government did not report the investigations, prosecutions, convictions, or sentences of any public officials complicit in human trafficking. The Polish government participated in several bilateral task forces to share law enforcement information on human trafficking and collaborate on active investigations with other government, including those of Italy, Belgium, and Germany.

During the year, the government provided training on victim identification and care, and trafficking investigation and prosecution to judges, labor inspectors, social workers, border guards, consular officers, and police. For example, in December 2010, the National School for Judges and Prosecutors organized two training sessions on legal and criminal aspects of human trafficking for 95 judges. In September, Polish authorities organized a multi-day workshop for police and Border Guard regional anti-trafficking coordinators. In November, the Labor Ministry conducted seminars on labor trafficking for 73 employees of municipal and provincial labor offices. The government continued to train social workers at crisis intervention centers to identify and care for trafficking victims.

Protection

The Government of Poland sustained its anti-trafficking victim protection efforts in 2010, despite continuing problems with victim identification. The government, NGOs, and academic experts on human trafficking recognized that victim identification remained a major challenge for Poland's anti-trafficking program. During 2010, the government identified 85 victims of trafficking, a decrease from 206 trafficking victims it identified in 2009. Nevertheless, NGOs reported identifying and caring for an additional 253 victims of trafficking during 2010; approximately half of these were victims of labor trafficking and half were victims of sex trafficking. The government reportedly lacked the tools and expertise to identify labor trafficking victims and labor inspectors reported they did not have a clear mandate to investigate labor trafficking cases. International organizations reported that some government officials had insufficient understanding of established victim identification and protection procedures. The weakness in government identification translated to lapses in victim care. An international organization reported that in at least one case in 2010, labor trafficking victims were inappropriately detained and charged by authorities. In a case involving forced labor in illegal cigarette production, Azerbaijani victims' salaries were withheld and their families were threatened. Despite initially identifying the men as potential trafficking victims, Polish authorities charged the workers as members of an organized crime group. In 2010, the government allocated approximately \$250,000 for victim assistance in contrast to \$298,000 in 2009. The government funded a National Intervention-Consultation Center for Victims of Trafficking to provide assistance to foreign and Polish victims of trafficking. The center hosted a trafficking hotline, provided victims with comprehensive assistance resources, and offered a shelter for adult female trafficking victims. Government-funded NGOs provided medical, psychological, legal assistance, protective services, food, clothing, and crisis intervention. The government designated and partially funded 18 other crisis centers across the country as shelters for trafficking victims. There were no shelters designated specifically for male trafficking victims, although the government housed male victims of trafficking in co-ed crisis centers, with supervision from anti-trafficking NGOs. Adult victims of trafficking were allowed to leave the shelters unchaperoned and at will.

Foreign victims of trafficking, whether third country nationals or EU citizens, are entitled to receive the same social welfare benefits provided to Polish citizens, including crisis intervention assistance, shelter, food, clothing, and a living allowance. The government reported offering foreign victims a three-month reflection period to deliberate whether to cooperate with the criminal process. However, in 2010, no trafficking victims accepted the reflection period; international organizations raised concerns that foreign victims who declined to participate in law enforcement investigations were not classified as trafficking victims or offered the reflection period and attendant services. In 2010, the Government of Poland set up its first regional inter-agency anti-trafficking team, bringing together representatives of national and local governments, law enforcement, social workers, and NGOs, to enhance coordinated efforts and victim

centered responses during investigations. The government encouraged victims to participate in criminal proceedings, including through the use of videoconference technology to secure testimony from victims no longer in Poland.

Prevention

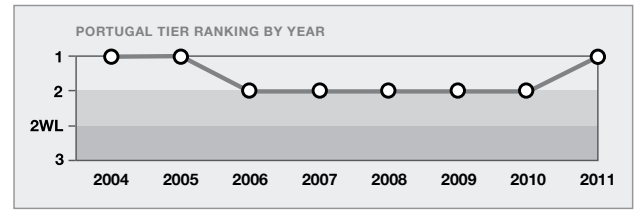
The government sustained its anti-trafficking prevention efforts during the reporting period. The Ministry of Interior pursued partnerships with NGOs to educate schoolchildren on trafficking, training teachers from four regions to discuss human trafficking with their students. The government also provided guidance to potential Polish emigrants on the dangers of human trafficking through an advisory guide. The government focused on regions vulnerable to trafficking to fund broader information campaigns including billboards, posters, opinion polls, and conferences. The Polish government hosted an annual national conference for combating and preventing human trafficking in observance of the EU’s Anti-Trafficking Day. The government organized its anti-trafficking activities through its Inter-Ministerial Work Group and its National Action Plan for Combating and Preventing Human Trafficking and gathered statistical data on cases of trafficking and victims identified. However, the government did not have an independent national rapporteur on trafficking and the comprehensive governmental report on trafficking that was published in 2009 has not been updated. The government did not organize specific human trafficking training to Polish troops being deployed abroad on international peacekeeping missions, although human trafficking was included as part of the Standard Generic Training Module, under which all military personnel were trained. The government did not conduct a specific campaign to reduce the demand for commercial sex acts targeted at potential clients of prostitution, nor did it organize any programs to reduce any participation of Polish nationals in child sex tourism.

PORTUGAL (Tier 1)

Portugal is a destination, transit, and source country for women, men, and children subjected to sex trafficking and forced labor. Trafficking victims found in Portugal are from Brazil, Eastern Europe, and Africa. According to the government, an increased number of Portuguese girls are subjected to forced prostitution within the country. Men from Eastern European countries and Brazil are subjected to forced labor in agriculture, construction, hotels, and restaurants. According to local observers and media reports, Portuguese men and women are subjected to forced labor or forced prostitution after migrating to other destinations in Europe. Children from Eastern Europe, including Roma, are subjected to forced begging, sometimes by their families. Two-thirds of the 21 trafficking victims identified by the government in 2010 were male.

The Government of Portugal fully complies with the minimum standards for the elimination of trafficking. In 2010, the government demonstrated increased victim assistance by granting more residency permits to trafficking victims and it continued to provide subsidies to NGOs providing comprehensive care and assistance to victims.

While the majority of traffickers convicted under the government’s anti-trafficking law received significant jail time, it was unclear how many other offenders convicted under anti-pimping statutes were actual traffickers. The government used anti-pimping statutes to secure other convictions for offenders who may have been involved in human trafficking; these convictions significantly outnumbered the number of identified trafficking victims, suggesting a lack of adequate efforts to identify and assist victims.



Recommendations for Portugal: Vigorously prosecute and convict trafficking offenders to obtain sentences that reflect the gravity of the crime committed; improve law enforcement training to increase use of Article 160 to prosecute and convict traffickers; consider raising the mandatory minimum sentence under Article 160 to ensure that convicted traffickers do not receive suspended sentences; continue to improve outreach to locate more potential trafficking victims in Portugal and explore more holistic, victim-centered methods to identify them; develop specialized assistance and shelter for trafficked children and men; expand shelter capacity to provide comprehensive assistance to victims throughout Portugal; include NGOs to help stabilize potential victims in a post-raid environment and ensure trafficking victims are referred for care and assistance to allow them sufficient time to recover from their trafficking experiences; enhance the collection of trafficking-specific data, considering the use of a case-based approach to distinguish between convictions for trafficking offenders under Article 160 and trafficking offenders convicted under anti-pimping statutes; ensure adequate funding for all NGOs providing critical assistance to victims; undertake a comprehensive, nationwide awareness program to educate government officials, front-line responders, and the public about all forms of trafficking in Portugal.

Prosecution

The Government of Portugal continued to investigate and prosecute trafficking crimes, including suspected cases of forced labor, during the reporting period. Portugal prohibits both forced labor and forced prostitution through Article 160 of its penal code, which prescribes penalties of three to 12 years’ imprisonment – penalties sufficiently stringent and commensurate with those for other serious crimes, such as rape. The government reported its prosecution of 179 trafficking suspects in 2009, the most recent year complete data was available. The government, however, follows an overly-broad definition of trafficking; a review of these cases indicated that only eight of the resulting convictions would be considered trafficking involving force, fraud, or coercion. Seven out of a total of eight sex trafficking offenders convicted under Article 160

received an average sentence of 12 years in prison each; this is a significant penalty for trafficking in Europe. The government reported, however, that it used anti-pimping and pandering statutes to prosecute other trafficking-related offenders in 2009.

Under Portugal's penal code, courts can opt for non-detention as punishment for any sentence that is less than five years' imprisonment "if this punishment will satisfy the objectives of the criminal law." Courts appear to interpret this guidance generously for pimping crimes. In February 2011, the government launched "Operation Roadbook," and coordinated proactive law enforcement raids in two regions in Portugal, resulting in the rescue of 30 trafficking victims. The government reported in March 2011 that five of the 12 arrested suspects were held in pre-trial detention, with the remainder required to check in regularly with authorities. According to a recent OSCE Report describing a case of forced labor of a domestic worker from Mozambique in Portugal, prosecutors charged the offender with the lesser crime of "recruitment for illegal work," citing a lack of evidence that the offender recruited the victim with an intention to exploit the victim, although the forced labor started immediately upon her arrival in Portugal. Law enforcement officials continued to receive periodic specialized anti-trafficking training. The government reported that there were no prosecutions, convictions or sentences for trafficking-related complicity in 2010.

Protection

The Government of Portugal continued to provide subsidies to NGOs that in turn provided comprehensive care and reintegration assistance to trafficking victims in 2010. The government identified 21 official trafficking victims in 2010, an increase from the 17 officially certified in 2009, although this figure is low in relation to other countries in the region. During the reporting period, the government continued to employ procedures for identifying trafficking victims using key indicators; local experts reported that very few NGOs use the guide as a way of identifying victims. According to this system, law enforcement and NGOs are required to submit reports of suspected victims to a central government observatory; this form is then reviewed by the judicial police or the national coordinator to verify a victim's status. According to a recent NGO report, a presumed trafficked person will only be identified as such if characteristics of trafficking indicators are present on this form. The bureaucratic inflexibility of this process resulted in a victim identification process that lacked the nuance or flexibility required to identify victims of this inherently complex crime. In February 2011, the government reported that it rescued 30 trafficking victims, several of them children, in conjunction with previously mentioned Operation Roadblock. According to media reports, the police issued a statement reporting that the traffickers used "physical coercion and psychological violence" including the forced administration of drugs as tools of coercion and control to force these victims into prostitution. Despite this, the government reported that these victims were taken to a police station and questioned immediately after the raid rather than referred to the NGO shelter for care and assistance, leaving them vulnerable to re-trafficking. The government continued to subsidize

an NGO shelter, which housed four victims during 2010. Victims were permitted to leave the shelter after undergoing a security assessment by shelter staff. Local experts noted limited protection measures for trafficking victims in Portugal, noting this shelter as the only designated shelter for trafficking victims. The government continued to provide a per-victim stipend to other NGOs assisting victims, one of which reported assisting 30 trafficking victims in 2010, the same number that it assisted in 2009. The government encouraged victims to participate in investigations and prosecutions of trafficking offenders; 10 victims assisted in the investigation against their traffickers in 2010, compared to six in 2009. The government reported that all identified victims are permitted a 30- to 60-day reflection period to decide whether they wished to participate in a criminal investigation. The government provided foreign victims of trafficking with short-term legal alternatives to their removal; victims cooperating with law enforcement are eligible for a one-year residency permit, which can be renewed. Trafficking victims can be eligible to obtain permanent residency in Portugal under Article 109 of Immigration Law No. 23 of July 4, 2007 and under Decree-law 368 of November 5, 2007. The government increased the number of residence permits it granted in 2010, granting 14 residence permits to potential trafficking victims, compared to three in 2009. The government reported that police made proactive efforts to identify sex trafficking victims within the legal prostitution sector; however, victims who were not so identified were likely deported or faced continued exploitation. According to local experts, a lack of awareness among law enforcement authorities regarding child trafficking hindered the government's ability to identify and protect these children.

Prevention

The Government of Portugal sustained modest trafficking prevention efforts during the year. It organized a three-day conference in October in recognition of Europe's anti-trafficking awareness month, marking the occasion by unveiling its 2011-2013 National Action Plan on trafficking. The government contributed some funding to screen an anti-trafficking film about forced prostitution and the sexual exploitation of children during this conference. Furthermore, the government promoted the film throughout the year through government-funded TV spots, billboards, and radio announcements and included warnings on the dangers of trafficking. The government however, did not conduct a comprehensive national-level awareness campaign to raise general awareness about trafficking in Portugal or address demand for forced labor and forced prostitution. During the reporting period, the government publicly released its first annual report on trafficking and maintained a website about its anti-trafficking efforts. The government's existing hotline for immigrants is not specifically designed for trafficking victims; local experts speculate the costs with using the hotline and various numbers associated with it contributed to lack of use by potential trafficking victims. The government continued to broadcast a daily program on state television to raise awareness among migrants in Portugal on a wide range of issues, including trafficking. It conducted anti-trafficking awareness training to

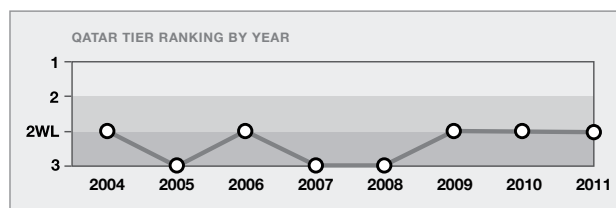
troops before their deployment abroad on international peacekeeping missions.

QATAR (Tier 2 Watch List)

Qatar is a destination country for men and women subjected to forced labor and, to a much lesser extent, forced prostitution. Men and women from Nepal, India, Pakistan, Bangladesh, the Philippines, Indonesia, Vietnam, Sri Lanka, Ethiopia, Sudan, Thailand, Egypt, Syria, Jordan, and China voluntarily migrate to Qatar as low-skilled laborers and domestic servants, but some subsequently face conditions indicative of involuntary servitude. These conditions include: threats of serious physical or financial harm; the withholding of pay; charging workers for benefits for which the employer is responsible; restrictions on freedom of movement, including the confiscation of passports and travel documents and the withholding of exit permits; arbitrary detention; threats of legal action and deportation; threats of filing false charges against the worker; and physical, mental, and sexual abuse. In some cases, arriving migrant workers have found that the terms of employment in Qatar are different from those they agreed to in their home countries. One NGO reported, however, that the Qatari National Human Rights Committee handles approximately 700-800 labor-related cases per year, most of which indicate forced labor, but does not generally identify them as such. Many migrant workers arriving for work in Qatar have paid exorbitant fees to recruiters in their home countries – a practice that makes workers highly vulnerable to forced labor once in Qatar. Under the provisions of Qatar’s sponsorship law, sponsors have the unilateral power to cancel workers’ residency permits, deny workers’ ability to change employers, report a worker as “absconded” to police authorities, and deny permission to leave the country. As a result, sponsors may restrict workers’ movements and workers may be afraid to report abuses or claim their rights, which contribute to their forced labor situation. In addition, domestic servants are particularly vulnerable to trafficking since they are isolated inside homes and are not covered under the provisions of the labor law. Qatar is also a destination for women who migrate for legitimate purposes and subsequently become involved in prostitution, but the extent to which these women are subjected to forced prostitution is unknown. Some of these victims may be runaway domestic workers who have fallen prey to forced prostitution by individuals who exploit their illegal status.

The Government of Qatar does not fully comply with the minimum standards for the elimination of trafficking. The government did not demonstrate evidence of significant efforts to punish traffickers or proactively identify victims; therefore, Qatar is placed on Tier 2 Watch List for a third consecutive year. Qatar was not placed on Tier 3 per Section 107 of the 2008 Trafficking Victims Protection Reauthorization Act, however, as the government has a written plan that, if implemented, would constitute making significant efforts to bring itself into compliance with the minimum standards for the elimination of trafficking and is devoting sufficient resources to implement that plan. In March 2011, the Qatari Cabinet approved an anti-trafficking law that has been pending since 2006; at the

end of the reporting period, this law was awaiting approval by the Emir. The Qatari government also published its “National Plan for Combating Human Trafficking for 2010-2015.” Nonetheless, the government has yet to take increased action to investigate, prosecute, and punish trafficking offenses for forced labor and forced prostitution. The Qatari government also continues to inadequately protect victims of trafficking, particularly by failing to proactively identify victims among vulnerable populations, leading to their sometimes lengthy detentions or other punishments.



Recommendations for Qatar: Enact the draft comprehensive anti-trafficking legislation; increase efforts to investigate and prosecute trafficking offenses, and convict and punish trafficking offenders; institute and consistently apply formal procedures to identify victims of trafficking among vulnerable groups, such as those arrested for immigration violations or prostitution; enforce the sponsorship law’s criminalization of passport-withholding and mandate that employees receive residence cards within one week as a means of preventing trafficking abuses; abolish or significantly amend provisions of Qatar’s sponsorship law to prevent the forced labor of migrant workers or implement other provisions that make up for the law’s shortcomings; collect, disaggregate, analyze, and disseminate counter-trafficking law enforcement data; and implement the National Plan for Combating Human Trafficking for 2010-2015.

Prosecution

The Government of Qatar made minimal efforts to investigate and prosecute trafficking offenses during the reporting period. In March, the Qatari Cabinet approved an anti-trafficking law that prohibits all forms of trafficking and prescribes penalties of at least three years’ imprisonment and fines, with prescribed penalties of at least 15 years’ imprisonment under aggravating circumstances. These penalties are sufficiently stringent and commensurate with other serious crimes, such as kidnapping. For the majority of the reporting period, however, Qatar did not prohibit all acts of trafficking, but it criminalized transnational slavery under Section 321 and forced labor under Section 322 of its Criminal Law. The prescribed penalty for forced labor – up to six months’ imprisonment – is not sufficiently stringent. Article 297 can be used to punish forced or coerced prostitution, and the prostitution of a child below age 15, even if there was no compulsion or redress; the prescribed penalty is up to 15 years’ imprisonment, which is commensurate with penalties prescribed for other serious crimes, such as rape. Despite the availability of the statutes above for the majority of the reporting period, the government did not report any clear efforts to investigate, prosecute, or

punish trafficking offenses during the reporting period. In addition, prohibitions against common practices that contribute to forced labor, such as passport withholding, were not fully enforced. In May and December, the Qatar Foundation to Combat Human Trafficking (QFCHT) and the National Human Rights Commission (NHRC) conducted anti-trafficking workshops that targeted law enforcement personnel from the Ministry of Interior and the Public Prosecutor's office. The government did not report any investigations, prosecutions, convictions, or sentences of government personnel for complicity in trafficking offenses.

Protection

Qatar made minimal progress in protecting victims of trafficking during the reporting period. The government acknowledges the existence of a labor trafficking problem in the country, however some officials do not equate labor exploitation with human trafficking. Government personnel continued to lack systematic procedures to identify victims of trafficking among vulnerable populations, such as foreign workers awaiting deportation and women arrested for prostitution; victims of trafficking were sometimes punished for acts committed as a direct result of being trafficked. Specifically, Qatar commonly detained and deported potential trafficking victims for immigration violations and running away from their sponsors without determining whether the individuals were victims of trafficking or offering them protection. Victims may also languish in detention centers for up to six months if their employers either fail to return their passports or purchase a plane ticket for them to return to their home countries or if they file false charges of theft against them in retaliation for complaining of abuses or nonpayment of wages; the costs of legal representation under these circumstances are borne by the worker. In January, the QFCHT conducted training for medical workers who are in direct contact with migrant workers, including the general, health, and mental health indicators of trafficking victims in order to facilitate their identification. In March, police, prosecutors, and judges attended a workshop on victim identification. The government's trafficking shelter reported assisting 147 individuals in 2010 with medical, psychological, and legal care. However, as in previous years, it remains unclear whether all of these were victims of trafficking and whether trafficking victims could access the shelter if their employers had filed charges against them. While identified victims can receive legal assistance from shelter authorities, some employers and sponsors threatened victims in an attempt to keep them from seeking legal redress. Since the 500,000 foreign workers in domestic service in Qatar are not protected by the labor law, they are not permitted to file civil suits against their employers under the labor law's provisions. Civil suits can only be filed for failure to meet the financial obligations of the sponsor toward domestic help; in practice, however, civil suits are rare. Qatar sometimes offered temporary relief from deportation to enable identified victims to testify as witnesses against their employers and has the ability to transfer the identified victim's sponsorship to another employer pending the case. However, the government did not consistently offer victims

alternatives to removal to countries where they may face retribution or hardship.

Prevention

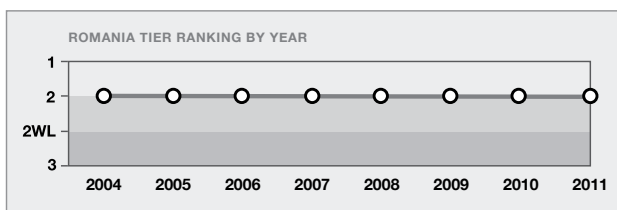
Qatar made limited progress in preventing trafficking in persons during the reporting period. In March, the government outlined a national plan of action to combat trafficking in persons for the years 2010-2015. The government did not reform the sponsorship law, which contributes to conditions of forced labor in the country by allowing sponsors to restrict workers' movements. For example, sponsors may threaten to withhold exit permits required by the sponsorship laws to force workers into servitude or prevent them from reporting abuses. The government reported four cases where workers who were not granted an exit permit due to a sponsor's refusal or other circumstances received an exit permit by other means. While the government enforced prohibitions on sponsors withholding workers' passports by responding to reported abuses through administrative means, it did not proactively or systematically investigate companies to prevent passport withholding, exacerbating migrants' vulnerability to trafficking; employers often made their employees sign waivers allowing them to hold passports. Although the sponsorship law requires an employer to secure a residence card for laborers within seven days, reports indicated that this sometimes does not happen; this restricts migrant workers' mobility and impedes their ability to access health care or lodge complaints at the labor department. The government worked with labor attachés from South Asian countries to resolve cases of labor disputes via conflict mediation. In isolated cases, Qatar restricted foreign government access to its nationals after labor concerns were raised. The government enforced strict laws of morality in accordance with Islamic principles in an effort to reduce the demand for commercial sex acts and targeted Qataris traveling to known child sex tourism destinations abroad.

ROMANIA (Tier 2)

Romania is a source, transit, and destination country for men, women, and children subjected to forced labor and women and children subjected to sex trafficking. Romanian men, women, and children are subjected to forced labor in agriculture and manufacturing, as well as some forced begging in Spain, Italy, the Czech Republic, Greece, Finland, Israel, Germany, Slovenia, the United Kingdom (UK), Cyprus, Australia, France, Belgium, and the United States. A large proportion of the children forced to beg in Western European countries were Romanian victims of Roma ethnicity. Men, women, and children from Romania are victims of forced prostitution in Italy, Sweden, Spain, the Netherlands, the United Kingdom, Greece, Germany, Cyprus, Austria, Switzerland, Czech Republic, Denmark, Brazil, Norway, Hungary, Slovenia, and France. Forced labor and sex trafficking within the country claim Romanian men, women, and children as victims; this includes forced begging and forced petty theft. There were reports that ethnic Roma criminal groups in Romania exploited Romanians throughout Europe. Romania is a destination country for a small number of women from Moldova,

Colombia, and France who are forced into prostitution and for Honduran men subjected to forced labor. The majority of identified Romanian victims are victims of forced labor, including forced begging. The number of Romanian boys subjected to sex trafficking increased.

The Government of Romania does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Over the reporting period, the government increased the number of victims identified and assisted and amended its human trafficking law to explicitly prohibit forced begging. Despite evidence of a large number of Romanian labor trafficking victims, the government did not indicate whether it investigated, prosecuted, or convicted any labor trafficking offenders. Additionally, there were reports that prosecutors brought prostitution charges against trafficking victims.



Recommendations for Romania: Restore government funding for trafficking victim assistance programs, including grants for service-providing NGOs; take measures to identify trafficking victims prior to arrest to ensure that no victims are punished for acts committed as a direct result of being trafficked; improve the reporting of data on trafficking crimes prosecuted under Law No. 678/2001 and other relevant laws by disaggregating sex and labor trafficking offenses; collect data on sentences imposed on convicted trafficking offenders; vigorously investigate and prosecute acts of trafficking-related complicity allegedly committed by government officials, and punish officials convicted of such crimes with prison sentences; demonstrate efforts to investigate and punish acts of labor trafficking and efforts to assist victims of labor trafficking; reduce delays in trials; improve efforts to identify potential victims among vulnerable populations such as undocumented migrants, foreign workers, Roma populations, and children in begging; continue to provide victim sensitivity training for judges; continue to increase victim referrals to NGO service providers by government officials; improve inter-ministerial communication and coordination on trafficking; and improve the capacity of local governments to assist victims through training of local officials and increased communication and guidance from the National Association Against Trafficking in Persons (NAATIP).

Prosecution

The Romanian government demonstrated mixed law enforcement efforts during the reporting period. Romania prohibits all forms of trafficking in persons through Law No. 678/2001, which prescribes penalties of three to 15 years' imprisonment. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes such as rape. The Romanian authorities amended this trafficking law in 2010 to

specifically prohibit forced begging. In 2010, Romanian authorities investigated 717 human trafficking cases, in contrast to 759 cases investigated in 2009. The government prosecuted 407 and convicted 203 trafficking offenders in 2010, compared with 303 offenders prosecuted and 302 convicted in 2009. The government reported that 145 of the 203 offenders convicted in 2010 were sentenced to terms in prison, whereas 58 trafficking offenders received sentences without jail terms. The government did not report the sentences imposed on convicted traffickers and did not report the number of labor trafficking cases investigated or prosecuted. Some observers noted that many judges had a low understanding of trafficking in persons, perhaps contributing to the slow pace of trafficking trials with some cases still pending from 2005. Romanian authorities reported investigating and detaining a police officer for recruiting female children for forced prostitution. The officer was held in protective custody as the investigation continued. The government also investigated two members of a major political party for sex trafficking; these members did not hold public office. The government did not report any prosecutions, convictions, or sentences of government officials complicit in human trafficking crimes. In a UK trial of Romanian traffickers, lawyers claimed that Romanian police had been aware of child trafficking for years, but did not take action to suppress the trade until forced to do so by law enforcement in the UK. During the year, Romanian officials pursued joint trafficking investigations in partnership with counterparts in Norway, Switzerland, France, and Sweden.

Protection

The Government of Romania demonstrated mixed efforts to protect and assist victims of trafficking during the reporting period. For a second consecutive year, the government failed to provide funding to NGOs providing victim protection services. The lack of government funding jeopardized victim care. The hiatus in funding forced the closure of several trafficking shelters across the country, leaving many victims vulnerable and without services. Nevertheless, the government reported the identification of 1,154 victims in 2010, a substantial increase from the 780 victims reportedly identified in 2009. The government continued to operate its National Identification and Referral Mechanism, which provided a formal protocol for referrals between law enforcement and other institutions. Out of the 1,154 victims identified, 544 received victim services; 451 victims received government-funded care, whereas 93 victims received care from independently funded NGOs. This was an increase from 2009, in which 365 victims reportedly received government-funded care, and 32 victims received care from NGOs not funded by the government. Observers noted that the government had difficulty identifying victims of labor trafficking, including Roma victims of trafficking, some of whom did not approach police out of fear of traffickers' reprisals. Law enforcement officials sometimes coerced victims to participate in prosecutions. In 2010, 1,277 victims participated in prosecutions of trafficking offenders. This was a significant increase from the 158 trafficking victims who reportedly participated in prosecutions in 2009. The government reported that this increase in participation may be due to greater trust in the system by victims, the success of prevention campaigns, and

better coordination with NGOs and other partners during the criminal proceedings. NGOs reported that at least one victim was jailed for a prostitution offense, though she was formally identified as a victim of trafficking during court hearings, released, and referred to NGO assistance. Foreign victims were permitted a 90-day reflection period to remain in the country; however, neither of the two foreign victims used this reflection period. Also, no victims applied for or were granted a temporary residence permit to remain in the country until completion of law enforcement investigations and prosecutions. The government did not offer foreign trafficking victims long-term alternatives to their removal to countries where they faced retribution or hardship.

Prevention

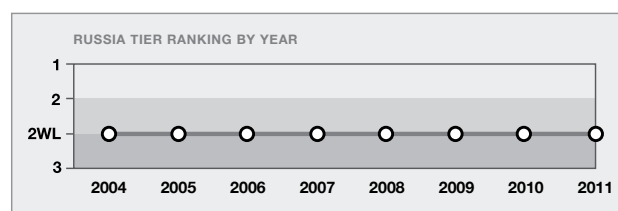
The Government of Romania improved its anti-trafficking prevention efforts during the reporting period. It contributed modest funding for several joint NGO public awareness campaigns on human trafficking. In coordination with the governments of Bulgaria, Spain, Italy, and the European Commission, Romania co-financed a prevention campaign to raise awareness about human trafficking among Romanian citizens considering working abroad. This regional campaign included radio and television broadcasts, press articles, and school training activities. The government also carried out awareness-raising activities in coordination with the European Union's Anti-Trafficking Day in October, including distributing leaflets on trafficking, organizing round tables, and conducting activities in elementary and high schools. The government coordinated its anti-trafficking efforts through NAATIP; its activities included overseeing prevention and protection efforts and publishing a quarterly report on Romania's anti-trafficking efforts. The government did not report specific efforts to reduce the demand for commercial sex acts.

RUSSIA (Tier 2 Watch List)

Russia is a source, transit, and destination country for men, women, and children who are subjected to forced labor and sex trafficking. The Migration Research Center estimates that one million people in Russia are exposed to "exploitative" labor conditions that are characteristic of trafficking cases, such as withholding of documents, nonpayment for services, physical abuse, or extremely poor living conditions. People from Russia and other countries including, Belarus, Tajikistan, and Uzbekistan are subjected to conditions of forced labor in Russia. Instances of labor trafficking were reported in the construction, manufacturing, agriculture, and domestic services industries. There are reports of many men and women from North Korea subjected to conditions of forced labor in the logging industry in the Russian Far East. There are also reports of exploitation of children, including child prostitution in large Russian cities and forced begging. Reports of Russian women being subjected to forced prostitution abroad continued to be received in 2010. Russian women were reported to be victims of sex trafficking in many countries, including in Northeast Asia, Europe, and throughout the Middle East.

The Government of the Russian Federation does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these efforts, however, the government failed to demonstrate evidence of increasing efforts to address human trafficking over the previous reporting period. Therefore, Russia is placed on Tier 2 Watch List for the eighth consecutive year. Russia was not placed on Tier 3 per Section 107 of the 2008 Trafficking Victims Protection Reauthorization Act, however, as the government has a written plan that, if implemented, would constitute making significant efforts to bring itself into compliance with the minimum standards for the elimination of trafficking; Russia is devoting sufficient resources to implement that plan.

Victim protections in Russia during the reporting year remained very weak, as the government allocated scant funding for victim shelters and little funding for anti-trafficking efforts by governmental or non-governmental organizations. In addition, the government did not make discernible efforts to fund a national awareness campaign, although some local efforts were assisted by local government funding. In recognition of these shortcomings, however, in December 2010 President Medvedev signed the Commonwealth of Independent States (CIS) Program to Combat Human Trafficking for 2011-2013, which outlines commitments to form a national anti-trafficking structure and fund NGOs to provide victim protections. The Ministry of Health and Social Development formed an interagency coordinating committee that specifically addresses human trafficking in December 2010 and included anti-trafficking NGOs in the committee and its working groups. This is the first known coordinated effort to address human trafficking at the national level. When implemented, these efforts have the potential to achieve significant progress in combating human trafficking.



Recommendations for Russia: Develop formal, national procedures to guide law enforcement with trafficking cases and victim assistance; produce guidance for labor inspectors and health officials in identification of trafficking victims and referral of victims to service providers; allocate funding to anti-trafficking NGOs that provide victim assistance and rehabilitative care; increase efforts to identify and assist both sex and labor trafficking victims; implement a formal policy to ensure identified victims of trafficking are not punished or detained in deportation centers for acts committed as a direct result of being trafficked; ensure that victims have access to legal alternatives to deportation to countries in which they face hardship or retribution; increase the number of investigations, prosecutions, and convictions for trafficking offenses and investigate and criminally punish government officials complicit in trafficking; create a central repository for investigation, prosecution, conviction, and sentencing

data for trafficking cases; increase efforts to raise public awareness of both sex and labor trafficking; and take steps to prevent the use of forced labor in construction projects for the 2012 Asia-Pacific Economic Cooperation Summit in Vladivostok and the 2014 Winter Olympics in Sochi.

Prosecution

The Government of the Russian Federation demonstrated important law enforcement efforts during the reporting period. Article 127 of the Russian Criminal Code prohibits both trafficking for commercial sexual exploitation and forced labor. Other criminal statutes are also used to prosecute trafficking offenders, such as Articles 240 and 241 for involvement in or organizing prostitution. Article 127 prescribes punishments of up to five years' imprisonment for trafficking crimes; aggravating circumstances may extend penalties up to 15 years' imprisonment. These penalties are commensurate with punishments prescribed for other serious crimes, such as rape. The Ministry of Internal Affairs claimed 118 human trafficking investigations and 62 prosecutions for trafficking in 2010 (compared with 99 prosecutions in 2009). At least 15 investigations involved slave labor. The government reported that prosecutions in 2010 reportedly involved larger and more transnational trafficking rings. Russian authorities convicted 42 trafficking offenders and issued 31 sentences in 2010, a decrease from 76 trafficking offenders convicted in 2009. Sentences for the reported trafficking convictions ranged from several months to 12 years' imprisonment.

The Ministry of Internal Affairs Training Institute reportedly provides regular courses on human trafficking awareness, and anti-trafficking training is included in the national curriculum for criminology courses at public higher education facilities. Numerous organizations and researchers have suggested that enhanced training and direction on handling suspected trafficking cases for a broader group of Russian officials would improve law enforcement officials' ability to achieve anti-trafficking results. Officials continued to cooperate with other governments on human trafficking cases during the reporting period.

The Government of the Russian Federation demonstrated some progress in combating government complicity in human trafficking during the reporting period. In April 2011, a Moscow military court convicted and sentenced a senior military officer and 10 of his accomplices to 12 years' imprisonment for sex trafficking. Also, in December 2010, authorities arrested a police colonel in St. Petersburg for involvement in organizing prostitution that involved trafficking-like characteristics; the investigation into the case is ongoing and charges have not been finalized. The government did not report progress on any of the open complicity cases reported in the 2010, 2009, and 2008 TIP Reports, including allegations covered in the media in February 2010 that a high level official in the Ministry of Internal Affairs and other officials were involved in a forced labor trafficking ring. Reportedly, the government convicted a government hospital director for the use of slave labor in 2010, though the government did not provide information about a sentence in this case. The

North Korean government continued to recruit workers for bilateral contracts with Russia and other foreign governments. Despite media allegations of slave-like conditions in North Korean-operated timber camps in Russia, the Russian government has not reported any investigations into this situation.

Protection

The Russian government demonstrated minimal progress in efforts to protect and assist victims during the reporting period. The government does not employ a formal system to guide officials in proactive identification of victims or referral of victims to available services, and there were no available statistics on the number of trafficking victims identified or assisted by the government or NGOs. An IOM shelter in Moscow, which in the past assisted hundreds of trafficking victims, remained closed due to lack of funding. A trafficking shelter in Vladivostok assisted eight victims during the reporting period despite inconsistent government funding. There were 22 crisis centers across Russia where trafficking victims received assistance, though the government did not confirm how many trafficking victims were assisted in these centers. The national government did not provide funding or programs for specific assistance to trafficking victims. International donors continued to support the majority of aid to organizations providing victim assistance, though the Ministry of Internal Affairs used budgetary funds to provide victim assistance in cases where the victim was a witness in a criminal case.

There was evidence that some law enforcement officers encouraged victims to participate in anti-trafficking investigations. Police placed at least one victim in Vladivostok's trafficking shelter in witness protection. There were no formal legal alternatives to deportation for foreign victims. Russia did not demonstrate a systematic approach to ensure that trafficking victims were neither punished nor detained for crimes committed as a direct result of their trafficking experience. In practice, most foreign victims were neither deported nor supported as witnesses in a prosecution; they were often released to make their own way home or stay in Russia to look for work.

Prevention

Russia's national government demonstrated limited efforts to raise awareness and prevent trafficking over the reporting period. During the reporting period, there were no nationwide campaigns to raise awareness of human trafficking in Russia or efforts to develop a labor trafficking awareness campaign in advance of the 2014 Winter Olympics in Sochi. In March 2010, the St. Petersburg city government funded a conference dedicated to issues related to trafficking in persons that was attended by city officials, law enforcement, social services, NGOs, and foreign government representatives. The Ministry of Internal Affairs held a press conference in September 2010 to raise awareness of human trafficking. In the city of Yekaterinburg, the local government continued to run a labor migration center that provided legal, employment, and shelter services to labor migrants that reportedly decreased migrants' vulnerability to becoming victims

of trafficking. In December 2010 President Medvedev signed the Commonwealth of Independent States (CIS) Program to Combat Human Trafficking for 2011-2013, which outlines commitments to form a national trafficking structure and fund NGOs to provide victim protections. In December 2010, the Ministry of Health and Social Development formed an interagency coordinating committee that specifically addressed trafficking in persons and included anti-trafficking NGOs in the committee and its working groups. This is the first known coordinated effort to address human trafficking at the national level. If implemented, these efforts have the potential to achieve significant progress in combating human trafficking.

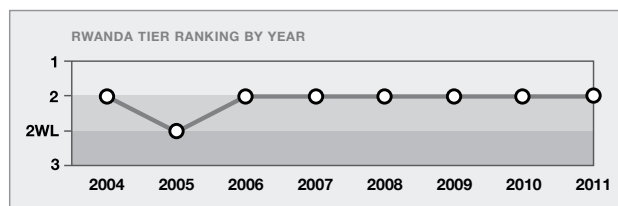
The government does not have a body to monitor its anti-trafficking activities and make periodic assessments measuring its performance. The government did not take specific steps to reduce the demand for commercial sex acts. According to the UN and IOM, Russian troops were required to receive anti-trafficking training prior to their deployment abroad on international peacekeeping missions. Although experts reported that child sex tourism among Russian tourists exists, there were no specific reports of prosecutions of Russian citizens in foreign countries.

RWANDA (Tier 2)

Rwanda is a source and, to a lesser extent, destination country for women and children subjected to forced labor and sex trafficking. Rwandan girls and, to a lesser extent, boys are exploited in domestic servitude within the country; some of these children experience nonpayment of wages or physical or sexual abuse within their employer's household. Older females offer vulnerable younger girls room and board, eventually pushing them into prostitution to pay for their keep. In limited cases, trafficking is facilitated by women who supply other women or girls to clients or by loosely organized prostitution networks, some operating in secondary schools and universities. Brothel owners reportedly supply girls and young women in prostitution to clients staying at hotels for conferences. Rwandan children also are recruited and transported to Kenya, Uganda, and Tanzania, where they are subjected to forced agricultural labor, domestic servitude, and child prostitution, sometimes after being recruited by peers. In 2010, a female Rwandan trafficking victim was identified in Israel. Small numbers of children from neighboring countries are victimized in prostitution and forced labor after being lured to Rwanda.

The Government of Rwanda does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government referred sex trafficking victims for protective services, successfully repatriated several foreign victims, and continued its provision of short-term care and rehabilitative services to child ex-combatants. Rwanda remains the only African country in which the government is undertaking virtually all activities related to the demobilization and reintegration of former child soldiers, some of whom are trafficking victims. While government officials are quick to recognize

and respond to suspected cases of transnational child trafficking, some officials reflect a lack of awareness of internal trafficking and do not believe it is possible, based on the country's small size and its effective security measures; however, the government continues to make the promotion and protection of women's and children's rights a priority. Additional training is needed to increase officials' awareness of the nature of human trafficking and to provide practical skills for responding to it.



Recommendations for Rwanda: Enforce the trafficking provisions in the 2009 Labor Law through increased investigations and prosecutions of trafficking offenders; enact and enforce trafficking provisions in the draft penal code, thereby creating an easily understandable legal regime with clear definitions of human trafficking; launch a nationwide anti-trafficking public awareness campaign; and establish mechanisms for providing increased protective services to victims, possibly through the forging of partnerships with NGOs or international organizations.

Prosecution

The government demonstrated inadequate anti-trafficking law enforcement efforts during the reporting period, as it failed to bring any trafficking offenders to justice. Law No. 58/2008 outlaws, but does not define sex trafficking and prescribes sufficiently stringent punishments of 15 to 20 years' imprisonment, penalties that are commensurate with those prescribed for other serious offenses, such as rape. Article 8 of the "Law Regulating Labor in Rwanda" (13/2009) prohibits forced labor and Article 167 prescribes sufficiently stringent punishments of three to five years' imprisonment; Article 72 prohibits subjecting children to slavery, child trafficking, debt bondage, forced labor, armed conflict, and child prostitution and Article 168 prescribes punishment of six months to 20 years' imprisonment for these offenses. In May 2010, the government completed the official revisions to the penal code that contain articles defining and prohibiting all forms of human trafficking; the entire draft code remained under consideration by the Senate at the end of the reporting period.

Although the Rwandan National Police's (RNP) three-officer anti-trafficking unit investigated several potential trafficking cases during the reporting period, the government did not prosecute or convict any trafficking offenders. Two cases referred to the National Public Prosecution Authority during the previous reporting period were dropped due to lack of evidence. In July 2010, on a tip from a victim's parent, police investigated a car dealer suspected of luring young Burundian girls with promises of money to Rwanda for the purposes of prostitution. Officers rescued four victims from a house where they were being held and transferred them to the national police

hospital for counseling and medical care. Although the suspect continues to elude capture, authorities worked with Burundi's Interpol office to investigate the case further and reunite the girls with their families. While labor inspectors issued warnings and levied fines against those illegally employing children, no cases of forced labor were criminally investigated or prosecuted during the year. In January 2011, the RNP provided a criminal law and investigation course to 50 officers that included sessions on human trafficking; it conducted a second offering of this course in March 2011. During the year, it also sent officers to specialized anti-trafficking training courses in Egypt and India, as well as provided a training facility for a three-day course on investigating trafficking cases conducted by a foreign government in January 2011.

Protection

While the government continued to offer unparalleled care for former child combatants some of whom are trafficking victims, it provided inconsistent protective services to victims of sex or labor trafficking. The Rwandan Demobilization and Reintegration Commission (RDRC), with government and World Bank funding, continued operation of a center for child ex-combatants in Muhazi, which provided three months of care, including psycho-social counseling, to children returned from the DRC by the UN Mission to the Congo. Forty-seven children arrived at the center in 2010, followed by an additional six in January 2011. The RDRC worked with local authorities and an NGO to locate the children's families, and social workers sensitized families to their acceptance of the child's return; in January 2011, RDRC staff reunited 19 children with relatives, with 29 still residing at the center at the close of the reporting period. During the year, police identified and referred at least four sex trafficking victims to the Isange Center, a one-stop holistic facility within the National Police Hospital that provided medical exams, counseling, short-term shelter, and police assistance to victims of gender-based violence (GBV), including child domestic workers and children in prostitution. The center, however, did not specifically screen for trafficking indicators among its clients. The RNP, in cooperation with Burundian law enforcement, repatriated the four victims to Burundi. The police headquarters in Kigali continued operating a hotline for reporting GBV crimes; while the hotline reportedly received information related to trafficking cases during the year, police indicated that the majority of actionable information was obtained through complaints made by relatives of child trafficking victims. The RNP's fully-equipped examination rooms in Kigali, Gasabo, and Rwamagana provided police assistance and counseling to victims of GBV; it is unknown whether any of these rooms provided services to trafficking victims during the year. The checklist used by police when working with victims requires securing social, medical, and counseling services; the presence of a victim's advocate during investigations; and referrals of victims to NGOs, religious entities, or community groups for further assistance.

The government operated two transit centers in the south and west of the country for screening and referring street children, some of whom were victims of domestic servitude or prostitution, to longer-term care facilities. In 2010, the

government provided approximately \$150,000 to support eight private or NGO-run centers that afforded 1,988 street children with shelter, basic needs, and rehabilitative services. During the year, however, police arrested girls in prostitution and detained them at Kigali City's Gikondo transit center; some girls were kept there for days or months without being charged with a crime or interviewed in conjunction with a law enforcement investigation. Other children in prostitution, however, were screened by the Ministry of Gender and Family Promotion and referred to care centers for street children or returned to their families. The government has neither developed a system for proactively identifying human trafficking victims among vulnerable populations nor created a systematic referral process to transfer such victims – including those detained at Gikondo – to service providers for care. The government encouraged victims to participate in the investigation and prosecution of trafficking crimes. Beyond providing a stay of one month, the government did not provide foreign trafficking victims with legal alternatives to their removal to a country where they may face hardship or retribution.

Prevention

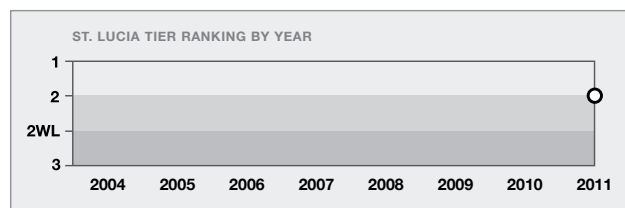
While the government maintained its anti-trafficking prevention efforts during the reporting period, there continues to be a lack of understanding among the government and Rwandan society of the full scope of the country's human trafficking problem. Some government officials do not respond to internal trafficking with the same seriousness as cases of transnational trafficking. In March 2011, senior police officers appeared on a televised talk show to warn the population about the dangers of human trafficking. The RNP also sensitized school children, local leaders, and members of community policing committees regarding transnational human trafficking crimes during the year, providing warnings on the danger of engaging in prostitution and being lured through promises of education and a better life abroad. Police and immigration officials maintained strict border control measures as part of a strategy to prevent transnational child trafficking, preventing eight children from leaving the country with non-relative adults, 72 from crossing borders without proper documentation, and five from traveling alone in 2010. The Ministry of Youth and the National AIDS Control Commission continued a campaign against the commercial sexual exploitation of children by people identified by the government as "sugar daddies" and "sugar mommies"; the campaign, entitled SINIGURISHA ("I am not for sale!"), included TV and radio spots, print materials, and billboards. During the reporting period, local observers reported a decrease in the use of child domestic workers in some areas of the country, resulting from vigorous police enforcement of a recent law mandating children attend nine years of basic education and local communities' enforcement of bylaws against child labor. The Ministry of Public Service and Labor's (MIFOTRA) 30 district labor inspectors – a number inadequate to fulfill their monitoring mandate – held monthly sensitization activities and quarterly trainings for employers and local authorities on child labor regulations and issued warnings to those who violated such statutes. The government, however, did not provide these inspectors with adequate resources, including transport, to identify

and prevent the use of exploitative child labor effectively. In January 2011, MIFOTRA, the Ministry of Education, an NGO, and foreign government officials provided a half-day training on child labor and trafficking to 28 labor inspectors. The government trained Rwandan troops on gender sensitivity and sexual exploitation prior to their deployment to UN peacekeeping missions in Darfur.

ST. LUCIA (Tier 2)

St. Lucia is a destination country for persons subjected to forced prostitution and forced labor. In a welcomed move, government officials acknowledge the existence of forced prostitution and forced labor, including domestic servitude, in St. Lucia. Legal and illegal immigrants from Haiti, Jamaica, the Dominican Republic, and Guyana reportedly are the groups most vulnerable to human trafficking. Foreign women in prostitution are at particularly high risk. According to the police and NGOs, the most likely traffickers in the country are pimps, strip club operators, and brothel owners; during the past years there were allegations that some underground strip clubs were fronts for prostitution and reportedly were owned or protected by complicit former police officers. Crime and gang violence present a significant risk to children in St. Lucia, and children involved in the drug trade or engaging in sex with men for basics such as food, transportation, or material goods are vulnerable to human trafficking.

The Government of St. Lucia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government made progress in its anti-trafficking efforts over the past year by passing legislation prohibiting human trafficking and providing victim protection provisions. The government helped at least one victim during the reporting period, but it did not report any prosecutions of trafficking offenders or officials complicit in human trafficking.



Recommendations for St. Lucia: Provide adequate funding to implement the new Counter-Trafficking Act 2010; increase training for law enforcement, prosecutors, and judges on addressing forced prostitution and forced labor; vigorously prosecute, convict, and punish trafficking offenders, including officials complicit in human trafficking; develop a plan to appropriately assist child victims; continue identifying and assisting victims of forced labor and forced prostitution; and work with IOM to provide safe repatriation procedures for foreign victims who would like to return home.

Prosecution

The government made progress by enacting anti-trafficking legislation but did not report prosecuting and punishing any trafficking offenders during the reporting period. St. Lucia passed and enacted the Counter-Trafficking Act 2010 in February 2010. The Act prohibits forced prostitution and forced labor and prescribes punishment of five to 10 years' imprisonment with fines. These penalties are sufficiently stringent and are commensurate with other serious crimes, such as rape. The government did not report any investigations, prosecutions, convictions, or sentences of trafficking offenders or public officials complicit in human trafficking under this new law or other statutes during the reporting period. The government did not offer formal training for police, immigration authorities, health workers, or child protection officials in identifying human trafficking, but the government provided in kind assistance for an OAS human trafficking awareness training during the reporting period.

Protection

The government made modest efforts to protect victims of human trafficking during the reporting period, despite resource and capacity restraints. The police and Division of Gender Relations rescued at least one foreign adult victim of forced labor during the reporting period and provided her with shelter for about 10 days before she left voluntarily for her home country. The government employed a system of informal shelters where adult victims' locations could be hidden; however, there were inadequate facilities for child victims as magistrates were forced to choose between the prison or a mental institution to place children needing protection. Through the Division of Gender Relations, victims of trafficking could be referred to various organizations that provide access to legal aid, medical assistance, and crisis services. The government encouraged victims to participate in the prosecution of trafficking offenders. Although the new anti-trafficking law has explicit provisions to protect foreign victims from deportation and from prosecution for crimes committed as a direct result of being trafficked, there were no reports of the government offering victims immigration relief during the last year.

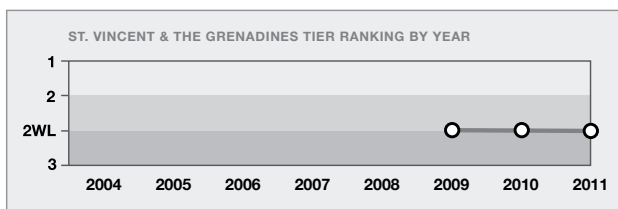
Prevention

The government made efforts to prevent human trafficking during the reporting period. While there was no national campaign to raise awareness about forced labor and forced prostitution, officials distributed IOM human trafficking awareness brochures at anti-violence outreach activities. The Division of Gender Relations chaired a working level, inter-ministerial, anti-trafficking coalition that met regularly to discuss suspected cases, formulate strategies to address them, and follow up with law enforcement to conduct investigations. The coalition has included NGOs in the development of a national anti-trafficking action plan. The government did not have a campaign to reduce the demand for commercial sex acts. The government has not identified a problem with child sex tourism in St. Lucia or involving its nationals. St. Lucia is not a party to the 2000 UN TIP Protocol.

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

St. Vincent and the Grenadines is a likely source, transit, and destination country for some children and adults subjected to forced labor and sex trafficking. Sufficient information on human trafficking in St. Vincent and the Grenadines is lacking, as there are no formal government structures to identify it or NGOs to address human trafficking specifically. According to NGOs and officials, there exists a social taboo of discussing the matter openly. Nevertheless, a consensus has developed between officials and NGOs that a population of persons at high risk of trafficking exists, notably children and adults working in agriculture including marijuana fields, women in prostitution, and children engaging in sex with men for basics such as food, transportation, or material goods. Vincentian officials have raised concerns regarding foreign women in prostitution transiting through the country without possession of their passports. One local observer expressed concern regarding harsh working conditions endured by some foreign workers, including one group from Nepal, in the past.

The Government of St. Vincent and the Grenadines does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. While capacity to address human trafficking is limited due to the country's small size, the government demonstrated hardly any evidence of efforts to investigate and prosecute trafficking crimes and to ensure that victims of trafficking receive access to protective services; therefore, St. Vincent and the Grenadines is placed on Tier 2 Watch list for a third consecutive year. St. Vincent and the Grenadines was not placed on Tier 3 per Section 107 of the 2008 Trafficking Victims Protection Reauthorization Act, however, as the government has a written plan that, if implemented, would constitute making significant efforts to bring itself into compliance with the minimum standards for the elimination of trafficking and is devoting sufficient resources to implement that plan.



Recommendations for St. Vincent and the Grenadines: Draft, enact, and implement a comprehensive anti-trafficking law; investigate and prosecute possible sex or labor trafficking cases under existing, relevant legislation until a comprehensive anti-trafficking law is in place; implement formal policies to guide officials in how to identify and assist suspected victims of forced prostitution and forced labor; identify and assist suspected trafficking victims; and educate the public about forced prostitution and forced labor by conducting a high-profile public awareness campaign.

Prosecution

The Government of St. Vincent and the Grenadines made minimal progress in anti-trafficking law enforcement efforts over the last year. The government has no specific or comprehensive laws prohibiting trafficking in persons, though slavery and forced labor are both constitutionally prohibited. Officials have acknowledged the need for legislation criminalizing all forms of human trafficking in order to effectively prosecute such crimes, and the Governor General announced on January 2011 that the government plans to draft legislation in line with the 2000 UN TIP Protocol. The government reported no forced labor or forced prostitution investigations, prosecutions, or convictions during the reporting period. Local observers have suggested that human trafficking official complicity may be a problem, but resource constraints and capacity, given the country's small population size, were also obstacles to law enforcement results. The government does not provide specialized training for government officials in how to recognize, investigate, and prosecute instances of trafficking, and no local NGO provides training to government officials at this time. In May 2010 the government provided in-kind contributions to an OAS human trafficking awareness training.

Protection

The Vincentian government did not show tangible progress in ensuring that victims of trafficking are identified and provided access to necessary services. The government did not proactively identify any suspected victims of human trafficking during the reporting period. The government did not have formal procedures in place to guide authorities in how to identify possible victims of human trafficking and refer them to available services. The government did not fund any trafficking-specific assistance programs, but the Ministry of Mobilization and Social Development reported it would be able to assist trafficking victims. The government provided some funding and building space to some local NGOs whose shelter, counseling, and other services for crime victims would also be available to trafficking victims. Under current laws, the government did not encourage victims' assistance in the investigation and prosecution of trafficking or other crimes, nor did it provide legal alternatives to the removal of foreign victims to countries where they would face hardship or retribution. St. Vincent and the Grenadines had no law or official procedures in place to ensure that victims would not be inappropriately punished for unlawful offenses committed solely as a direct result of being trafficked.

Prevention

The government made some efforts to prevent trafficking and to increase the public's awareness of human trafficking in St. Vincent and the Grenadines during the last year. In February 2011, the government drafted a collaborative national action plan to combat human trafficking that included input from the Ministry of National Security, the Ministry of Social Mobilization, the Attorney General, the Director of Public Prosecutions, the Commissioner of Police, the Director of Immigration, and a local NGO. The plan assigns responsibility to specific government agencies, commits some of their resources to anti-trafficking efforts,

and contains action items that address many of the deficiencies identified by the TIP Report. The government did not conduct anti-trafficking information or education campaigns during the reporting period. The government made no efforts to reduce the demand for commercial sex acts. The government has not identified a problem with child sex tourists. St. Vincent and the Grenadines is not a party to the 2000 UN TIP Protocol.

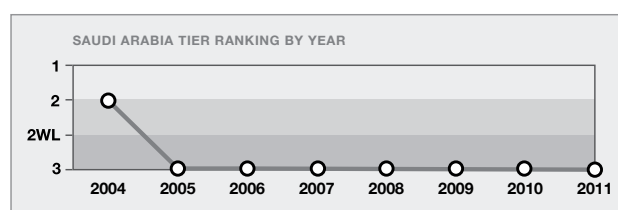
SAUDI ARABIA (Tier 3)

Saudi Arabia is a destination country for men and women subjected to forced labor and to a much lesser extent, forced prostitution. Men and women from Bangladesh, India, Sri Lanka, Nepal, Pakistan, the Philippines, Indonesia, Sudan, Ethiopia, Kenya, and many other countries voluntarily travel to Saudi Arabia as domestic servants or other low-skilled laborers, but some subsequently face conditions indicative of involuntary servitude, including nonpayment of wages, long working hours without rest, deprivation of food, threats, physical or sexual abuse, and restrictions on movement, such as the withholding of passports or confinement to the workplace. Recent reports of abuse include the driving of nails into a domestic worker's body. Although many migrant workers sign contracts delineating their rights, some report work conditions that are substantially different from those described in the contract while others never see the contract at all, leaving them vulnerable to forced labor, including debt bondage. Due to Saudi Arabia's requirement that foreign workers receive permission from their employer to get an "exit visa" before they are able to leave the country, some migrant workers report that they were forced to work for months or years beyond their contract term because their employer would not grant them the exit permit. Local and international media reported in May and June that some Nepalese domestic workers had been recruited to work in Kuwait and then illegally transported to work in Saudi Arabia against their will.

Women, primarily from Asian and African countries, were believed to have been forced into prostitution in Saudi Arabia; others were reportedly kidnapped and forced into prostitution after running away from abusive employers. Yemeni, Nigerian, Pakistani, Afghan, Chadian, and Sudanese children were subjected to forced labor as beggars and street vendors in Saudi Arabia, facilitated by criminal gangs. Saudi authorities reported fewer Yemeni children may have been forced to work in Saudi Arabia during the reporting period. Some Saudi nationals travel to destinations including Morocco, Egypt, Yemen, Afghanistan, Pakistan, India, and Bangladesh to solicit prostitution. Some Saudi men used legally contracted "temporary marriages" in countries such as Egypt, India, Mauritania, Yemen, and Indonesia as a means by which to sexually exploit young girls and women overseas.

The Government of Saudi Arabia does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. In a positive development, the government undertook some efforts to improve its response to the vast human trafficking problem in Saudi Arabia, including training government

officials on its 2009 anti-trafficking law and conducting surprise visits to places where victims may be found. The government also achieved its first conviction under its human trafficking law. Nonetheless, the government did not prosecute and punish a significant number of trafficking offenders or significantly improve victim protection services during the year. The government's policy of allowing Saudi citizens and residents to sponsor migrant workers and restrict their freedoms, including exit from the country, continued to obstruct significant progress in dealing with human trafficking. While Saudi Arabia continued to discuss alternatives to its sponsorship law, the government did not implement any new system. Domestic workers – the population most vulnerable to forced labor – remained excluded from general labor law protections, and employers continued to regularly withhold workers' passports as a means of keeping them in forced labor.



Recommendations for Saudi Arabia: Significantly increase efforts to prosecute, punish, and stringently sentence traffickers, including abusive employers and those culpable of trafficking for commercial sexual exploitation, under the 2009 anti-trafficking law; enforce laws prohibiting employers from withholding migrants' passports and arbitrarily denying permission for exit visas as a means of preventing trafficking abuses; reform the structure of the sponsorship system to discourage employers from withholding workers' passports and restricting workers' movements; institute a formal victim identification mechanism to distinguish trafficking victims among the thousands of workers deported each year for immigration violations and other crimes; ensure that victims of trafficking are not punished for acts committed as a direct result of being trafficked, such as running away from abusive employers; ensure trafficking victims in practice are able to pursue criminal cases against their employers; improve victim protection at the Riyadh shelter by transforming it into an open shelter where victims are not locked in; enforce labor laws and expand full labor protections to domestic workers; and continue and expand judicial training and public awareness campaigns on recognizing cases of human trafficking.

Prosecution

The Government of Saudi Arabia made limited law enforcement efforts against human trafficking during the reporting period. The "Suppression of the Trafficking in Persons Act," promulgated by Royal Decree number M/40 of 2009 defines and prohibits all forms of human trafficking, prescribing punishments of up to 15 years and fines of up to \$266,667. Penalties may be increased under certain circumstances, including trafficking committed by an organized criminal group or committed against a woman, child, or person with special needs. These

penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes. Since the law includes some concepts unrelated to human trafficking, the government must disaggregate law enforcement activity under this law to indicate which prosecutions and convictions are for trafficking. Although the 2009 anti-trafficking law does not address withholding passports and exit visas as a means of obtaining or maintaining a person's forced labor or service, Council of Ministers decision 166 of 2000 prohibits the common practice of withholding workers' passports. The Council of Ministers statement accompanying the 2009 anti-trafficking law secures the right of victims to remain in Saudi Arabia during the investigation and court proceedings, incentivizing their assistance in prosecutions. The government's Permanent Committee on Trafficking funded and organized regional trainings for 48 judges, lawyers, recruitment officers, social workers, and police officers on the 2009 anti-trafficking law and the definition of trafficking. During the reporting period, the government reported receiving 23 accusations of trafficking, resulting in 13 ongoing investigations and 10 prosecutions. One of these cases resulted in a successful conviction. On January 9, 2011, the Medina Summary Court sentenced a 54-year old Saudi woman accused of abusing and severely injuring her Indonesian maid to three years in prison, but denied the victim any monetary compensation associated with the criminal case. The victim is, however, entitled to monetary compensation in the ongoing civil trial. According to the Permanent Committee on Trafficking, government authorities also arrested individuals in at least nine other trafficking cases. The government neither reported any arrests, prosecutions, convictions, or sentences for forced prostitution, nor did it report efforts to enforce the Council of Ministers decision prohibiting the confiscation of foreign workers' passports; this practice continued to be widespread. The government also did not report any investigations, arrests, prosecutions, or sentences of government officials for trafficking-related complicity.

Protection

Saudi Arabia made limited progress in protecting victims, but its overall efforts remained inadequate during the reporting period. Despite unannounced visits by the Permanent Committee on Trafficking to deportation centers, prisons, shelters, juvenile detention centers, equestrian clubs, and camel races to identify victims, procedures were not implemented to systematically identify victims of trafficking among vulnerable populations and the Committee did not report any victims identified during their visits. As a result, many victims of trafficking are likely punished for acts committed as a result of being trafficked. Under Saudi law, foreign workers may be detained, deported, or in some cases, corporally punished for running away from their employers. Council of Ministers decision 244 authorizes the Permanent Committee on Trafficking to exempt trafficking victims from these punishments, but victims are often detained or deported without being identified. Women arrested for prostitution offenses face prosecution and, if convicted, imprisonment or corporal punishment, even if they are victims of trafficking.

The 2009 anti-trafficking law affords victims explanation of their legal rights in a language they understand, physical and psychological care, shelter, security, and the ability to stay in Saudi Arabia to testify in court proceedings. However, many victims sought refuge at their embassies instead; source countries report handling thousands of complaints of unpaid wages, physical or sexual abuse, or poor working conditions each year. One victim received medical and legal assistance from the Government of Saudi Arabia for injuries inflicted by her trafficker, including services for reconstructive surgery. It remains unclear, however, whether these rights are afforded in regular practice. No shelter or services are available to victims of sex trafficking. The government operated a short-term shelter for female runaway domestic workers in Riyadh, some of whom were likely subjected to physical or sexual abuse by their employers. In previous years, victims of physical and psychological abuse at these shelters reported that they were unlikely to receive assistance and some reported long waiting periods before the conclusion of their cases. The women were not free to leave and experienced restrictions on communication with family or consular contacts. In smaller cities in Saudi Arabia with poor access to the government shelter, victims of trafficking were kept in jails until their cases were resolved. Updated information on the conditions at these shelters was not available at the end of the reporting period. The government did not operate any long-term shelters or facilities to assist male victims of trafficking.

Saudi Arabia offered temporary relief from deportation to two victims who identified themselves to authorities. However, victims who have run away from their employers, overstayed their visas, or otherwise violated the legal terms of their visas were frequently jailed without being identified as victims. Some Saudi employers prevented foreign workers from leaving the country by refusing permission for them to get exit visas; this resulted in workers working beyond their contract terms against their will, languishing in detention centers indefinitely, or paying money to their employers or immigration officials to let them leave. Some police officers assisted victims by referring them to the government shelter. Other police officials, however, returned foreigners to their employers, pressured them to drop cases, or persuaded victims to take monetary compensation in lieu of filing criminal charges against their employers. Some employers file false counter-claims against foreign workers for theft, witchcraft, and adultery in retaliation for workers' claims of abuse; as a result, in many cases, the workers rather than the employers are punished, which discourages workers from reporting abuse. The government provided some legal assistance to victims of trafficking, including the victim whose employer was sentenced under the 2009 anti-trafficking law. Nonetheless, few migrants successfully pursue criminal cases against abusive employers due to lengthy delays in the immigration and justice system.

Prevention

The government has made nominal progress in preventing human trafficking during the reporting period, but systemic problems resulting from sponsorship system regulations persisted. The Ministry of Islamic Affairs

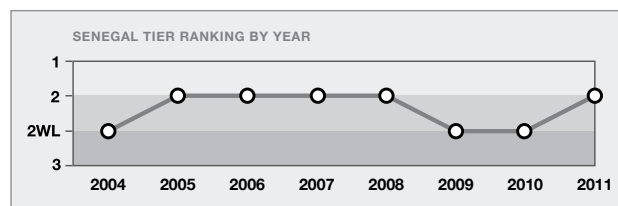
continued to encourage imams to regularly include anti-trafficking messages in their Friday sermons. To increase workers' awareness of their rights, the Ministry of Labor continued to produce a guidebook for migrant workers in Arabic, English, and some source country languages. The government failed, however, to significantly reform the sponsorship structure to discourage employers from withholding workers' passports and restricting workers' movements. The structure of the sponsorship system, which holds employers responsible for the foreign workers they employ, enables employers to withhold foreign workers' passports and restrict workers' movements. Saudi Arabian law enforcement authorities had previously taken an administrative or civil approach in addressing cases of exploitation of workers, such as assessing fines, blacklisting or shutting down employment firms, issuing orders for employers to return withheld passports, or requiring employers to pay back wages. Despite efforts by the Permanent Committee on Trafficking to train law enforcement officials on the criminal punishments that can be levied in worker abuse cases, these punishments are not yet widely applied. In addition, domestic workers remain excluded from general labor law protections. In the reporting period, Saudi Arabia did not take actions to reduce the demand for prostitution or child sex tourism by Saudi nationals or acknowledge that trafficking for commercial sexual exploitation was a problem affecting the Kingdom.

SENEGAL (Tier 2)

Senegal is a source, transit, and destination country for children and women subjected to forced labor, forced begging, and sex trafficking. NGOs estimate that at least 50,000 children in the country, most of whom are *talibes* – students attending *daaras* (Koranic schools) run by teachers known as *marabouts* – are forced to beg, and that in Dakar alone there are 8,000 of these children begging in the streets. In addition to forced begging, Senegalese boys and girls are subjected to domestic servitude, forced labor in gold mines, and commercial sexual exploitation. Trafficking within the country is more prevalent than transnational trafficking, though children from neighboring countries have been found in forced begging and other forms of forced labor in Senegal. Unscrupulous *marabouts* in Senegal force boys from The Gambia, Mali, Guinea-Bissau, and Guinea to beg and boys from Guinea also are forced to work in gold mines. Senegalese women and girls are transported to neighboring countries, Europe, and the Middle East for domestic servitude. NGO observers believe most women and girls in forced prostitution, however, remain in Senegal. Women and girls from other West African countries, particularly Liberia, Ghana, Guinea, Guinea-Bissau, Sierra Leone, and Nigeria, may be subjected to domestic servitude and commercial sexual exploitation in Senegal, including for international sex tourism.

The Government of Senegal does not fully comply with the minimum standards for the elimination of human trafficking; however, it is making significant efforts to do so. The government renewed its efforts to prosecute and convict abusive *marabouts* for forcing *talibe* boys to beg;

sustained its commitment to provide shelter, rehabilitation, and reintegration services to *talibe* boys; and increased efforts to raise awareness about the dangers of the culturally entrenched practice of child begging connected with religious education. The government did not take steps, however, to raise awareness of the dangers of other forms of trafficking, nor did it proactively identify and provide assistance to victims in other trafficking situations, such as boys forced to work in mines or women and girls forced into commercial sexual exploitation.



Recommendations for Senegal: Increase efforts to prosecute, convict, and appropriately punish trafficking offenders for subjecting victims to involuntary servitude; train police and magistrates to recognize indicators of trafficking and investigate trafficking crimes under Senegal's anti-trafficking law; consider amending the law to address the crime of migrant smuggling in a separate statute, to minimize confusion between human smuggling and trafficking; continue to ensure that *talibes* taken into police custody for forced begging are not held in detention, but are referred to the Ginndi Center or other shelters to receive protective care, and that these victims are not punished for crimes they have committed as a result of being trafficked; while continuing to proactively identify and care for *talibes* victimized by forced begging, increase identification efforts of and provision of protective services to other types of trafficking victims in and outside Dakar, including women in forced prostitution, girls subject to prostitution, and boys forced to work in mines; coordinate data collection across police departments on trafficking investigations and prosecutions; and allocate funding to the national task force for the implementation of the National Action Plan to Combat Trafficking.

Prosecution

The Government of Senegal made progress in its anti-trafficking law enforcement efforts during the reporting period. Senegal's 2005 Law to Combat Trafficking in Persons and Related Practices and to Protect Victims outlaws all forms of trafficking and prescribes penalties of five to 10 years' imprisonment, which are both sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. During the year, the government renewed its efforts to use this law to prosecute and convict abusive *marabouts* who force *talibes* to beg, but did not use this law to convict other types of trafficking offenders. Many law enforcement and judicial personnel remained unaware of the anti-trafficking law's existence, and may have used other statutes to investigate and prosecute trafficking cases; this lack of awareness hindered efforts to collect data on human trafficking prosecutions. In August 2010, the Ministry of Justice took a step to correct this by sending a memo to Senegalese

prosecutors emphasizing the need to investigate and prosecute trafficking crimes under the 2005 law and tasking prosecutors with submitting a monthly report on all law enforcement and judicial efforts regarding human trafficking.

Statistics provided through prosecutors' monthly reporting revealed that the government prosecuted 10 cases of trafficking and obtained nine convictions during the year. In September, nine *marabouts* were convicted for forcing children to beg for money, and received sentences ranging from six months' imprisonment – the imposition of which was suspended – along with five years' probation and a fine to one month's imprisonment, five years' probation, and a fine. Only two of the nine trafficking offenders spent any time in prison – for the period of one month – which is inadequate and represents a decrease in penalty from the sentences of two years' imprisonment that were prescribed to *marabouts* accused of trafficking in previous years. In November 2010, a court in Tambacounda prosecuted, under Senegal's anti-trafficking law, a Nigerian man for bringing Nigerian women to Senegal and forcing them into prostitution. The court convicted the man for pimping and prescribed a sentence of six months' imprisonment, but acquitted him on the more serious charge of trafficking in persons. The government is appealing the acquittal. A case from 2008, in which a Lebanese man was arrested for attempting to transport Senegalese women to Lebanon and subsequently to force them into labor or service, was still pending at the Court of Appeal at the end of the reporting year. The alleged trafficker, having served the maximum pre-trial detention, is now free under court supervision while the case is pending. No information was available regarding the arrests of three alleged traffickers pending from previous reporting years. The government did not provide any specialized training on human trafficking investigations to law enforcement and judicial officials, though the Ministry of Family, through its Department of Child Protection, provided training to approximately 120 officials from across the government on the 2005 anti-trafficking law. There were no investigations of government officials' involvement in human trafficking, but corruption is known to be pervasive throughout the government, notably in law enforcement.

Protection

The Government of Senegal increased its efforts to identify trafficking victims and provide them with protective services over the last year. In August 2010 in Dakar, authorities took custody of a significant number of individuals accused of begging for money, a crime punishable by law in Senegal; they referred 112 children from among this population, suspected to be trafficking victims, to the government-run Ginndi Center for care. During the year, the Ginndi Center's child protection hotline received 7,115 calls concerning children in distress or requesting information; an unknown number of these calls concerned cases of human trafficking. In February 2011, the center shortened the hotline number to a three-digit code to facilitate greater ease of use. The government dedicated approximately \$118,000 to the Ginndi Center to provide child victims of trafficking and other abuses with shelter, food, education, medical and psychological

care, family mediation and reconciliation services, and vocational training. Police cooperated with travel agencies to identify suspected trafficking victims; during the year, police investigated one case referred to them by a travel agent involving a group of young women traveling to Morocco, but this did not result in a prosecution. All 795 of the suspected child trafficking victims identified by law enforcement officials — 787 boys and 8 girls — were referred to the Ginndi Center; the government did not identify any victims outside of Dakar, nor did it identify any victims of commercial sexual exploitation. Of the 795 child victims identified last year, 387 were from other countries in the region. The government repatriated all of these victims, with the exception of some Bissau-Guinean children who were determined to be at risk of being re-trafficked by their families; they were allowed to remain at the Ginndi Center. The government did not repatriate any Senegalese nationals who had been victims of trafficking in other countries. Members of the interior ministry's vice squads, accompanied by a child psychologist, social workers, and medical professionals, conducted trainings for police officers around the country on handling child sex trafficking victims, although none were identified during the year. In November 2010, the Senegalese first lady opened an NGO-run shelter in Dakar, capable of housing 25 street children, who may include victims of trafficking. The facility was built on land donated by the district mayor and funded in part with money from the Senegalese government. Victims were permitted to remain temporarily or permanently in Senegal with resident refugee status; during the year, the government granted citizenship to one rescued *talibe* who could not provide information about his family or country of origin. The 2005 anti-trafficking law specified that victims cannot be prosecuted for unlawful acts committed as a result of their being trafficked, and there were no reports that this occurred. The law also permitted closed-door testimony to encourage victims to serve as witnesses, and several children participated in the trials of the trafficking offenders who had exploited them.

Prevention

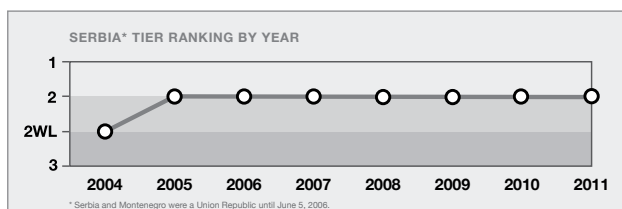
The Government of Senegal increased its efforts to prevent trafficking in persons during the reporting period. In August 2010, the prime minister chaired an inter-ministerial meeting to implement the country's National Action Plan to Combat Trafficking in Persons and create a national task force to coordinate and report on trafficking in Senegal. The task force formally came into existence in February 2011 with the appointment of a magistrate as its head; it was not noted to have taken additional action. In August 2010, the government funded an NGO to implement a three-month awareness campaign using billboards in Dakar and radio broadcasts to project an awareness message on the plight of *talibes*. The Ministry of Family funded a twice-weekly television program called "Women at Home," which sometimes featured community leaders addressing issues related to the dangers of child trafficking. In July 2010, the government created a Ministry of Human Rights, a junior ministry within the Ministry of Justice, tasked with preventing and monitoring all forms of human rights violations, including trafficking and violence against women and children.

Recognizing the high demand for religious education among Senegalese parents, and the potential this creates for exploitation of *talibes* by abusive *marabouts*, the government continued steps to create new options in publicly funded, regulated religious education. In 2010, the government completed construction of four new public Islamic schools and continued construction of four additional public Islamic schools, which did not allow children enrolled to beg for money. The government did not take steps to reduce the demand for commercial sex acts or forced labor in Senegal, and no foreign pedophiles were arrested in 2010 for commercial sexual exploitation of children. The government did not provide specific anti-trafficking training to Senegalese troops before their deployment abroad on international peacekeeping missions, although troops did receive training in general human rights, gender violence, and international rule of law.

SERBIA (Tier 2)

Serbia is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Foreign victims found in Serbia originate primarily from neighboring countries and elsewhere in Eastern Europe. Children, including ethnic Roma, continue to be exploited in the commercial sex trade, subjected to involuntary servitude while in forced marriage, or forced to engage in street begging. Based on recent anecdotal evidence, Serbian citizens remain vulnerable to forced labor in third countries, and foreign victims also may be subjected to forced labor in Serbia. Authorities reported an increase in the number of Serbian victims identified in the southwestern region of the country and an increase in the number of male children identified for forced begging. Serbian nationals continued to comprise the majority of identified victims in 2010.

The Government of Serbia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The Serbian government took significant steps to improve and institutionalize its response to trafficking during the reporting period. In February 2011, the government secured yearly funding for the care of foreign and domestic trafficking victims – a long-standing deficiency. Although the Serbian government was a leader in the region in the number of victims it identified in 2010, this overall number declined from 2009. Insufficient funding for victim services hampered the government's ability to provide comprehensive assistance to victims. A lack of specialized shelter and services for trafficked children left some victims vulnerable to continued exploitation and re-trafficking.



Recommendations for Serbia: Improve implementation of victim identification procedures to ensure that potential trafficking victims are proactively identified by front-line responders throughout Serbia; vigorously prosecute, convict, and punish sex and labor trafficking offenders including complicit officials who facilitate trafficking; ensure institutionalized funding for comprehensive assistance and rehabilitation, and increase capacity to assist domestic and foreign trafficking victims; increase personnel and resources allocated to the government's victim protection agency to improve outreach and victim identification efforts for potential victims; increase training for social workers, police, and other front-line responders to continue to improve identification and referral of trafficking victims; and improve the delivery of specialized services and shelter for children and adult male victims of trafficking.

Prosecution

The Government of Serbia sustained vigorous anti-trafficking law enforcement efforts in 2010. The criminal code for Serbia prohibits both sex trafficking and non-sexual exploitation through article 388; this criminal code does not specifically distinguish between commercial sexual exploitation and forced labor. Prescribed penalties under article 388 range from three to 15 years' imprisonment; these penalties are sufficiently stringent and commensurate with those prescribed for other serious offenses, such as rape. Article 390 of the criminal code prescribes penalties for "slavery or a relationship similar to slavery" with penalties of one to 10 years' imprisonment. In 2010, the government reported prosecuting 47 criminal charges against 99 suspected trafficking offenders. Courts convicted 36 offenders in 2010, convicting 27 under Article 388 and nine under Article 390; this compares to a total of 40 trafficking offenders convicted in 2009. Four traffickers received sentences of 10 to 20 years' imprisonment; seven received a sentence of five to 10 years; 10 received a sentence of three to five years; seven received a sentence of one to three years; and eight received six months to one year. The government improved its sentencing for convicted traffickers in 2010 after changes to the criminal code; in 2009, the majority of sentences imposed on trafficking offenders ranged from two to four years' imprisonment. The government did not confirm how many of the convicted traffickers were in jail pending appeal, as this is determined by individual courts based on a variety of factors. According to NGOs that track the cases, however, suspected traffickers in the vast majority of ongoing first instance trials and appeals were jailed during the proceedings. By law individuals convicted for trafficking are only detained during the appeals process if their sentence was greater than five years' imprisonment. A few trafficking suspects and offenders accused or convicted of violent crimes may be freed during the pre-trial and post-conviction appeal process. NGOs reported increased sensitization of police to trafficking victims and improvements in the prosecution of other forms of trafficking in Serbia, including forced labor, forced begging, and forced marriage. The government did not prosecute trafficking-related complicity during the reporting period; officials convicted in previous years received suspended sentences for trafficking-related

complicity. The government's refusal to cooperate directly with the Republic of Kosovo government continued to hamper Serbia's efforts to investigate and prosecute some transnational trafficking.

Protection

The Government of Serbia made significant progress by improving its capacity to protect trafficking victims during the reporting period. In March 2011, the government remedied a long-standing deficiency by securing yearly flexible funding for victim assistance in the amount of \$50,000. Serbia is a leader in the Balkan region in victim identification – a critical prerequisite for victim protection. The government's Agency for the Coordination and Protection of Victims of Trafficking in Belgrade identified 89 trafficking victims in 2010; police referred 74 of these victims. This represents a decline from 127 total victims identified and assisted in 2009. The government previously issued an order for police to aid in the proactive identification of trafficking victims, though success in identification of actual victims remained uneven. Adequate and uniform data collection and information-sharing among domestic agencies and NGOs dealing with trafficking victims remains a challenge. The government's protection agency, mandated to provide for victims' identification, protection, and referral for assistance to state institutions or NGOs, remained understaffed and underfunded in 2010. The government continued to rely on a staff of two for the official identification of all victims in Serbia. In a notable development, the government provided \$25,000 to an NGO providing open shelter and rehabilitative and reintegration assistance for Serbian adult female victims. This shelter accommodated 22 victims (20 adults and two of their children) and assisted two male victims on an outreach basis during the reporting period. The government provided some funding from the remaining proceeds of a special anti-trafficking stamp for victim services, but most local and international NGOs continue to rely on outside donors to provide support and assistance to victims. In October 2010, a domestic violence shelter accommodating foreign victims ceased accepting them. In March 2011, the Belgrade municipal government remedied these deficiencies by transferring \$50,000 to the protection agency in an annual grant to provide customized direct assistance and re-integration services, including accommodation for foreign trafficking victims. Further, in March 2011 the government passed comprehensive social welfare legislation, which for the first time defines trafficking victims as a separate category of beneficiaries, to help ensure consistent service delivery for victims.

The government does not have the capacity to adequately shelter and protect trafficked children who continued to be placed in orphanages or were detained in youth rehabilitation centers in Belgrade or Novi Sad. Some of these children were placed with foster families. Children placed in orphanages or youth detention centers were highly vulnerable to re-trafficking and re-victimization. Social welfare centers continue to lack the capacity to provide the necessary specialized assistance these children require; one NGO reported a social welfare center in Novi Sad returning 15-year-olds to the streets, potentially back into prostitution.

NGOs continued to report that authorities fail to recognize some victims of trafficking, which could result in victims being detained, jailed, or otherwise penalized for unlawful acts committed as a direct result of their being trafficked. In July 2010, after a formal inquiry, a Serbian court dismissed perjury and defamation charges against a trafficking victim accused of giving false testimony before the court in 2008. The trafficking victim and her daughter were allegedly threatened in court by the victim's trafficker. The trafficking suspect in the case was taken into custody by police in April 2011 pending further investigation.

Prevention

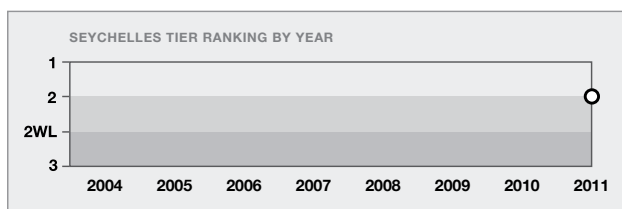
The government took significant new steps to raise awareness and continued to forge partnerships with civil society to prevent trafficking in Serbia during the reporting period. In 2011, the government co-financed a Serbian film production dramatizing the actual experiences of Serbian trafficking victims aimed at awareness-raising among Serbian youth vulnerable to exploitation. The film premiered in Belgrade in April 2011, with multiple government and non-governmental stakeholders, including the Prime Minister, in attendance. In October 2010, the Office of the National Coordinator, police, and other officials participated in a number of roundtables, public debates and radio and television shows, as well as educational programs for children and young people in Serbia. Also in October, the Government Council for Combating Trafficking in Persons and international and regional experts held a discussion in the Serbian National Assembly to raise awareness among legislators and decision makers on Serbia's international obligations on trafficking. The Minister of Interior, who leads the ministerial-level, policymaking council, continued to demonstrate strong leadership and personal commitment by citing areas of needed improvement in the government's anti-trafficking efforts during public appearances. The National Coordinator and other key stakeholders continued to energetically pursue practical approaches to address challenges for Serbia's anti-trafficking efforts; however, this National Coordinator is not funded as a full-time position. The Coordinator continued to maintain an anti-trafficking website and social media site, and publicized Serbia's anti-trafficking hotline.

SEYCHELLES (Tier 2)

Seychelles is a source and possibly destination country for Seychellois children and foreign women and girls subjected to sex trafficking. In January 2011, a local NGO released a qualitative report on the perception of prostitution in Seychelles. Though the findings were anecdotal, respondents agreed that child prostitution exists – particularly on Mahe, the main island – and appears to be increasing. While the magnitude of the problem is unknown, local observers indicate that girls and, to a lesser extent, boys between 13 and 18 years of age are induced into prostitution, including by peers, family members, or pimps. Young drug addicts are at particular risk of being forced into prostitution. Seychellois children are exploited in prostitution in nightclubs, bars, guest houses, hotels, brothels, and on the street. Foreign tourists

reportedly contribute to the demand for commercial sex acts in Seychelles. Foreign part-time residents in Seychelles reportedly have created a demand for the import of young women from Eastern Europe and Australia to serve as “party hostesses” in resort hotels and provide sexual services; it is possible that some of these women experience conditions indicative of forced prostitution. In March 2010, a Seychellois man was arrested in Madagascar for allegedly engaging in child sex tourism.

The Government of Seychelles does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government acknowledged that child prostitution was a problem in the country and took initial steps to better understand and raise awareness of the phenomenon. It also established district task forces comprised of government and civil society stakeholders to prevent and respond to, in part, child prostitution; drafted amendments to strengthen existing penal code provisions on child prostitution; and produced proposals for the creation of organizations and processes to combat child prostitution. The government, however, made no efforts during the year to take legal action against the exploiters of children in prostitution or to provide victims with protective services.



Recommendations for Seychelles: Expand existing campaigns to educate government officials and the general public about the nature and dangers of human trafficking; finalize amendments strengthening the penal code’s provisions regarding child prostitution; increase prescribed penalties for forced labor offenses in Section 251 of the Penal Code Act; over the longer-term, consider the feasibility of drafting comprehensive anti-trafficking legislation that clearly defines human trafficking offenses and prescribes sufficiently stringent punishments; utilize existing legislation to investigate and prosecute trafficking offenses, and convict and punish trafficking offenders; strengthen penal code penalties prescribed for forced labor and forced prostitution offenses; employ the existing district task force structure to increase the identification and referral of victims of child prostitution to protective services, particularly to safe shelters and counseling; and designate an official coordinating body or mechanism to facilitate anti-trafficking communication and coordination among the relevant ministries, law enforcement entities, working groups, and NGOs.

Prosecution

The government made no known efforts to address trafficking crimes through law enforcement action during the reporting period. Seychelles law does not specifically prohibit human trafficking, though existing penal and

labor code statutes prohibit slavery, forced labor, pimping, and brothel keeping, under which traffickers could be prosecuted. Section 251 of the Penal Code Act prohibits and prescribes a punishment of three years’ imprisonment for forced labor, penalties which are not sufficiently stringent. Section 249 of the penal code outlaws slavery and prescribes sufficiently stringent penalties of 10 years’ imprisonment. Sections 155, 156, and 138 of the penal code outlaw brothel-keeping, pimping, and procuring women or girls to engage in prostitution within Seychelles or abroad, prescribing punishments of three years’, five years’, and two years’ imprisonment, respectively. None of these penalties are commensurate with those prescribed for other serious crimes, such as rape. In 2010, the Attorney General’s Office conducted a review of the penal code’s sections relating to child prostitution and drafted amendments to strengthen these provisions. To date, police have not investigated suspected situations of child prostitution, forced prostitution, or forced labor – either proactively or on the basis of complaints. This is attributed to the likelihood that awareness of human trafficking is extremely low. Laws against exploiting women and girls in prostitution do not appear to be enforced unless accompanied by other criminal acts. The government did not provide any specialized training for its officials in how to recognize, investigate, or prosecute instances of trafficking. In October 2010, two police officers and two attorneys from the Public Prosecution Office attended a foreign government-funded anti-trafficking training in Botswana.

Protection

The government made few efforts to identify trafficking victims or provide them with protective services during the reporting period. Although there are no organizations working to specifically combat trafficking in Seychelles, in 2010 the government provided an unknown amount of funding to NGOs that would care for victims of prostitution or labor exploitation; there is no indication that any NGOs cared for children in prostitution during the reporting period. The government has neither developed a system for proactively identifying human trafficking victims among vulnerable populations, nor created a referral process to systematically transfer such victims to service providers for care. Social workers and police – both members of the district task forces – are responsible for conducting home visits to the families of vulnerable children. The government did not encourage victims’ assistance in the investigation and prosecution of trafficking crimes. There were no reports that victims were inappropriately incarcerated, fined, or otherwise penalized solely for unlawful acts committed as a direct result of being trafficked.

Prevention

The government made initial efforts to prevent the exploitation of individuals in prostitution during the year, particularly through the implementation of its national action plan against social ills. There exists no main coordinating body for collaboration and communication between government agencies or any other organizations on trafficking matters. The Immigration Division of the

Ministry for Home Affairs, Environment, and Transport serves as the government's lead on addressing human trafficking, and the Department of Social Development (DSD), part of the Ministry of Social Development and Culture, is responsible for implementing policies to address child prostitution. In 2009, a multi-sectoral task force, chaired by the DSD, drafted a "Plan of Action to Tackle Social Ills in Seychelles (2009 – 2010)" to address the country's increasingly visible sex and drug trades, that called for, among other things, conducting research, reviewing existing legal statutes for sufficiency, creating a police Minor's Brigade to respond to crimes against children, launching public awareness campaigns, and establishing rehabilitative services for victims. This plan was endorsed by the cabinet in late 2009 and, in December 2009, the National Assembly earmarked funds for its implementation. In 2010, the DSD established 25 district task forces on social ill – comprised of social workers, police, community nurses, youth workers, school counselors, NGOs, religious organizations, and other civil society groups – throughout the country to respond to specific situations of concern in each locality; it is unknown whether any of these task forces intervened in known cases of child prostitution during the reporting period. In May 2010, the DSD commissioned a study to assess the root causes, extent, and nature of prostitution in the country – as called for by the plan – and dedicated \$8,656 to the completion of this research, which was made public in January 2011. During the reporting period, the DSD also spent \$1,739 to conduct two sensitization campaigns on three islands targeting high school youth at risk of exploitation in prostitution and drug abuse. The government drafted a proposal for the creation of a "Minor's Brigade," but a lead agency has yet to be selected to implement the proposal. In February 2010, during the State of the Nation address, the president appealed to all stakeholders to intensify efforts to protect children and called for harsher sentences for crimes against children. The government neither made efforts to discourage its citizens from participating in international child sex tourism, nor took law enforcement action against foreign nationals suspected of perpetrating such crimes in Seychelles.

SIERRA LEONE (Tier 2)

Sierra Leone is a source, transit, and destination country for children and women subjected to forced labor and sex trafficking. Victims originate largely from rural provinces and refugee communities within the country, and are recruited to urban and mining centers for the purposes of exploitation in prostitution, domestic servitude, and forced service or labor in petty trading, portering, rock-breaking, street crime, and begging. Trafficking victims may also be found in the fishing and agricultural sectors or are subjected to forced prostitution or forced labor through customary practices such as forced and arranged marriages. Sierra Leoneans voluntarily migrate to other West African countries, including Mauritania and Guinea, the Middle East, and Europe, where they are subsequently subjected to forced labor and forced prostitution. Sierra Leone may also be a destination country for children trafficked from

Nigeria, and possibly from Liberia and Guinea, for forced begging, forced labor, and prostitution.

The Government of Sierra Leone does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the year, the government convicted six persons for trafficking-related crimes and imposed adequate sentences in each case, though it did not provide sufficient details to determine whether these cases constituted trafficking. Awareness of existing anti-trafficking legislation remained weak, and trafficking cases may have been prosecuted under other legal statutes or settled out of court. While the government acknowledged that trafficking is a problem in the country, it did not allocate adequate financial or human resources to provide protective services to victims or to educate the population about the dangers of trafficking. The National Trafficking in Persons Task Force submitted a budget request in late 2010, but it had not been approved by the end of the reporting period.



Recommendations for Sierra Leone: Increase penalties prescribed under law for sex trafficking offenses; strengthen efforts to prosecute, convict, and punish trafficking offenders using the Anti-Trafficking in Persons Act of 2005; in collaboration with civil society organizations, train police and prosecutors to identify, investigate, and prosecute trafficking cases; ensure that draft anti-trafficking legislation provides a clear definition of trafficking and does not conflate it with the separate crime of migrant smuggling; include funding for anti-trafficking activities in the national budget and begin allocating funds accordingly through the appropriate government structure, such as the National Trafficking in Persons Task Force; ratify the 2000 UN TIP Protocol; train law enforcement officers and social workers to proactively identify trafficking victims among vulnerable populations, such as women in prostitution, unaccompanied minors, or undocumented migrants, and provide them protective services; identify and donate a suitable government structure to an NGO to operate a shelter for trafficking victims; improve efforts to collect data on anti-trafficking law enforcement efforts and victim assistance; and in collaboration with civil society organizations, increase efforts to raise public awareness about the dangers of trafficking.

Prosecution

The Government of Sierra Leone demonstrated limited anti-trafficking law enforcement progress over the last year, primarily by convicting six individuals for crimes related to human trafficking, compared with two such convictions during the previous year, and by drafting new legislation to replace its current anti-trafficking act. Sierra Leone's Anti-Trafficking in Persons Act of 2005 prohibits all forms

of human trafficking and prescribes a maximum penalty of 10 years' imprisonment or a fine of approximately \$4,650 for both sex and labor trafficking offenses. These penalties are sufficiently stringent, but not commensurate with penalties for other serious crimes, such as rape. During the year, the National Trafficking in Persons Task Force drafted new anti-trafficking legislation, and submitted it to the Cabinet for review in November 2010. Members of the Task Force reported the bill's primary purpose is to establish a national anti-trafficking agency and guarantee dedicated government funding for its activities; the draft bill reportedly also increases prescribed penalties for trafficking offenses, requires the provision of protective services for victims, and may expand the definition of trafficking to include non-trafficking crimes. The government reportedly investigated 35 cases related to trafficking, but did not provide adequate details to determine which, if any, involved actual human trafficking offenses. Of these cases, 12 were dismissed due to lack of evidence or out-of-court settlement, six resulted in convictions, and 17 remained pending at the end of the reporting period. The government did not provide information about the status of three cases left pending at the close of the previous reporting year. Sentences prescribed for convicted offenders were sufficiently stringent and ranged from six to 22 years' imprisonment. The government did not provide specialized training on investigating or prosecuting human trafficking offenses, but the Sierra Leone police used manuals produced by an NGO to train all of its approximately 500 new recruits to identify trafficking victims. There were no reports of government officials investigated, prosecuted, or convicted for involvement in trafficking or trafficking-related criminal activities during the reporting period.

Protection

During the year, the Sierra Leonean government sustained limited efforts to protect child trafficking victims, the most significant population of victims in the country, though it did not protect adult victims. It did not undertake proactive measures to identify victims among vulnerable populations, such as women in prostitution, unaccompanied minors, or undocumented migrants. The government relies on its close partnerships with NGOs and international organizations to provide services for trafficking victims. The government reported knowledge of 35 victims identified by NGOs during the reporting period, including 24 children and 11 adults. Identified victims were referred to the Ministry of Social Welfare, Gender, and Children's Affairs (MSWGCA), and this ministry and NGOs referred an unknown number of child victims to NGO-run orphanages, reformatory schools, or schools for street children, as no dedicated facility for trafficking victims existed. During the year, the government offered to donate a building to an international organization for use as a shelter, but the organization determined the building was inadequate and opted to seek its own funding to build a shelter. In 2010, the government repatriated seven children and 11 adults from Mauritania, all of whom had been fraudulently recruited to study in Koranic schools, but were instead subjected to conditions of forced labor. It also assisted in the repatriation of eight Sierra Leonean child trafficking victims from Guinea and identified four victims of cross-border trafficking inside Sierra Leone.

There were no reports that victims were detained, fined, or jailed for unlawful acts committed as a direct result of being trafficked; however, the government did not make adequate efforts to identify trafficking victims, which may have led to some victims being treated as offenders. Victims were not encouraged to participate in the investigation of cases, and police cited victims' failure to appear in court as a common reason for the dismissal of cases.

Prevention

The government displayed limited progress to prevent trafficking during the reporting period. The inter-ministerial National Trafficking in Persons Task Force, comprised of representatives from government ministries, NGOs, international organizations, and diplomatic missions to Sierra Leone, met bi-monthly during the year and reportedly began creating an anti-trafficking law enforcement database within the MSWGCA and updating the National Action Plan for 2011. The government took no discernible efforts to reduce the demand for commercial sex acts or forced labor. The government did not provide Sierra Leonean troops anti-trafficking training prior to their deployment abroad on international peacekeeping missions, though such training was provided by a foreign donor. Sierra Leone is not a party to the 2000 UN TIP Protocol.

SINGAPORE (Tier 2)

Singapore is a destination country for men, women and girls subjected to sex trafficking and forced labor. There are over 1.1 million foreign workers in Singapore, who make up over one-third of Singapore's total labor force. Migrating from Thailand, Burma, Philippines, Indonesia, Malaysia, Vietnam, China, India, Sri Lanka, Bangladesh, and elsewhere in Asia, the majority of foreign workers are unskilled and semi-skilled laborers employed in construction, domestic households, and the hospitality and service industries. During the year, there was greater reporting on victims of forced labor identified by NGOs and foreign missions on long-haul fishing boats that dock in Southeast Asian ports, including Singapore. Workers reported severe abuse by fishing boat captains, the inability to disembark from their vessels, the inability to terminate their contracts, and the nonpayment of wages. Many foreign workers face deception and fraud by recruiters about the ultimate nature of their employment or salary. Foreign workers also reported confiscation of their passports, restrictions on their movements, illegal withholding of their pay, threats of forced repatriation without pay, or physical or sexual abuse – all potential indicators of trafficking.

There were reports of employers hiring Singaporean repatriation companies to seize, confine, and escort, including through the use of assaults, threats, and coercion, to the airport foreign workers, sometimes in order to prevent workers from complaining of abuses, including conditions of forced labor, or seeking redress through the Ministry of Manpower. There have been some reports of employers who tried to get their workers deported by

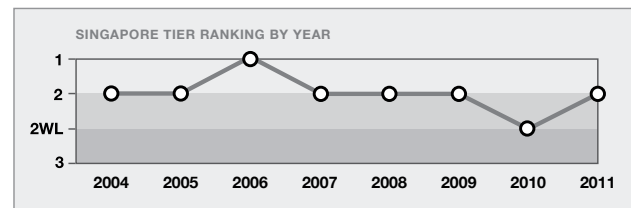
canceling their work permits and later alerting the police of their expired immigration status.

Many migrant workers, including those in domestic service, in Singapore face debts to recruitment agencies in both Singapore and their home countries associated with their employment, which makes them vulnerable to forced labor. A 2010 report produced by NGOs found that, on average, Indian, Bangladeshi, and Chinese migrant workers in Singapore paid fees to employment agencies that constitute at least 10 months of their potential earnings such debt makes migrants vulnerable to forced labor, including debt bondage. Exorbitant fees are sometimes the result of multiple layers of sub-contracting to smaller agencies and individual recruiters, commissions paid to Singaporean agencies, and sometimes, kickbacks to Singaporean employers. To hide illegal fees, agencies and employers sometimes mask them as payments from the worker for personal loans or as other payments. The practice of arbitrary fines, fees, and other deductions from salary made it difficult for workers to understand how their wages were calculated, particularly as many workers did not possess a copy of their contract, and could be used by traffickers to keep workers in a situation of debt bondage. Many foreign workers have credible fears of losing their work visas and being deported, since employers have the ability to repatriate workers at anytime during their contracts. Additionally, low-skilled workers are prohibited or severely restricted from seeking alternative employment and transferring employers, and Singaporean employers have unilateral rights to cancel their employees' work permits and can submit complaints about worker behavior to have future employment bans placed on them.

Some women from Thailand, the Philippines, China, Vietnam, India, Sri Lanka, and Nepal are recruited in their home countries with offers of legitimate employment but upon arrival in Singapore, are deceived or forced into prostitution. Some women from these countries enter Singapore with the intention of engaging in prostitution but upon arrival are subjected to forced prostitution under the threat of serious harm, including financial harm. Sex trafficking victims often enter Singapore on tourist visas arranged by their recruiters, though there were reports that victims enter Singapore on six-month entertainment visas. Some foreign women in "forest brothels" located on public lands near migrant worker dormitories are reportedly victims of trafficking. It is believed substantial recruitment networks, including organized crime syndicates, are involved in international sex trafficking of women and girls to Singapore. Singaporean men have reportedly been a source of demand for child sex tourism in Southeast Asia. The Government of Singapore does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the year, the government reversed its longstanding approach of denying a significant labor trafficking problem in the country and acknowledged its need to take more robust efforts to tackle problems of both forced labor and forced prostitution among Singapore's foreign migrant population. Authorities formed an interagency committee to combat trafficking, and announced that Singapore would adopt the 2000 UN TIP Protocol's definition of trafficking

as the government's working definition, though the government has not yet ratified the 2000 UN TIP Protocol.

The government made initial efforts to adopt proactive trafficking victim identification procedures among foreign women arrested for prostitution, though it has yet to make similar efforts among foreign laborers. The government reported six sex trafficking convictions; these offenders were convicted of living off the earnings of prostitution and other related offenses, as Singapore does not have a specific anti-trafficking law. Some imposed sentences were below one year's imprisonment and as such, were inadequate punishments for this serious crime. Despite ongoing reports of forced labor in Singapore, the government did not prosecute or convict any offenders of labor trafficking during the reporting period. Despite its financial resources and capacity, the government should have been more successful in proactively identifying and assisting victims of both sex and labor trafficking.



Recommendations for Singapore: Investigate and prosecute an increased number of both sex and labor trafficking cases; prosecute employers and employment agencies who unlawfully confiscate workers' passports as a means of holding them in a state of involuntary servitude, or who use other means to extract forced labor; make efforts to prosecute and punish repatriation companies which forcefully and illegally restrain and repatriate migrant workers who would otherwise complain about forced labor conditions; improve procedures to screen foreign women arrested for prostitution-related offenses and identify potential trafficking victims; develop robust procedures to identify potential traffickers and trafficking victims by immigration officers at ports of entry and other law enforcement personnel; cease the practice of restricting the movement of trafficking victims; make greater efforts to assist victims assisting in the investigation process in obtaining employment; dedicate exclusive resources to address the country's human trafficking problem through greater assistance to foreign trafficking victims; extend the government's legal aid scheme to cover foreign trafficking victims to ensure that all employees have equal access to judicial redress; reduce the demand for commercial sex acts in Singapore by vigorously enforcing existing laws against importing women for purposes of prostitution, trafficking in women and girls, importing women or girls by false pretenses, living on or trading in prostitution, and keeping brothels; increase the cooperative exchange of information about potential trafficking issues and allegations of trafficking offenses with NGOs and foreign diplomatic missions in Singapore in order to improve anti-trafficking responses in Singapore; make greater efforts to educate and inform migrant workers of the legal recourse available to victims of trafficking, and how to seek remedies against traffickers; work with sending country governments to

improve transparency on the fees payable by foreign workers for job placement in Singapore to render them less vulnerable to debt bondage; devote resources to researching the phenomenon of both sex and labor trafficking within and across national borders; conduct public awareness campaigns to inform citizens and residents of the penalties for involvement in trafficking for sexual exploitation or forced labor; and ratify the 2000 UN TIP Protocol.

Prosecution

The Government of Singapore demonstrated limited law enforcement efforts to combat trafficking in persons during the year. Singaporean law criminalizes some forms of trafficking through its Penal Code and Women's Charter. Singaporean law does not prohibit the forced prostitution of men, although there is no evidence of this occurring in Singapore. Article 140 of the Women's Charter does not prohibit non-physical forms of coercion, such as debt bondage or threat of abuse of the legal process, and Article 141 only prohibits the movement of women and girls for trafficking, and does not define the term "trafficking." Penalties prescribed for sex trafficking offenses in the Women's Charter include a maximum of five years' imprisonment, which is sufficiently stringent, but not commensurate with other serious crimes, such as rape. During the year, the government convicted six sex trafficking offenders for prostitution-related offenses. Convicted offenders were given low penalties ranging from fines to up to 15 months' imprisonment. Authorities did not prosecute or convict any offenders of labor trafficking during the reporting period. The government noted that eight cases of trafficking reported to them were found to be false or unverified, 36 are pending further information, and one case was undergoing investigation.

According to observers, Singaporean law enforcement authorities continued to display a reactive posture toward human trafficking crimes, typically waiting for victims to come forward and file complaints before investigating trafficking offenses. While the Ministry of Manpower (MOM) maintained responsibility for investigating all labor abuses, the police were responsible for investigating any criminal offenses under the Penal Code's forced labor statute. MOM interviewed several fishermen who claimed abuses suggesting human trafficking but reported that they could not further investigate due to lack of jurisdiction over the suspected offenses. The basis for this lack of jurisdiction was unclear, as Singaporean courts have jurisdiction over criminal acts of recruitment that are a part of trafficking crimes, such as the recruitment of workers subjected to forced labor. While there were increased reports during the year of forced labor on fishing vessels that originated in Singapore, the government did not report any prosecutions or convictions in such cases. Nongovernmental sources continued to express concern about the lack of willingness and ability of Singaporean police and immigration officers to identify potential sex trafficking victims, mount thorough investigations, and prosecute cases. The lack of a mandatory day off provided under Singaporean law to domestic workers restricts their opportunities to seek help when faced with abuses, including forced labor conditions; this created a challenge for Singaporean police in identifying forced labor victims among

domestic workers, and for the government and NGOs in their outreach efforts. Some Singaporean employment agencies reportedly advise employers to confiscate the passports of their foreign employees – a practice that is well-documented in facilitating forced labor. Although the Ministry of Manpower responded to complaints regarding passport confiscation and illegal detention of individuals by repatriation companies, the government did not report referrals to the police for investigation of possible trafficking in these cases. There were no criminal prosecutions or convictions of employers or employment agencies who withheld passports of foreign workers as a means of holding employees in compelled service.

While the Employment Agencies Act prohibited employment agencies from charging job seekers more than 10 percent of their first month's salary, many agencies continue to charge migrant workers thousands of dollars in recruitment fees, making them vulnerable to forced labor. During the year, although the Ministry of Manpower, acting in response to two NGO referrals, secured the release of foreign workers detained at repatriation companies, the government did not pursue any criminal investigations or prosecutions for potential trafficking in such cases. The government facilitated anti-trafficking training opportunities for its police force, and began to distribute a trafficking indicator card to assist front-line law enforcement officers with identifying trafficking cases. The Singapore Police Force began compiling a new handbook for law enforcement officers, drawing on best practices shared by international partners.

Protection

The government showed minimal progress in identifying and protecting trafficking victims, despite ample financial resources. The government reported that it provided funding to three general purpose shelters and dormitories that could be used to house trafficking victims; however, it did not operate any trafficking-specific shelters. The government did not fund NGOs that provide shelter and other services addressing the specific needs of foreign victims of trafficking. Non-governmental actors in Singapore reported identifying at least 146 male and female victims of forced prostitution and forced labor during the year. Authorities reported offering assistance to 15 victims from Vietnam, Thailand, the Philippines, and Singapore in five sex trafficking cases, only one of which was the result of a proactive investigation by officials. The government offered shelter to the victims, and one child victim remained in government custody; another child victim left the shelter and all adult victims chose to reside with acquaintances in Singapore. Some of the victims were reportedly provided with initial counseling and medical assistance. The government reported that it could not provide information on any labor trafficking victims identified during the reporting period. Non-government actors reported a significant increase in the number of fishermen, 54 in 2010, who were victims of forced labor identified during the year. In early 2011, the Government of Singapore adopted a set of human trafficking indicators, shared by a foreign government, for use by law enforcement personnel to identify victims. Authorities reported that efforts to proactively identify sex

trafficking victims among the high-risk population of 4,500 foreign females arrested in 7,083 arrests for prostitution violations identified only 81 trafficking victims, 23 of whom were children in prostitution. During the year, authorities reported identifying one Singaporean child sex trafficking victim. Non-government observers expressed doubts about the effectiveness of the government's victim identification protocols during anti-vice sweeps, believing instead that the focus is on efforts to identify immigration violators. In the arrests of 4,500 women for prostitution offenses, authorities ordered the foreign women to leave the country without adequately screening for trafficking indicators. According to NGOs and foreign embassies, women and girls in prostitution may be detained by police in a vice operation; due to inadequate victim identification, trafficking victims may still be subjected to penalties for immigration violations or for soliciting. The government provided temporary shelter services for victims of forced labor during the year. The Ministry of Manpower funded the Migrant Workers Centre, which served as a short-term shelter for workers in distress, as well as a facility for foreign domestic workers involved in employment disputes, though the government did not report whether either facility assisted any trafficking victims during the year. Embassies of labor source countries operated shelters for their nationals, primarily for female domestic workers involved in employment disputes – some of whom suffered abuse by employers – and women engaged in prostitution, some of whom the embassies determined were trafficking victims. The Singaporean government could dedicate exclusive resources to address the country's human trafficking problem, including through greater assistance to foreign trafficking victims, rather than having the response to the issue subsumed into general social welfare programs.

The Singaporean government did not provide victims of sex or labor trafficking with legal alternatives to removal to countries where they may face hardship or retribution. The government did not provide incentives, such as legal aid for the pursuit of civil suits, for foreign victims of trafficking to participate voluntarily in investigations and prosecutions of trafficking offenses. The MOM reported that some trafficking victims who assisted the government as prosecution witnesses received Singaporean work passes. Authorities made legal aid available to Singaporean citizens and permanent residents found to be trafficking victims. While authorities reported that identified victims had freedom of movement in government shelters, non-government sources continued to report that victims residing in government shelters sometimes have their movements restricted while assisting authorities with investigation and prosecution of their traffickers; in some cases, this effectively served as a disincentive to victims coming forward and cooperating with authorities. In addition to threats of deportation, there are reports that victims of trafficking often do not wish to file official complaints to Singaporean authorities, due to the lack of adequate social, legal, and other support made available from authorities. The government reported that identified victims were generally given access to medical, counseling, and translation services, and were able to obtain work authorization while assisting with the prosecution of their traffickers; however, there were no known victims who were afforded this opportunity during the reporting

period. When cases were being investigated or prosecuted, the government generally held the victims' passports and declined their requests for repatriation. Victims are legally entitled to pursue civil cases against their traffickers, and the government reported that it provides information on legal aid available from NGOs; however, the government did not provide financial resources to NGOs in order to provide legal assistance to victims, such as support to file civil suits against their traffickers. Domestic workers in Singapore, the vast majority of whom are foreigners, are excluded from the Employment Act, which specifies minimum terms and conditions of employment for rest days, hours of work, and other rights. This lack of legislation combined with the isolated workplace heightens the vulnerability of migrant domestic workers to trafficking. Many foreign workers face significant difficulties when attempting to seek redress for their problems, such as unpaid wages and wage deductions, which contribute to their vulnerability to trafficking. The MOM provides case workers to assist foreign workers who encounter problems in these areas. In addition, foreign fishermen on vessels that dock in Singapore have faced significant difficulties seeking redress when exploited, as Singaporean authorities believe that such trafficking crimes are committed outside the scope of the country's labor laws.

Prevention

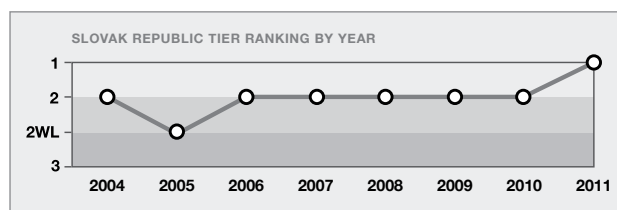
The government demonstrated limited efforts to prevent trafficking in persons during the year. Although the government took some steps to prevent conditions of forced labor, the government did not conduct any anti-trafficking public awareness campaigns or make public any information concerning the extent of the problem. In March 2011, the government established an Inter-Agency Task Force on Human Trafficking. The government did not sponsor or conduct any research or assessment of the problem of human trafficking in Singapore during the reporting period; authorities reportedly delayed the publication of independent research conducted on sex trafficking in the country during the year. Authorities continued compulsory courses on employment rights and responsibilities for all incoming foreign domestic workers and their employers. The government provided foreign workers with written materials explaining their rights in their native languages and providing contact information for reporting complaints to labor authorities, and warned employers that it is an offense to confiscate any of these materials. In 2010, the MOM "sternly warned" 24 employment agencies and revoked the licenses of three agencies for withholding passports of foreign workers, but authorities did not investigate these agencies for potential involvement in forced labor. The MOM also investigated five cases of fraudulent recruitment that resulted in perpetrators sentenced to three to 10 months' imprisonment. The MOM trained NGO workers on Singaporean labor law to assist them in answering calls to 24-hour hotlines. During the year, the government instituted a new cap on fees for foreign workers coming to work in Singapore, though NGOs and the government acknowledged difficulties in enforcing this cap on source-country labor recruiters who often charge Singapore-bound migrants excessive fees that become debt. The government did not make efforts to reduce the demand

for commercial sex acts in Singapore's commercial sex industry. Government-linked Singapore media reported on trafficking conferences held at universities. The government continued to partner with an NGO to distribute hotline information to encourage reporting of child sex tourists to the Singaporean police at Singapore's major public travel fair, but it did not have a means to verify whether the campaign generated any leads. Although Singaporean law provides for extraterritorial jurisdiction over Singaporean citizens and permanent residents who sexually exploit children in other countries, the government has never investigated, prosecuted, or convicted a national or permanent resident for child sex tourism. There were no reports of Singaporeans engaging in child sex tourism during 2010. Singapore is not party to the 2000 UN TIP Protocol.

SLOVAK REPUBLIC (Tier 1)

The Slovak Republic (or Slovakia) is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. The forced labor of Slovak men and women is exploited in the agricultural and construction sectors in Western Europe, primarily the United Kingdom. Slovak women are subjected to sex trafficking in the Netherlands, Germany, and other areas of Europe. Ukrainian and Romanian men and women were allegedly forced to work in the Slovak Republic. Victims are reportedly transported through the Slovak Republic from the former Soviet Union and forced into prostitution within the country and throughout Europe. Roma children, women, and men are subjected to forced begging in Switzerland and other countries in Western Europe. Roma individuals from socially segregated rural settlements were disproportionately vulnerable to human trafficking from the Slovak Republic, as they were under-employed, under-educated through segregated specialized schools, and subject to discrimination from law enforcement. Traffickers found victims through family and village networks, preying on individuals with large debts from usurers or individuals with disabilities.

The Government of the Slovak Republic fully complies with the minimum standards for the elimination of trafficking. This year, the government achieved significant anti-trafficking successes, including increasing the percentage of trafficking cases in which convicted offenders received time in prison. The government also established a human trafficking information center in an effort to lead the region in data collection and analysis on the issue. It also instituted anti-trafficking training in the basic course for all judges and prosecutors. Nevertheless, the government's poor relations with the Roma community resulted in significant problems in victim identification and prosecutions, including a government estimate that only one-third of all trafficking cases involving Roma are investigated.



Recommendations for the Slovak Republic: Increase efforts to identify trafficking victims among Roma communities, including through greater outreach by law enforcement personnel; provide socially inclusive social work support to highly vulnerable communities to reduce the incidence of trafficking; continue training and capacity building for investigators, prosecutors and judges, to ensure trafficking crimes are vigorously investigated and prosecuted and offenders are convicted and punished with time in prison; ensure that all judicial trainings and law enforcement trainings address labor trafficking; adopt procedures to permit trafficking prosecutions in cases in which the victim has not filed a complaint or withdraws a complaint; ensure the provision of adequate specialized shelter for male victims of trafficking; expand victim identification efforts for potential foreign victims among other vulnerable populations such as women in the commercial sex sector, foreign workers, detained illegal migrants, and asylum seekers, including through NGO partnerships and labor inspections; and conduct a demand-reduction awareness campaign to educate Slovaks and clients visiting the Slovak Republic about the potential links between prostitution, exploitation, and trafficking.

Prosecution

The Government of Slovakia increased its efforts to investigate and prosecute human trafficking during the reporting period, including by adopting routine anti-trafficking training for all new prosecutors and judges in the country, and by improving its sentencing rate for convicted trafficking offenders. Nevertheless, challenges persisted in investigating cases of trafficking that involved Roma victims. The Slovak Republic prohibits all forms of trafficking through Sections 179, 180, and 181 of its criminal code, which prescribe penalties between four years' and life imprisonment in aggravated cases. These penalties are sufficiently stringent and are commensurate with those prescribed for other serious crimes, such as rape. In 2010, Slovak officials investigated approximately 15 cases of trafficking in persons, including 13 sex trafficking cases, one of which involved the commercial sexual exploitation of a child. This was an increase from the nine trafficking cases investigated in 2009. The Slovak police investigated a significant case of forced labor involving 340 victims from Ukraine and Romania. Although the police did not initially classify the case as human trafficking, the prosecutor's office later designated the cases as human trafficking and returned it to the police for reinvestigation under the trafficking statute. The Slovak authorities initiated prosecutions of five alleged trafficking offenders in 2010, an increase from three offenders prosecuted in 2009. Six trafficking offenders were convicted in 2010, down from 10 trafficking offenders convicted in 2009. Although the number of convictions dropped, the percentage of offenders sentenced to non-suspended terms in jail rose

to 50 percent in 2010. Three out of the six trafficking offenders were sentenced to time in jail, in contrast to two trafficking offenders in 2009. The three offenders sentenced to jail terms received 24, 60, and 103 months in prison. Two of the three offenders given suspended sentences agreed to trafficking convictions in plea deals. The Slovak police continued to operate a specialized anti-trafficking unit at the police headquarters and four specialized officers throughout the country. The Office of the Special Prosecutor continued its designation of a specialized prosecutor for trafficking within the anti-corruption unit.

Cooperation with and outreach to the Roma population was reportedly a major weakness in the Slovak government's anti-trafficking law enforcement efforts. Fewer than a third of trafficking cases involving Roma victims are estimated to be investigated by the police, because victims were afraid to file a complaint upon return to the Slovak Republic. Sources reported that trafficking victims, particularly those of Roma origin, were influenced or threatened by trafficking offenders to change testimony when cases reached the trial stage.

The government demonstrated clear improvement in judicial training. With direct involvement of the state secretary, the Slovak Judicial Academy incorporated trafficking in persons into the curriculum of basic prosecutorial and judicial trainings at the Slovak Judicial Academy in 2010. The first class of 12 prosecutors and judges completed the course in December 2010. In April and May 2010, the Government of Slovakia also funded the training of police, asylum workers, teachers, diplomats, and social workers on trafficking victim identification and care, reaching 292 trainees in 2010. The government collaborated in six international investigations on trafficking during the reporting period, involving the governments of the United Kingdom, Ireland, Germany, and Slovenia. In April 2010, Slovak authorities charged a former mayor of a village in Eastern Slovakia with sex trafficking of young Roma women from his settlement. The case is still pending, though there were reports that the mayor applied inappropriate pressure to the two victims testifying in the case.

Protection

The government sustained its protection efforts during the reporting period, despite continuing problems with victim identification in minority communities and among labor trafficking victims. In 2010, the Slovak government provided \$298,000 to NGOs for anti-trafficking activities, an increase from \$275,000 provided in 2009. Three NGOs provided specialized shelter for trafficking victims. These victims were allowed to leave the shelters unchaperoned and at will. Although these shelters were designed for the care of women, one NGO secured apartments for male victims of trafficking. The government designated an NGO for specialized care of child victims of trafficking. The Slovak government continued to fund NGOs providing comprehensive assistance to victims who elected to participate in the government's National Program; these victims received financial support for a minimum of 180 days, although social support is provided throughout the duration of the criminal process. The government assisted

26 trafficking victims, in contrast to 27 in 2009. NGOs reported assisting 29 additional trafficking victims with non-government funding in 2009. These victims declined to participate in the government's program. Of the 26 participants in the national program, 15 were victims of forced labor, nine were victims of sexual exploitation, and two were victims of forced begging. Fifteen of the victims were men, 10 were women, and one was a child. It is unclear the extent to which law enforcement employed systematic efforts to proactively identify potential trafficking victims among women and girls in commercial sex sectors, including women engaged in street prostitution, erotic massage salons, escort services, or strip bars fronting for brothels in Bratislava. Victim identification in the Roma community also remains a challenge for the police. The government encouraged victims to participate in prosecutions; this year, 12 victims participated in prosecutions. The government offers foreign victims, upon their identification, a renewable 40-day legal status in Slovakia to receive assistance and shelter and to consider whether to assist law enforcement. The Slovak government reported that the National Coordinator had the authority to grant permanent residence to a victim of trafficking who would face hardship or retribution if returned to the country of origin; no permanent residence permits have ever been granted under this provision. Although the government had its first foreign victim identification, there are strong indications that the government failed to identify several other victims in the country. In January 2011, a foreign victim was initially identified under the national referral mechanism and was afforded these rights. However, the woman left the shelter after several days; law enforcement ultimately uncovered that the woman's story had likely been fabricated. In the case involving 340 alleged victims of trafficking, the police failed to identify the victims of trafficking before they were returned to their home countries, impeding care and investigation. There were no reports that the government penalized identified victims for unlawful acts committed as a direct result of being trafficked this year, although NGOs reported that several victims were reluctant to participate in the national program out of fears of other prosecutions or abuse by the police or because they were active drug users.

Prevention

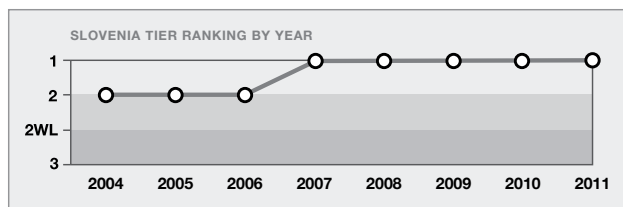
The government enhanced its activities on preventing trafficking, focusing on developing new strategies to prevent trafficking in the Roma communities. In September 2010, the Government of Slovakia opened its trafficking information center in Eastern Slovakia, designed to improve information collection and strategic analysis on trafficking in persons. In part through the work of the information center, the Slovak government increased its focus on preventing trafficking among the Roma. The Ministry of Interior conducted a survey of Roma communities to determine the best methods of conducting anti-trafficking prevention activities. In total, the government allocated approximately \$39,000 to perform anti-trafficking outreach to the Roma communities. The government also held 11 outreach sessions on forced labor at Roma community centers and at schools. The government funded Roma-specific posters, folders, brochures, and DVDs on trafficking.

In 2010, the government of Slovakia co-produced and distributed 4,500 copies of a pamphlet targeting potential foreign victims in Slovakia. The government continued to distribute brochures to advise Slovak citizens travelling abroad on human trafficking. The government also continued to fund a trafficking hotline operated by IOM. The National Coordinator at the Ministry of Interior coordinated intra-governmental activities on human trafficking and convened meetings of the Expert Group on Trafficking. It released a national action plan in 2011, incorporating efforts to reduce trafficking among the Roma. The government did not conduct any activities to reduce the demand for commercial sex this year. All Slovak forces received basic trafficking awareness training prior to deployment.

SLOVENIA (Tier 1)

Slovenia is a transit and destination country, and to a lesser extent, a source country for women and children subjected to forced labor and sex trafficking. Women and children are subjected to sex trafficking and men, women, and children to forced labor in Slovenia. Victims of labor exploitation in Slovenia come from Ukraine, Romania, Serbia, and Bosnia and Herzegovina; sometimes these persons migrate through Slovenia to Italy and Germany, where they are subsequently subjected to forced labor. Women and children from Slovenia, as well as Ukraine, Moldova, Bulgaria, Romania, Slovakia, the Czech Republic, Hungary, the Dominican Republic, Thailand, Iran, Ghana, Morocco, Afghanistan, and Cuba are subjected to forced prostitution in Slovenia and also transit through Slovenia to Western Europe (mainly Italy and Germany), where they face the same form of exploitation.

The Government of Slovenia fully complies with the minimum standards for combating trafficking in persons. The government demonstrated strong prevention efforts, producing excellent analysis of the country's anti-trafficking weaknesses and developing new work plans to address those challenges. The government sustained its law enforcement efforts from the prior year. The Slovenian government again sustained the funding allocated for victim protection this year, although the number of victims identified by government authorities again decreased. There were also allegations that the protection for child victims of trafficking was inadequate and left children at risk of being re-trafficked.



Recommendations for Slovenia: Vigorously investigate and prosecute trafficking offenses, and convict and punish trafficking offenders, including complicit public officials and those involved in forced labor; increase efforts to identify victims of both sex and labor trafficking; increase

the number of victims referred for assistance; ensure that proper and safe facilities exist to assist child victims of trafficking; continue prevention outreach to vulnerable populations, such as Roma children; continue to ensure that a majority of convicted traffickers serve some time in prison; continue to provide trafficking awareness training for judges and prosecutors; and continue efforts to raise awareness of forced labor and forced prostitution among the general public.

Prosecution

The Government of Slovenia sustained its anti-trafficking law enforcement efforts in 2010. The government prohibits all forms of trafficking in persons through Article 113 of its criminal code, which prescribes penalties ranging from six months' to 15 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government conducted 12 trafficking investigations in 2010, compared with 28 in 2009. Authorities prosecuted 12 cases and convicted eight trafficking offenders in 2010, compared with four prosecutions and two offenders convicted in 2009. The majority of the 2010 prosecutions were sex trafficking offenses, although one case involved a victim of labor trafficking; convicted offenders were sentenced to terms between 16 months to 36 months in prison, compared with the sentences of 24 to 38 months given in 2009. Nevertheless, there were some reports that Slovenian judges were not sufficiently aware of the complexity of the crime of trafficking and that prosecutors, facing difficult trafficking cases, would occasionally reclassify criminal cases as less serious criminal offenses. The Ministry of Interior's Inter-Departmental Working Group conducted a variety of anti-trafficking trainings for key actors in Slovenia, including training for police officers on labor exploitation, prosecutors, and judges on prosecuting trafficking in persons, and consular officials on early detection of trafficking victims among foreign citizens. The Slovenian government participated in several cross-border trafficking investigations, including joint investigations with Interpol, Europol, and the governments of Moldova and Slovakia. During the reporting period, the government investigated and charged a policeman with providing information to a trafficking offender in furtherance of a trafficking offense.

Protection

The Government of Slovenia sustained its efforts to protect victims of trafficking in 2010, although there were reports that care and housing for child victims of trafficking were inadequate. The government funded victim protection through two NGOs that provided comprehensive assistance including health care, psychological care, accommodation, and physical security. Assistance was available to both male and female victims of trafficking and for both foreign and domestic victims. Following a three-month reflection period, foreign victims of trafficking were allowed to receive victim protection if they participated in criminal proceedings. In 2010, the government allocated approximately \$120,000 for victim protection, the same amount it provided in 2009. The government identified 10 victims of trafficking in 2010, in contrast to 23 victims

identified in 2009. NGOs reported identifying a further 12 victims of trafficking. Altogether, the government assisted 12 female victims of sex trafficking in 2010, compared to 12 victims in 2009. Victims housed in government-funded shelters were permitted to leave unchaperoned and at will. There were reports, however, of some systematic problems in the government's response to trafficking victims' needs. There were anecdotal reports that Roma children were vulnerable to trafficking by family members and the government made inadequate outreach efforts to this group. Although the government reported that child victims of trafficking in general were cared for in emergency centers, there were reports that these facilities for housing and assistance were inadequate and presented risks that the minors would be re-trafficked. There were no identified victims punished for unlawful acts committed as a direct result of being trafficked.

Prevention

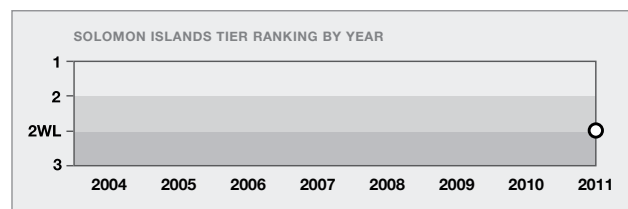
The government demonstrated strong prevention efforts during the reporting period, particularly with its intra-governmental activities. The government coordinated its anti-trafficking efforts through the Ministry of Interior's Inter-Departmental Working Group against Trafficking, which brings together representatives of the relevant ministries, the National Assembly, the State Prosecutor, and NGOs to develop national policy. The working group prepared an annual plan to combat trafficking in persons, identifying key problem areas, assigning responsibility to actors, allocating appropriate funding, and establishing deadlines for completion of tasks. The Slovenian government encouraged regional efforts to combat trafficking in persons through its annual regional ministerial conference on law enforcement cooperation. The Slovenian government engaged in awareness raising through its website and through a large awareness raising event on October 18, EU Anti-trafficking Day, including media publications and expert roundtables. The government also targeted identified vulnerable groups for publications on trafficking and distributed these publications through state authorities and non-governmental organizations. The Slovenian government funded near weekly anti-trafficking awareness raising presentations to students in secondary and elementary schools. The government also targeted trafficking outreach to migrants at border crossings, focusing on those working in at-risk populations.

SOLOMON ISLANDS (Tier 2 Watch List)

The Solomon Islands is a destination country for local and Southeast Asian men and women subjected to forced labor and forced prostitution. Local children, many under the age of 15, are subjected to sex trafficking, particularly near foreign logging camps and on foreign and local commercial fishing vessels, but also at hotels and entertainment establishments. Some girls are hired under the guise of domestic labor in logging and fishing areas, but subsequently coerced into commercial sex. Some local girls are put up for "informal adoption" by

their family members in order to pay off debts, and subsequently subjected to sexual servitude and forced labor as domestic servants. Local boys are also put up for "informal adoption" and subjected to the same type of forced labor. Local girls as young as 12 years old were sold by their parents for marriage to foreigners working for logging and mining companies. Some local girls married to foreign workers who leave the Solomon Islands are forced into domestic servitude by their husbands' wife and family in their husband's country. Some Asian women from China, Indonesia, Malaysia, and the Philippines may have been recruited from their home countries for legitimate work, paying large sums of money in recruitment fees, and upon arrival, forced into prostitution, including near logging camps. Men from Indonesia and Malaysia are recruited to work in the Solomon Islands' logging and mining industries, and may be subsequently subjected to forced labor in industrial camps. The Solomon Islands is a destination country for child sex tourists.

The Government of the Solomon Islands does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these modest efforts, the government failed to report any efforts to investigate or prosecute any trafficking offenders, or identify or assist any trafficking victims; therefore, the Solomon Islands is placed on Tier 2 Watch List. Several public studies have identified sex trafficking as a problem in the Solomon Islands, though the government has never investigated or prosecuted a trafficking case, nor proactively identified a trafficking victim. While two victims came forward to authorities during the year, the government did not make efforts to prosecute their alleged traffickers. There is little awareness of human trafficking in the Solomon Islands, and the government did not conduct any public awareness campaigns on trafficking.



Recommendations for the Solomon Islands: Draft and enact comprehensive anti-trafficking legislation, criminalizing all forms of trafficking in persons; publicly recognize and condemn incidences of trafficking; make greater efforts to investigate, prosecute, and punish trafficking offenders, such as suspected offenders of child prostitution occurring in or near logging camps; investigate the forced prostitution of foreign women and prosecute their traffickers and clients; work with NGOs or international organizations to ensure that identified victims of trafficking are provided access services and protection; adopt proactive procedures to identify victims of trafficking among vulnerable groups, such as foreign workers in the fishing industry and women and children in prostitution; and institute a visible campaign to raise public awareness of human trafficking in the country.

Prosecution

The Government of the Solomon Islands made no discernible anti-trafficking law enforcement efforts during the reporting period. Although the Solomon Islands Constitution provides protection against slavery, the country has no specific laws addressing trafficking in persons and very few laws, such as the penal code and the Islanders Marriage Act, can be used to prosecute trafficking offenses. Unlawful compulsory labor is considered a misdemeanor, punishable by up to two years' imprisonment, a fine, or a combination of both. The penalties prescribed under these non-trafficking-specific statutes are not sufficiently stringent or commensurate with other serious crimes, such as rape. The lack of a legal definition of sex or labor trafficking which identifies the essential elements of a trafficking crime prevents law enforcement officers from rescuing victims or arresting trafficking offenders on trafficking charges. Government authorities continued to deny that trafficking was a concern that merited attention in the country. Although two Indonesian men identified themselves to authorities as labor trafficking victims, the government did not prosecute the alleged traffickers in this case and was unable to indicate the status of the case or whereabouts of the Indonesian victims. Furthermore, despite public studies on the existence of child prostitution and forced adult prostitution in the country, the government did not report prosecuting or convicting any other trafficking offenders during the year. The government provided no training to law enforcement and court personnel on identifying trafficking victims and prosecuting trafficking offenders.

Protection

The Government of the Solomon Islands made no discernible efforts to identify or assist victims of trafficking during the year. Law enforcement and social services personnel do not have a formal system of proactively identifying victims of trafficking among high-risk persons with whom they come in contact; they did not proactively identify any victims during the reporting period. Although the government continued to arrest Chinese women for prostitution during the year, it has never identified a victim of trafficking among this vulnerable population. Some foreign female trafficking victims were likely punished by authorities through imprisonment, due to lack of victim identification efforts. In response to the aforementioned two self-identified male labor trafficking victims, the government did not offer protection or assistance to these victims. There are no procedures in place to refer identified trafficking victims to service organizations for protection and assistance. The government relied largely on civil society or religious organizations to provide limited services to victims of crime. The Family Support Center, operated by the government and funded by an NGO, is reportedly available to provide consultations to victims of gender-based violence and government-identified trafficking victims, but it has never assisted a trafficking victim. There are no legal, medical, or psychological services available to trafficking victims in the Solomon Islands. The government did not make efforts to identify or reach out to international organizations or community groups to provide assistance to victims of trafficking. The government did not offer any legal alternatives to the

removal of foreign victims to countries where they may face hardship or retribution.

Prevention

The government made few discernible efforts to prevent trafficking or raise public awareness of the crime. There is little awareness of human trafficking in the Solomon Islands, and the government did not conduct any public awareness campaigns on trafficking. In November 2010, the government partnered with an NGO and a foreign donor to conduct a training for government officials and local organizations on human trafficking awareness. While authorities reportedly monitored immigration and emigration patterns for human smuggling, particularly with respect to the rising number of Southeast Asians entering the country, it did not monitor such patterns for human trafficking. It took no action to reduce the demand for commercial sex acts during the reporting period. The Solomon Islands is not a party to the 2000 UN TIP Protocol.

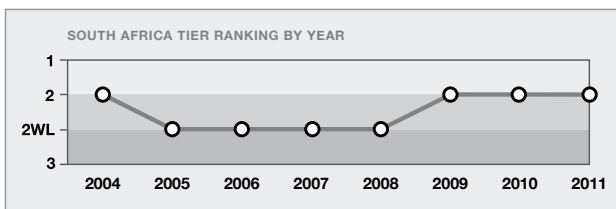
SOUTH AFRICA (Tier 2)

South Africa is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Children are trafficked mainly within the country, from poor rural areas to urban centers such as Johannesburg, Cape Town, Durban, and Bloemfontein. Girls are subjected to sex trafficking and domestic servitude; boys are forced to work in street vending, food service, begging, criminal activities, and agriculture. The tradition of *ukuthwala*, the forced marriage of girls as young as 12 to adult men, is still practiced in some remote villages in the Eastern Cape and Western Cape, leaving these girls vulnerable to forced labor and prostitution. Local criminal rings and street gangs organize child prostitution in a number of South Africa's cities. To a lesser extent, syndicates recruit and transport South African women to Europe and the Middle East, where they are forced to labor in domestic service and forced into prostitution. Nigerian syndicates dominate the commercial sex trade within the country, and send South African women to the United States for exploitation in domestic servitude. South African men recruited by local employment agencies to drive taxis in Abu Dhabi are subjected to forced labor subsequent to their arrival in the United Arab Emirates. Traffickers control victims through intimidation and threats, use of force, confiscation of travel documents, demands to pay "debts," and forced use of drugs and alcohol. During the reporting period, South African trafficking victims were discovered in Macau. Women and girls from Thailand, Cambodia, the Congo, India, Russia, Ukraine, China, Taiwan, Mozambique, and Zimbabwe are recruited for legitimate work in South Africa then subjected to prostitution, domestic servitude, and forced labor in the service sector. Some of these women also are transported to Europe for forced prostitution.

Thai women are subjected to prostitution in South Africa's illegal brothels, while Eastern European organized crime units forced some women from Russia, Ukraine, and Bulgaria into debt-bonded prostitution in exclusive

private men's clubs. Chinese traffickers bring victims from Lesotho, Mozambique, and Swaziland to Johannesburg or other cities for prostitution. Migrant men from China and Taiwan are forced to work in mobile sweatshop factories in Chinese urban enclaves in South Africa, which evade labor inspectors by moving in and out of Lesotho and Swaziland. Young men and boys from Mozambique, Malawi, and Zimbabwe voluntarily migrate to South Africa for farm work, sometimes laboring for months in South Africa with little or no pay and in conditions of involuntary servitude before unscrupulous employers have them arrested and deported as illegal immigrants. Taxi drivers or thugs at the border transport Zimbabwean migrants, including children, into South Africa and may subject them to sex or labor trafficking upon arrival.

The Government of South Africa does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increased efforts to address human trafficking, led by the National Prosecuting Authority (NPA), through the conviction and prosecution of an increased number of offenders and the formation of new task forces. The government's promised comprehensive anti-trafficking bill – first drafted in 2003 – remained under review, however, and was not passed or enacted. Although the number of new trafficking investigations and prosecutions under other legal provisions increased, few of these resulted in convictions and many cases remained pending from previous reporting periods. All those convicted received suspended sentences or fines, which are inadequate penalties to deter the commission of trafficking crimes. Despite its considerable resources, the government did not dedicate specific funding to combat human trafficking and instead relied on existing budgets for stakeholder departments and foreign donors for its efforts made. The government did not provide direct care or accommodation to trafficking victims, and funding given to NGOs for the care of trafficking victims remained insufficient. Although South Africa is a major migrant destination country in Africa, the government failed to identify and address forced labor among migrant workers, as well as foreign and South African children. Significant gaps remain in South Africa's overall victim protection process, specifically the lack of formal procedures for screening for and identifying trafficking victims amongst vulnerable groups, including illegal migrants and women in prostitution.



Recommendations for South Africa: Enact and begin implementing the draft comprehensive anti-trafficking law; utilize the Children's Amendment Act of 2007 to prosecute and convict child trafficking offenders; continue to increase awareness among all levels of relevant government officials as to their responsibilities under the anti-

trafficking provisions of the Sexual Offenses and Children's Amendment Acts; criminally prosecute employers who utilize forced labor, and ensure that labor trafficking victims are not charged for immigration violations by screening all deportees for victimization; ensure officials adequately screen for victimization amongst other vulnerable groups, including women in prostitution; develop a mechanism to refer all victims to protective services; establish facilities to provide for accommodation and medical and psychological services for victims or provide sufficient funding to NGOs to do so; ensure that translators are available to assist victims in obtaining care, cooperating with law enforcement, and testifying in court; continue to support prevention strategies developed by NGOs to address demand for commercial sex acts and protect children from commercial sexual exploitation; support the adoption of measures to protect children from sexual exploitation by tourists; investigate and prosecute officials complicit in trafficking; and institute formal procedures to compile on a regular basis national statistics on the number of trafficking cases prosecuted and victims assisted, as is done for other crimes.

Prosecution

The Government of South Africa increased law enforcement efforts to combat trafficking. Several cases from previous years remained pending trial or sentencing and the few convictions achieved during the reporting period resulted in inadequate prison sentences or fines. The government investigated and prosecuted additional trafficking cases, all but one of which involved sex trafficking. This reveals the imbalance in the government's anti-trafficking efforts, which largely ignored forced labor. South African law does not prohibit all forms of trafficking. Comprehensive anti-trafficking legislation, drafting of which began in 2003, remains pending in parliament for a third consecutive year. Throughout 2010, parliament's Justice Portfolio Committee, charged with deliberating the Prevention and Combating of Trafficking in Persons Bill, held public comment sessions and numerous hearings as review of the legislation continued. The lack of a comprehensive law that fully defines trafficking, empowers police and prosecutors, and outlines provisions and allocates funding for victim care is the greatest hindrance to anti-trafficking efforts in South Africa.

The Sexual Offenses Act (SOA) prohibits sex trafficking of children and adults and the Basic Conditions of Labor Act of 1997 prohibits forced labor. The SOA prescribes punishments of up to 20 years' imprisonment for sex trafficking offenses, penalties which are sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. Penalties of up to three years' imprisonment for forced labor are not sufficiently stringent. The Prevention of Organized Crime Act (POCA) of 1998, however, was the law most often used to punish traffickers, partly due to its extensive list of charges, including money laundering, racketeering, and criminal gang activity. Signed into law in 2008, the Children's Amendment Act came into full force in 2011, allowing it to be used. The act prescribes penalties of between five years' to life imprisonment or fines for the use, procurement or offer of a child for slavery, commercial sexual exploitation,

or to commit crimes; the act has not yet been used to charge a child trafficking offense.

The government convicted nine offenders during the reporting period. All offenders convicted received suspended sentences or paid fines. These are inadequate punishments to deter the commission of trafficking crimes. The government used existing legislation to investigate, prosecute, and convict trafficking cases, though most prosecutions opened between 2006 and 2010 remained pending, including the trial of "Diana," a Mozambican woman charged in early 2008 with child trafficking and forced labor for allegedly exploiting three Mozambican girls in prostitution and domestic servitude. In the country's only successful prosecution under a trafficking statute to date, in which a court in Durban convicted a husband and wife in the previous reporting period on 17 counts under the POCA, the SOA, and Immigration Act, the offenders have yet to be sentenced. In 2010, the government charged three suspected offenders for the alleged labor trafficking of 106 Indian nationals; two await trial and the third pled guilty and was sentenced to five years' imprisonment, with three years suspended. In 2010, in two cases involving at least three Thai victims, the Durban Magistrate's Court charged six Thai offenders under the trafficking provisions of the SOA; all pled guilty and received fines of approximately \$300 and suspended sentences. In 2010, the Welkom Magistrate's Court charged a mother and daughter under the trafficking provisions of the SOA for subjecting six South African women to forced prostitution; they reached a plea agreement, where one offender received house arrest and rehabilitation as part of a suspended sentence and another was sentenced to 16 years' imprisonment with 14 years suspended. In addition, as of March 2011, the NPA reported 22 human trafficking prosecutions initiated across five provinces, an increase from zero in 2009; five cases remain under investigation in three provinces, including a case of nine Nigerian men charged under the SOA in March 2010 in the Ermelo Magistrate's Court for subjecting 12 South African women to forced prostitution. Most cases prosecuted and convicted involved sex trafficking, showing a lack of attention to the forced labor problem in the country. However, the South African Police Service (SAPS) Directorate for Priority Crime Investigations, known as the Hawks, reported charging three South African nationals for labor trafficking in two cases involving 13 South African nationals in the Western Cape. Five additional labor trafficking cases remain under investigation in the Western Cape.

Some police officers received bribes from crime syndicates, failed to pursue criminals out of fear of reprisals, or preferred to deport victims, as a shortcut, instead of opening a trafficking investigation. Police report investigation plans were often leaked, thereby tipping off traffickers and giving them a chance to elude capture.

In 2010, the South African Police Service (SAPS), responsible for case investigation, identified nine provincial coordinators to monitor and track all leads and investigations, reporting to the national human trafficking coordinator on their anti-trafficking efforts. The NPA's Sexual Offenses and Community Affairs Unit (SOCA) launched three new provincial TIP task teams in Gauteng,

the Eastern Cape, and the Western Cape; there are now task teams in six of the nine provinces. In preparation for the launch of each task team, NPA SOCA organized a variety of workshops to determine the roles of stakeholders, establish sub-structures of the task team, and develop the provincial strategies for prevention, response, and support. The NPA, in cooperation with international partners, developed an accredited trafficking training manual for use by all government departments. The NPA trained and accredited 249 trainers from SAPS, Department of Social Development (DSD), Department of Home Affairs (DHA), and Department of Justice to train in their respective offices on the definition of trafficking, victim identification, as well as case investigation and management. SAPS cooperated with the U.S. government on the rescue and repatriation of a potential South African victim of sex trafficking; the investigation concluded that the victim had not in fact been trafficked. In addition, during the reporting period, the government assisted in the rescue of potential trafficking victims from Lesotho and Swaziland.

Protection

The South African government sustained its efforts to ensure trafficking victims' access to protective services during the reporting period, but gaps remained in screening amongst vulnerable groups, leading to the arrest and summary deportation of potential victims. The government did not develop formal procedures for the identification of trafficking victims and their referral to appropriate care; however, the National Prosecuting Authority, DSD, and IOM developed training manuals for law enforcement and immigration officials, prosecutors, social workers, health care providers, and NGO representatives to recognize and address trafficking cases. In addition, the NPA reached an agreement with a local NGO trafficking hotline to refer cases to NPA's Sexual Offenses and Community Affairs and the provincial task teams. DSD and the SAPS notified each other of trafficking cases to enable rapid access to care and effective gathering of evidence and testimony. The government did not specifically dedicate funding to anti-trafficking activities, relying instead on the existing budgets of the affected departments. With some all-purpose funding from the DSD, NGOs, faith-based organizations, and community charities provided care to both identified and suspected trafficking victims in overtaxed, multi-purpose facilities that helped victims of domestic abuse, gender-based violence, rape, and sexual assault. Such funding is inadequate to support the anti-trafficking work of these organizations. The government failed to provide any direct care or accommodation for trafficking victims.

As the only body authorized by judicial authorities to refer crime victims to private shelters, the DSD was involved in referring each case. There were few facilities for men, however, and victims of forced labor on farms near the borders with Lesotho and Mozambique were routinely denied care and summarily deported. In 2010, the DSD reviewed its "shelter strategy," and identified 13 shelters in need of upgrades to accommodate trafficking victims. DSD received funding to begin the upgrades and begin training staff at these facilities. The DSD trained 270 social workers on identification of trafficking victims and the role of stakeholders in assisting victims. During the reporting

period, DSD also developed a nine-week rehabilitation program for the psycho-social well-being of victims. The program will not be available to support victims until passage of the long-delayed draft anti-trafficking law.

The government did not offer long-term care to non-foreign trafficking victims assisting with investigations. During the reporting period, the government provided witness protection to at least four suspected trafficking victims. Officials encouraged victims to participate in the investigation and prosecution of trafficking offenders. Almost all foreign victims, though, preferred to return home without pressing charges. NGOs reported that the police's longstanding focus on deportation of undocumented migrants caused them to overlook potential foreign trafficking victims. The SOA stipulates that sex trafficking victims not be charged with crimes committed as a direct result of being trafficked, yet some victims were still arrested. Some organizations report that the screening of women in prostitution who were arrested following brothel raids may be done too hastily to assess accurately trafficking victimization. With the lack of a formal identification process, trafficking victims were most likely detained, jailed, or fined for unlawful acts committed as a result of being trafficked. The law did not provide all trafficking victims with legal alternatives to deportation to countries where they may face hardship or retribution.

Prevention

The government made efforts to prevent human trafficking. The NPA continued to chair the national Trafficking in Persons Inter-Sectoral Task Team (ISTT), which met quarterly to coordinate all government counter trafficking efforts. Prevention campaigns launched in early 2010, in advance of, during and immediately after the World Cup, by both government and NGOs were effective in raising awareness. The government jointly sponsored, with a foreign donor, the fifth annual Human Trafficking Awareness Week in October 2010, which spread awareness of trafficking and the appropriate responses to it. These activities were coordinated by the Department of Home Affairs, at the ports of entry, several police stations in Johannesburg, at nearby shopping centers, and by the Department of Social Development at its Pretoria headquarters. The KwaZulu-Natal Task Team also sponsored a coloring competition in IsiZulu and English for students from Grade 3 to Grade 7, with active participation from SAPS, the Department of Justice and Constitutional Development, the Department of Arts and Culture, as well as the Local Victim Empowerment Forums.

In cooperation with the NPA, members of the Kaizer Chiefs soccer team addressed their supporters and wore T-shirts encouraging the public to report suspected cases or find out more information about human trafficking. The NPA continued to lead the donor-funded *Tsireledzani* program, which developed a national action plan to combat trafficking in persons during the reporting period, now under review by the cabinet. During the reporting period, the NPA developed low cost high impact awareness tools, such as peer education worksheets and a radio drama, which targeted vulnerable groups and the general public. The Mpumalanga Task Team conducted public awareness

activities with traditional leaders and the Gauteng Task Team handed out pamphlets and posters in Johannesburg's central business district. Members of the Durban Task Team rode aboard a float in the Durban Float Parade, bound and gagged to represent the concept of human trafficking. The Department of Justice and Constitutional Development visited the Eastern Cape to look into the practice of *ukuthwala* among certain communities. The NPA conducted "road shows" during the 16 Days of Activism for No Violence Against Women and Children, in which presenters educated communities about the ways in which *ukuthwala* violated children's rights and could be criminally prosecuted. The NPA also pursued investigations into cases of forced marriage, charging perpetrators with kidnapping and statutory rape.

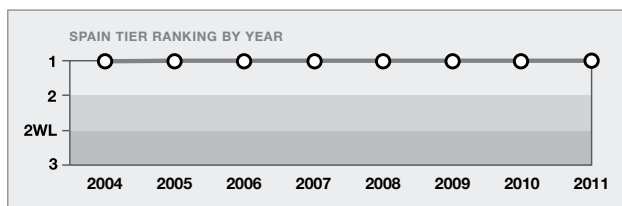
The Department of Labor (DOL) has neither recognized nor acted to address the labor trafficking abuses occurring within the country. Suspected instances of labor trafficking involving foreigners have been deemed episodes of localized migrant abuse. Additionally, the DOL has never identified a case of forced child labor and investigated instances are determined to involve "children in need," not victims. Labor inspectors are not adequately trained to identify cases of trafficking, including those involving children. The government did not make efforts to reduce the demand for commercial sex. The government, through the South African National Defense Forces' Peace Mission Training Centre, provided anti-trafficking training to South African troops prior to their deployment abroad on international peacekeeping missions.

SPAIN (Tier 1)

Spain is a destination and transit country for men, women, and children subjected to forced labor and sex trafficking. Victims originate from Eastern Europe, Latin America, East Asia and sub-Saharan Africa. Men and women reportedly are subjected to forced labor in the domestic service, agriculture, construction, and tourism sectors. According to the government and NGOs, Spanish nationals are also vulnerable to trafficking. Media reports indicate there are between 200,000 and 400,000 women engaged in prostitution in Spain, with over 3,000 entertainment establishments dedicated to prostitution. According to media reports and government officials, approximately 90 percent of those engaged in prostitution in Spain are victims of forced prostitution, controlled by organized networks operating throughout the country. Unaccompanied foreign children in Spain may be vulnerable to sex trafficking and forced begging.

The Government of Spain fully complies with the minimum standards for the elimination of trafficking. During 2010, the government improved its capacity to vigorously prosecute trafficking by enacting an amendment to its criminal code to explicitly criminalize trafficking as distinct from illegal immigration. The government referred some trafficking victims to an NGO for specialized anti-trafficking assistance, an improvement from previous years. The government reported, however, that it referred the majority of potential trafficking victims to a non-specialized government agency for basic care, rather

than NGOs for comprehensive care and assistance. A lack of formalized procedures for victim identification continued to result in some victims being penalized for crimes committed as a direct result of being trafficked. The government has not yet developed specialized services for trafficked children and victims of forced labor, despite continued calls by local experts to do so.



Recommendations for Spain: Expand formal partnerships with NGOs to entrust them with the specialized care of trafficking victims to move towards a more holistic, victim-centered approach to trafficking in Spain; consider allowing NGOs in detention centers to locate potential trafficking victims who may have been reluctant to disclose elements of their exploitation to law enforcement; refer potential trafficking victims to NGO specialized care providers and consider lowering the standard for granting victims the reflection period and temporary residency; improve and develop formal procedures to guide front-line responders in the proactive identification and referral of trafficked victims independent of their immediate cooperation with law enforcement; improve outreach to locate more child trafficking victims and victims of forced labor and ensure all potential trafficking victims, including children and men, are provided with access to specialized anti-trafficking services; provide comprehensive data on trafficking specific prosecutions and convictions, and ensure their disaggregation from smuggling and other prostitution offenses; and vigorously prosecute and punish all government officials complicit in trafficking offenses.

Prosecution

The Government of Spain took an important step to improve its anti-trafficking law enforcement efforts in 2010. Spain amended its criminal code to legally distinguish between trafficking and illegal immigration, and explicitly prohibited internal trafficking through Article 177. This article entered into force in December 2010; the government has yet to use this article to secure the conviction of any traffickers in Spain. Article 177 prescribes penalties from five to 10 years' imprisonment; these penalties are sufficiently stringent, and the penalties prescribed for sex trafficking are commensurate with the prescribed penalties for other serious crimes, such as rape. Spain prohibits sexual exploitation through Article 318 and labor exploitation through Articles 313 of its criminal code, and the Organic Law 11/2003. According to preliminary information, the Spanish government prosecuted 202 suspects and convicted 80 possible trafficking offenders in 2010, sentencing them to two to nine years' imprisonment. Weaknesses in the government's data, however, prevent confirming the number of human trafficking cases prosecuted as all offenders were prosecuted under Spain's

previous anti-trafficking law, which conflates trafficking with people smuggling. The government, however, provided some individual case data to demonstrate it vigorously prosecuted sex traffickers under Article 318 in 2010. In October 2010, courts convicted and sentenced each of seven trafficking offenders to five to nine years' imprisonment for subjecting women from Brazil to forced prostitution; the traffickers used physical intimidation, debt bondage, violence, and threats to prevent the victims from going to the police. Also, in May 2010, the Supreme Court upheld the conviction of six sex traffickers for subjecting women from Venezuela to forced prostitution in various cities in Spain; sentences ranged from two to four years' imprisonment. Finally, in June 2010, a court in Castellon sentenced a married couple to five years' imprisonment for subjecting Brazilian women to debt bondage and forced prostitution. The government reported it continued its investigation of a March 2009 complicity case in which a law enforcement officer reportedly solicited a bribe from a brothel owner in exchange for ignoring alleged forced prostitution in the brothel. A subsequent investigation revealed the alleged involvement of 15 other suspects, including police, former police, business owners, and lawyers.

Protection

The Spanish government demonstrated some progress in providing concrete protections to some trafficking victims in 2010, an improvement over the previous year. A continued lack of formalized procedures for proactive identification increased the likelihood that unidentified victims were treated like illegal migrants and deported. In 2010, the government issued official instructions to guide implementation of Article 59, approved in December 2009, which established a 30-day reflection period and a legal mechanism for victims to obtain work and residency permits, conditioned on their cooperation with law enforcement investigations and prosecutions. In 2010, the government reported 46 trafficking victims benefitted from the reflection period and it provided temporary residency permits to 37 trafficking victims who were cooperating with law enforcement personnel. Spanish law permitted trafficking victims to remain in Spain beyond the 30-day reflection period only if they agreed to testify against trafficking offenders. Victims who assisted law enforcement officials by testifying in court, received a one-year residency permit, renewable for two years if the victim obtained employment in Spain during his or her first year. Permanent residency was available to victims who had earlier secured a second renewal for a total of at least five years. According to local experts, in practice, the issuance of such permits depended on the level of victims' cooperation and how much useful assistance they were able to provide to authorities. NGOs reported that many victims were interviewed immediately after a law enforcement operation, alongside members of organized crime; these potential victims often do not understand the local language and are thus not inclined to disclose elements of their exploitation. As a result, the potential trafficking victims are subject to penal action, detained, or deported. Furthermore, NGOs report that despite identification reports from authorized, specialized NGOs, confirmed trafficking victims continued to be detained and deported

by authorities. Local observers also question whether the lead agency charged with enforcing illegal immigration laws can adequately carry out its responsibility for the identification and protection of trafficking victims in Spain.

The government reported it exercised discretion in referring victims to NGOs for care and assistance, and reported that it referred all potential trafficking victims to the social-sanitary service of the Spanish public administration, rather than to any NGOs providing specialized, victim-centered comprehensive care to victims. A recent report noted that NGO lawyers and other stakeholders with specialized expertise on trafficking provided the most appropriate assistance to victims. The report further stated that in most cases, victims did not receive adequate information about their rights, even in cases when they decided to cooperate with law enforcement. NGOs continued to report serious concerns with a lack of formal cooperation with the immigration authorities responsible for identification and referral of victims in Spain.

The government reported that it continued to subsidize a network of NGOs providing specialized care and assistance to trafficking victims in 2010. One NGO reported it assisted a total of 94 trafficking victims in 2010, 57 of which were newly identified cases; 30 of these victims were referred by Spanish authorities. In another instance, an NGO reported it proved assistance to 34 trafficking victims in 2010. IOM reported it assisted in the repatriation of 22 victims to their home countries in 2010.

Prevention

The national government, along with regional and local authorities, continued to implement multiple prevention campaigns to raise awareness and discourage demand for prostitution in Spain. All awareness efforts focused on the commercial sexual exploitation of women. In June 2010, in conjunction with UNODC, the Ministry of Equality launched the regional three-week “Blue Heart” campaign to raise awareness about trafficking in relation to sexual exploitation. Further in 2010, the Ministry of Equality sponsored an exhibit in Madrid entitled “Slaves of the 21st Century,” portraying the causes and consequences of trafficking. One NGO reported that many of the government’s awareness campaigns conflate prostitution with trafficking. The national government continued to implement its National Action Plan for Sexual Exploitation in 2010. A draft action plan on forced labor has yet to be finalized. According to the Spanish military, Spanish troops received trafficking awareness training before they were deployed abroad for international peacekeeping missions.

SRI LANKA (Tier 2)

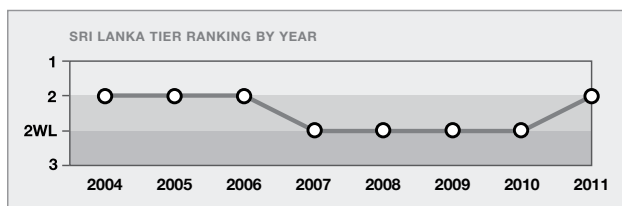
Sri Lanka is primarily a source and, to a much lesser extent, a destination for men, women, and children subjected to forced labor and sex trafficking. Sri Lankan men, women, and some children (between 16 and 17 years old) migrate consensually to Kuwait, Jordan, Saudi Arabia, Qatar, Lebanon, the United Arab Emirates (UAE), Oman, Bahrain, and Singapore to work as construction workers, domestic servants, or garment factory workers. Some of

these workers, however, subsequently find themselves in conditions of forced labor through practices such as restrictions on movement, withholding of passports, threats, physical or sexual abuse, and threats of detention and deportation for immigration violations. Many of these migrants pay high recruitment fees – usually about \$1,500 – imposed by unscrupulous licensed labor recruitment agencies and their unlicensed sub-agents and assume debt in order to satisfy these costs. This indebtedness contributes to debt bondage in destination countries. A recent Human Rights Watch report noted that over one-third of Sri Lankan domestic workers in Jordan are physically abused by their employers, 11 percent were sexually assaulted, 60 percent were not paid wages, over 60 percent had their passports confiscated, and 80 percent experienced forced confinement – these are abuses that indicate forced labor. In the past year, there were high-profile reports of Sri Lankan domestic workers who were subjected to forced labor and physical abuse in Saudi Arabia, Kuwait, and Jordan, including having more than 20 nails hammered in their bodies, or being forced to swallow nine nails. There were also reports of cases in which some Sri Lankan recruitment agencies committed fraud by engaging in contract-switching: promising one type of job and conditions but then changing the job, employer, conditions or salary after arrival, which are documented risk factors for forced labor and debt bondage. Sri Lanka is reported to be a transit country for men, some of whom may be trafficking victims, traveling from Pakistan and Bangladesh to Dubai, UAE. In several cases, men were stranded in Sri Lanka by the employment agent. Some Sri Lankan women were promised jobs as domestic workers in other countries, but after arriving were instead forced to work in brothels, mainly in Singapore. A small number of Sri Lankan women are forced into prostitution in the Maldives.

Within the country, women and children are subjected to sex trafficking in brothels, especially in the Anuradhapura area, which was a major transit point for members of the Sri Lankan Armed Forces heading north. Boys are more likely than girls to be forced into prostitution – this is generally in coastal areas for domestic child sex tourism. In 2009, the National Child Protection Authority (NCPA) estimated that approximately 1,000 children were subjected to commercial sexual exploitation within Sri Lanka although some NGOs believed the actual number was between 10,000 and 15,000. NGOs expressed concern that the recent increase in tourism in the very poor post-conflict areas on the east coast may increase demand for child sex tourism. There are reports of children being subjected to bonded labor and forced labor in dry-zone farming areas on plantations, and in the fireworks and fish-drying industries. Some child domestic workers in Colombo, generally from the Tamil tea-estate sector of the country, are subjected to physical, sexual, and mental abuse, nonpayment of wages, and restrictions of their movement. Some women and children were promised garment industry work by agents and were instead forced into prostitution. A small number of women from Thailand, China, and countries in South Asia, Europe, and the former Soviet Union may be subjected to forced prostitution in Sri Lanka.

Sri Lanka does not fully comply with the minimum standards for the elimination of trafficking; however, it

is making significant efforts to do so. The government convicted three traffickers, in the first case under its anti-trafficking legislation, and rejuvenated its inter-agency task force. However, serious problems remain unaddressed, such as the detention of identified trafficking victims (including those who provided evidence to support the three convictions), the failure to achieve criminal convictions for fraudulent recruitment agencies involved in trafficking in persons, and official complicity in human trafficking.



Recommendations for Sri Lanka: Vigorously investigate and prosecute suspected trafficking offenses, and convict and punish trafficking offenders, particularly those responsible for recruiting victims with fraudulent offers of employment and excessive commission fees for the purpose of subjecting them to forced labor; ensure that victims of trafficking found within Sri Lanka are not detained or otherwise penalized for unlawful acts committed as a direct result of their being trafficked, such as visa violations or prostitution; establish law enforcement capacity at shelters in embassies abroad; develop and implement formal victim referral procedures; train local law enforcement and judicial officials on investigating and prosecuting trafficking crimes; facilitate the speedy repatriation of foreign trafficking victims by providing airfare and not obligating them to remain in the country if they choose to initiate law enforcement proceedings; provide witness protection and incentives for victims to cooperate with law enforcement to enable prosecutions; stop the practice of forcing foreign trafficking victims to remain in Sri Lanka if they are witnesses in a case; improve services, including quality of shelters, legal aid, availability of counseling, and numbers of trained staff at embassies and consular offices in destination countries; promote safe tourism campaigns to ensure that child sex tourism does not increase with expected rapid growth of tourism; and improve regulation and monitoring of recruitment agencies and village-level brokers, with an emphasis on ensuring provision of accurate and enforceable employment contracts and working to ending the charging of illegal and excessive fees.

Prosecution

The Sri Lankan government increased law enforcement efforts in addressing human trafficking cases over the reporting period. Sri Lanka prohibits all forms of trafficking through an April 2006 amendment to its penal code, which prescribes punishments of up to 20 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious offenses, such as rape. Amendments passed in 2009 to the Foreign Employment Act expanded the powers of the Sri Lanka Bureau of Foreign Employment (SLBFE) to

prosecute recruitment agents who engage in fraudulent recruitment, prescribing a maximum penalty of four years' imprisonment and fines of \$1,000, and restricting the amount that employment agents can charge. In March 2011, three traffickers were convicted and sentenced to nine years each for forcing women into prostitution, in one case. This is the first recorded convicted case under Sri Lanka's counter-trafficking amendment. However, the Uzbek sex trafficking victims in the case were detained in an immigration detention facility in Sri Lanka for over a year until their testimony was complete. The Attorney General's Department claimed two additional convictions in 2010 for violations of the penal code's statute on child sexual exploitation; both convictions may have involved human trafficking crimes. Both convictions resulted in suspended jail sentences. Each trafficker had to pay a fine of approximately \$900, and one had to pay compensation of \$450 to the victim. In January 2011, the National Child Protection Authority (NCPA) completed an investigation and could not determine the whereabouts of the remaining boys allegedly in armed service with the Tamil Makkal Viduthalai Pulikal (TMVP)/Karuna Faction; some of these boys may be trafficking victims. There were no prosecutions against persons allegedly responsible for conscription of child soldiers.

During the year, there was some evidence of government officials' complicity in trafficking. There were allegations that police and other officials accepted bribes to permit brothels to operate; some of the brothels exploited trafficking victims. Many recruitment agencies were run by politicians or were politically connected. Some sub-agents cooperated with Sri Lankan officials to procure forged or modified documents, or real documents with false data, to facilitate travel abroad. There were no reported law enforcement actions taken against officials complicit in human trafficking. The Sri Lankan Police continued to teach a counter-trafficking module to all police recruits during their basic trainings. Additionally, police officers who were previously trained in IOM training-of-trainers courses conducted 16 training workshops at local police stations on counter-trafficking in the reporting period.

Protection

The government made limited progress in protecting victims of trafficking during the year. The government placed two Uzbek women who were found in forced prostitution in late 2009 in a detention center, which they were allowed to leave during the day but were locked up at night. The government did not permit them to leave Sri Lanka for over a year until they had the opportunity to provide testimony against their alleged traffickers, instead of allowing the Uzbeks to leave the country while their cases were pending or to remain in the country with protections such as immigration relief, freedom of movement, and the right to work. They were then given permission to leave the country, and with the assistance of IOM, departed Sri Lanka in December 2010. The government forces foreign trafficking victims to remain in Sri Lanka if they are witnesses in a case until evidence has been given. The government continued to provide some counseling and day care for abused children through the operation of six resource centers, although it is not

known how many trafficked children, if any, were assisted in the reporting period. The Sri Lanka Bureau of Foreign Employment (SLBFE) operated nine short-term shelters in 2010 in Jordan, Kuwait, Libya, Oman, Saudi Arabia, and the United Arab Emirates as well as an overnight shelter in Sri Lanka's international airport for returning female migrant workers who encountered abuse abroad. It is unknown how many trafficking victims were assisted in these shelters in the reporting period. While the missions provide shelter and legal aid, domestic workers seeking assistance complained of long waiting periods with little information about their cases. In addition, there were complaints that the shelters were grossly overcrowded with unhygienic conditions. In a news report of female Sri Lankan workers who fled their employers in Jordan due to lack of paid wages and abuse, one worker noted that the Sri Lankan embassy shelter was no better than a prison, as it did not permit the domestic workers to leave the premises. There have been some reports of abuse by Sri Lankan embassy officials in shelters abroad.

A Workers' Welfare Fund is maintained by the SLBFE, also funded by fees charged to workers upon migration. Through this fund, the widely reported case of the female in domestic servitude in Saudi Arabia who returned with 24 nails in her body received approximately \$4,500 to build a house, with the assistance of the National Housing Authority. Neither the government nor NGOs or international organizations provided protection facilities for men. The Ministry of Child Development and Women's Affairs (MOCDWA) has a memorandum of understanding with IOM to establish a shelter which can house 10 to 15 women and child victims of trafficking and abuse. When the building is renovated and prepared – with a tentative deadline of later this year – the ministry will take over operation and management of the shelter.

Government personnel did not employ formal procedures for proactively identifying victims. The National Counter Human Trafficking Resource Center of the Sri Lanka Department of Immigration and Emigration trained 10 immigration officers on the identification of trafficking victims, in partnership with IOM, in 2010; 50 officers were trained in 2009. The government pursued a partnership with the Salvation Army to transfer women and child victims of abuse to protection facilities, though it is unknown how many trafficking victims, if any, were referred in the reporting period. Foreign trafficking victims could not seek employment in Sri Lanka. The government permitted foreign trafficking victims to leave the country unless they were witnesses in a case, in which case the government forced them to remain until evidence had been given. IOM reported several cases of victims who chose to leave the country rather than file a complaint. The Commissioner General for Rehabilitation, with the assistance of the NCPA, continued to operate two rehabilitation centers specifically for children involved in armed conflict, some of whom may be trafficking victims, in partnership with UNICEF. The Commission also continued to run a vocational training center with donor support. These facilities served approximately 700 former child soldiers in the reporting period. The Sri Lankan government has reported that all former Liberation Tigers of Tamil Eelam (LTTE) child soldiers completed

rehabilitation and were released in May 2010. However, at least 250 children formerly associated with armed groups faced a number of security issues, and some were arrested by police.

The government did not encourage victims to assist in the investigation and prosecution of trafficking cases; instead, they sometimes forced victims to testify if they chose to file charges. While Sri Lankan trafficking victims in theory could file administrative cases to seek financial restitution, this did not happen in practice due to victim embarrassment and the slow pace of the Sri Lankan legal system. In addition, prosecutors were prevented under Sri Lankan law from meeting with witnesses outside of formal court proceedings. Thus, they had to rely on police to convince a witness to testify. The government penalized adult victims of trafficking through detention for unlawful acts committed as a direct result of being trafficked. Most commonly, these acts were violations of their visa status or prostitution. All detainees who were awaiting deportation for visa violations, including trafficking victims, remained in detention facilities until they raised enough money to pay for their plane ticket home, which in some cases has taken years. The government provided no legal alternatives for the removal of foreign victims to countries where they may face hardship or retribution. The SLBFE continued to provide training on protection and assistance to its staff members who worked at embassies and consulates in foreign countries, although many of the labor attaches working in labor-receiving countries are political appointees who do not receive any training.

Prevention

The Sri Lankan government made some progress in its efforts to prevent trafficking during the last year. The government formed an inter-ministerial anti-trafficking task force in October 2010, led by a coordinator from the Ministry of Justice, and developed a terms of reference on how government agencies will work together to combat trafficking. This task force took over the monthly meetings previously held by the MOCDWA, and met six times in the reporting period. While it does not include civil society, the coordinator of the task force recently announced it would soon open up quarterly meetings to NGOs and community organizations. The government limits the recruitment fees to \$70 for jobs paying less than \$200 per month and \$100 for jobs paying over \$200. The SLBFE requires migrant domestic workers with no experience working in the Middle East to complete a free 12-day pre-departure training course. It is not known how many migrant workers completed this course in the reporting period. The SLBFE and the Department of Labor conducted awareness programs on safe migration. In measures that could prevent transnational labor trafficking of Sri Lankans, the SLBFE reported that it filed 727 charges against recruitment agencies in 2010 under Sections 398 (cheating) and 457 (forgery for the purpose of cheating), conducted 84 raids against employment agents, and fined recruitment agencies found to be guilty of fraudulent practices over \$40,000. The Criminal Investigation Division of the police, in cooperation with Interpol and the Royal Malaysian Police, investigated four fraudulent recruitment agents who may

have been responsible for the forced labor of Sri Lankans in Malaysia.

While most Sri Lankans have birth certificates and (after the age of 16) national identity cards, many of the 250,000 to 350,000 internally displaced people – a group very vulnerable to trafficking – did not have these documents. The Government of Sri Lanka continued to provide personnel time to conduct mobile documentation clinics for conflict-affected people with UNDP. The Government of Sri Lanka did not report any efforts to reduce the demand for commercial sex acts during the reporting period. The Ministry of Defense provided training to all Sri Lankan peacekeepers prior to their deployments for international peacekeeping missions relating to human rights, including trafficking. Sri Lanka is not a party to the 2000 UN TIP Protocol.

SUDAN (Tier 3)

Sudan is a source, transit, and destination country for men, women, and children who are subjected to forced labor and sex trafficking. Sudanese women and girls, particularly those from rural areas or who are internally displaced, are vulnerable to forced labor as domestic workers in homes throughout the country; most are believed to be working without contracts or government-enforced labor protections. Some of these women and girls are subsequently sexually abused by male occupants of the household or forced to engage in commercial sex acts. Sudanese girls engage in prostitution within the country – including in restaurants and brothels – at times with the assistance of third parties, including law enforcement officials. Khartoum, Juba, Nyala, and Port Sudan have reportedly seen a significant rise in child prostitution in recent years, as well as in numbers of street children and child laborers – two groups which are highly vulnerable to labor and sexual exploitation. During the year, Sudan People's Liberation Army (SPLA) forces in Lul Payam (Upper Nile State) reportedly forced men and women to perform heavy manual labor without remuneration, while subjecting them to physical abuse.

Sudanese women and girls are subjected to domestic servitude in Middle Eastern countries, such as Bahrain, Saudi Arabia, and Qatar, and to forced sex trafficking in European countries. Some Sudanese men who voluntarily migrate to the Middle East as low-skilled laborers face conditions indicative of forced labor. Sudanese children transit Yemen en route to Saudi Arabia, where they are used in forced begging and street vending, and reportedly work in exploitative labor situations for Sudanese traders in the Central African Republic. Sudanese gang members reportedly coerce other young Sudanese refugees into prostitution in nightclubs in Egypt. Sudanese refugees in Israel reported being brutalized by Rashaida smugglers operating in the Sinai, including being chained together, whipped and beaten regularly, deprived of food, and forced to do construction work at gunpoint at smugglers' personal homes.

Sudan is a transit and destination country for Ethiopian and Eritrean women subjected to domestic servitude in

Sudan and Middle Eastern countries. Filipina migrant domestic workers may also be victimized by situations of forced labor in Khartoum. Sudan is a destination for Ethiopian, Somali, and possibly Thai women subjected to forced prostitution. Agents recruit young women from Ethiopia's Oromia region with promises of high-paying employment as domestic workers in Sudan, only to collect their salaries or force them into prostitution in brothels in Khartoum or near Sudan's oil fields and mining camps. Some Ugandan girls in Juba's prostitution trade may be controlled by a third party.

Thousands of Dinka women and children, and a lesser number of children from the Nuba tribe, were abducted and subsequently enslaved by members of the Missiriya and Rizeigat tribes during the concluded north-south civil war. Some of those enslaved remain with their captors. While there have been no known new abductions of Dinka by members of Baggara tribes in a number of years, inter-tribal abductions continue between tribes in southern Sudan, especially in Jonglei and Eastern Equatoria States. Hundreds of children were abducted in 2010 during cattle raids and conflicts between rival tribes, some of whom were subsequently subjected to conditions of domestic servitude or animal herding. As part of the Darfur conflict, government-supported militia, like the Janjaweed and the Popular Defense Forces (PDFs), and elements of the Sudan Armed Forces (SAF) abducted civilians between 2003 and 2007, mostly from the Fur, Massalit, and Zaghawa ethnic groups. Abducted women and girls are subjected to sexual exploitation and forced domestic and agricultural labor, while men and boys are subjected to forced labor in agriculture, herding, portering goods, and domestic servitude; some of these individuals likely remained captive at the end of the reporting period.

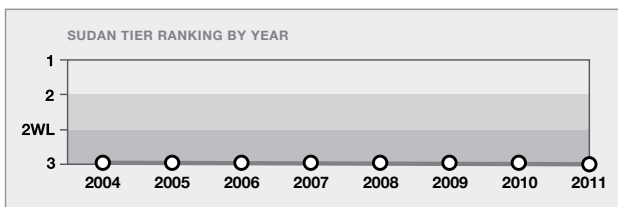
Forcible recruitment of adults and particularly children, by virtually all armed groups, including government forces involved in Sudan's concluded north-south civil war was previously commonplace. Since the war formally ended with the signing of the Comprehensive Peace Agreement in 2005, the Government of Southern Sudan's army, the SPLA, committed to releasing all children from its ranks, including through the signing of an action plan with the UN in November 2009. During the year, UN personnel continued to observe children wearing SPLA uniforms, carrying weapons, and serving at SPLA checkpoints or as bodyguards for senior commanders. For example, in October 2010, UN personnel near Abeyi town witnessed two children ages 10 to 12 years atop a truck wearing SPLA uniforms and carrying AK-47 rifles. In late 2010, there were confirmed reports of unlawful SPLA recruitment of five street children from the SPLA guesthouse in Kadugli town (South Kordofan State), after which they were sent for military training at the SPLA barracks in White Lake/Jaw area. An unknown number of children remained with the SPLA at the end of 2010. Unlike the previous reporting period, the UN Mission to Sudan (UNMIS) reported demobilized child soldiers are no longer being re-recruited in Blue Nile State.

In Darfur, Sudanese children were conscripted, at times through abduction, and used by armed groups during the reporting period, including the Sudan Liberation

Army (SLA)/Minni Minawi, SLA/Abdul Wahid, SLA Historical Leadership, Justice and Equality Movement (JEM), government-supported Janjaweed militia, and Chadian opposition forces. Elsewhere in northern Sudan, government security forces used child soldiers; at least two children were verified as being associated with the Border Intelligence Forces and seven with the PDF during the year.

The Lord's Resistance Army (LRA) continued to abduct Sudanese children and harbor enslaved Sudanese, Congolese, Central African, and Ugandan children in southern Sudan's Western Equatoria and Western Bahr el-Ghazal States for use as cooks, porters, concubines, and combatants; some of these children are also taken back and forth across borders into Central African Republic or the Democratic Republic of the Congo.

The Government of National Unity (GNU) of Sudan does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. While the government took some steps to identify, demobilize, and reintegrate child soldiers during the reporting period, combating human trafficking through law enforcement, protection, or prevention measures was not a priority. The GNU did not acknowledge that forced labor, forced prostitution, or child prostitution exists within the country, and did not publish data regarding its efforts to combat human trafficking during the year nor respond to requests to provide information for this report. Though the Government of Southern Sudan's ability to monitor human trafficking in its jurisdiction or to provide accurate or comprehensive information regarding its limited anti-trafficking efforts remained weak, it demonstrated some willingness to engage on and work with the international community to address such issues – particularly those related to child soldiering – during the reporting period.



Recommendations for Sudan: Acknowledge the existence of a multi-faceted human trafficking problem; enact a comprehensive legal regime to define and address human trafficking crimes and harmonize various existing legal statutes; increase efforts to investigate suspected human trafficking cases, prosecute trafficking offenses, and convict and punish trafficking offenders; launch a public awareness campaign to educate government officials and the general public on the nature and dangers of human trafficking; institute regular trafficking awareness training for Sudanese diplomats posted overseas, as well as officials who validate migrant workers' employment contracts or regulate employment agencies to enable proactive identification and provision of services to trafficked migrant workers; establish an official process for law enforcement officials to identify trafficking victims among vulnerable groups and refer them for assistance; allow

unimpeded access to military barracks for monitoring missions to identify and remove any child soldiers; demobilize all remaining child soldiers from the ranks of governmental armed forces, as well as those of aligned militias; amend the Law of 1955 Regarding Domestic Servants to provide additional rights and protections for domestic workers, such as mandatory written employment contracts, a limit on the number of hours worked each day, and a basic minimum wage; develop, publicize, and enforce a clear, easily navigable process for employers to officially register their domestic workers and employment contracts, as required by the Law of 1955 Regarding Domestic Servants, as well as regularize illegally-present foreign domestic workers; take steps to identify and provide protective services to all types of trafficking victims found within the country, particularly those exploited in domestic servitude or commercial sexual exploitation; and make a much stronger effort through a comprehensive policy approach that involves all vested parties to identify, retrieve, and reintegrate abductees who remain in situations of enslavement.

Prosecution

The government's anti-trafficking law enforcement efforts were negligible during the reporting period; it did not investigate or prosecute any suspected trafficking cases. Both the GNU and Government of Southern Sudan lacked the ability to establish authority or a law enforcement presence in some regions. The GNU and the Government of Southern Sudan neither documented their anti-trafficking law enforcement efforts, if any, nor provided specialized anti-trafficking training to police, military, prosecutorial, or judicial personnel during the year. The Criminal Act of 1991 does not prohibit all forms of trafficking in persons, though its Articles 156 and 163 prohibit inducing or abducting someone to engage in prostitution (seduction) and forced labor, respectively. Prescribed penalties of up to five years' imprisonment for seduction are sufficiently stringent, but not commensurate with those prescribed for other serious crimes, such as rape. Article 156 prescribes penalties of up to seven years' imprisonment for aggravated seduction of a child. Prescribed penalties for forced labor of up to one year's imprisonment or a fine are not sufficiently stringent. Nevertheless, no trafficker has ever been prosecuted under these articles, and it was unclear whether the National Security and Intelligence Service – the entity responsible for investigating cases of human trafficking – did so during the reporting period.

The GNU's Child Act of 2008, enacted in January 2010, prohibits, but does not prescribe, punishments for forced child labor, child prostitution, sex trafficking, and the recruitment of children under the age of 18 into armed forces or groups. It includes provisions, however, for the rehabilitation and reintegration of children victimized by such crimes. The GNU has never used this statute to prosecute any person in its armed forces suspected of such crimes. Some states, such as Southern Kordofan, subsequently enacted their own Child Acts based on the national law. The Sudan Armed Forces Act of 2007 prohibits members of the armed forces from recruiting children under 18 years of age, enslaving civilians, or coercing civilians into prostitution; the act prescribes penalties of

up to five years' imprisonment for child recruitment and up to 10 years' imprisonment for enslavement or forced prostitution. The Law of 1955 Regarding Domestic Servants outlines a process for employing and registering domestic workers, and provides limited labor rights and protections for such workers. Local observers, however, indicate that attempting to officially register domestic workers, as required by the law, entailed a long and complicated process fraught with bureaucratic impediments, including high fees and officials' expectation of receiving bribes. As a result, it appears that few, if any, employers register their domestic workers, and the law is not enforced.

The Southern Sudan Penal Code Act of 2008 prohibits and prescribes punishments of up to seven years' imprisonment for abduction (Article 278) or transfer of control over a person (Article 279) for the purpose of unlawful compulsory labor; the prescribed punishment of up to two years' imprisonment for compulsory labor without such aggravating circumstances is not sufficiently stringent. Article 276 criminalizes buying or selling a minor for the purpose of prostitution and prescribes a punishment of up to 14 years' imprisonment – a penalty that is sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Punishments prescribed in Article 254 for procuring a child (up to 10 years' imprisonment) or an adult (up to two years' imprisonment) for the purposes of prostitution are not commensurate with those for rape. The Southern Sudan Child Act of 2008 prohibits the recruitment and use of children for military or paramilitary activities, and prescribes punishments of up to 10 years' imprisonment for such crimes. The Government of Southern Sudan did not investigate or prosecute any trafficking offenses using these or other articles during the reporting period. The omnibus Labor Act, which was drafted by the Southern Sudan Ministry of Labor in 2009 and would provide further protections against forced and child labor, was not passed during the most recent legislative session. Throughout the reporting period, Government of Southern Sudan senior officials deployed newly-formed rapid response police and military units to respond to inter-tribal fighting and free abductees; these law enforcement efforts did not result in prosecutions or convictions of trafficking offenders.

Protection

The GNU made only minimal efforts to protect victims of trafficking during the past year, and these efforts focused primarily on the demobilization of child soldiers. The government did not publicly acknowledge that women and children are exploited in prostitution or domestic servitude in Sudan, nor did it take steps to identify and provide protective services to such victims. Sudan has few victim care facilities readily accessible to trafficking victims, and the government did not provide access to legal, medical, or psychological services. Police child and family protection units in Khartoum, Western Darfur, Northern Darfur, Southern Kordofan, Northern Kordofan, and Gedaref States offered legal aid and psychosocial support to some victims of abuse and sexual violence during the year; these units were not fully operational due to lack of staff and equipment, and it is unknown whether they provided services to trafficking victims. The government did not employ a system for proactively identifying trafficking

victims among vulnerable populations or a referral process to transfer victims to organizations providing care. It did not encourage victims' assistance in the investigation and prosecution of trafficking crimes or provide legal alternatives to the removal of foreign victims to countries where they would face hardship or retribution. No reliable data exists regarding the detention or punishment of trafficking victims for unlawful acts committed as a result of being trafficked, though NGOs believed that such detentions occurred in 2010. According to their lawyers, the government sentenced to death eight individuals believed to be child soldiers in 2009 for participating in JEM's May 2008 attack on Omdurman; four reportedly remain in detention, though there is no independent access to the detention centers to verify their presence or ages at the time of the attack. In November 2010, the government sentenced to death three individuals believed to be child soldiers, while a fourth received a lesser sentence for their participation in a May 2010 JEM attack on a fuel convoy; their case was under appeal at the close of the reporting period.

In January 2011, the North Sudan Disarmament, Demobilization, and Reintegration Commission (NSDDRC), the UN-African Union Mission in Darfur, the UNICEF, and a local NGO screened 93 boys associated with the Sudan Liberation Movement Army and Good Will Movements in El Fasher, North Darfur, providing medical exams and education on the dangers of HIV/AIDS; 84 were registered and demobilized as part of the process. It is unknown whether children were demobilized from the SAF or associated militias during the year.

Implementation of the SPLA's November 2009 UN-sponsored one-year action plan to end its use of child soldiers is behind schedule; local observers estimate the required activities will not be completed until the end of 2012, partially due to the fact that some SPLA barracks where child soldiers have been documented are nearly inaccessible due to the poor road conditions or insecurity. In August 2010, the SPLA officially launched, with UNICEF funding, its year-old central Child Protection Unit (CPU) in Juba to oversee implementation of the plan, compliance with child protection standards at major SPLA bases, and removal of children from SPLA payrolls. It also began establishing CPUs at SPLA division headquarters in all 10 southern states. To date, CPUs have been established in Mapel, Wunyiik, Duar, Panpandiar, and Mongiri.

The SSDDRC did not provide consolidated information regarding its efforts in 2010; the following data, compiled from various UN sources, may not account for all relevant activities. In March 2010, the SSDDRC and the SPLA CPU, with UNICEF support, identified and registered 20 child soldiers in the SPLA second division training center in New Kush (Eastern Equatoria State) and 27 in the Pakur SPLA barracks (Unity State). In May 2010, in Unity State, a team composed of the SSDDRC, the Ministry of Social Development (MoSD), and several UN entities carried out a demobilization exercise for 43 children at Buoth SPLA Division Four Assembly Area in Mayoum County. The SSDDRC and MoSD joined efforts to reunify 37 of these children with their families in nine towns throughout Mayoum County. In July and October 2010, a similarly-comprised team identified, registered,

and demobilized a total of 77 boys in two separate SPLA Divisions in Mapel and Wunyik (Greater Bahr el Ghazal); an interim care center in Maluakon, rehabilitated by the SSDDRC, UNICEF, and an international NGO in 2009, provided accommodation to an unknown number of these demobilized children. In Blue Nile State, 140 of 220 known children associated with the SPLA were demobilized in December 2010; efforts continue to secure release of the remaining child soldiers in Blue Nile State, as well as to assess the presence of children in an additional five SPLA divisions. In Lakes State, the MoSD, with UNICEF funding, supported the enrollment into schools of 11 demobilized children, followed by the enrollment of four children in Eastern Equatoria State.

The MoSD in Western Equatoria State, with UNICEF's support, provided care, repatriation, family tracing, and reunification at a reintegration center in Yambio to 58 children – 27 Congolese, two Central African, and 29 Sudanese – rescued from LRA captivity in 2010. In February 2011, SPLA soldiers worked with Murle elders in Pibor Country to secure the release of six children abducted and sold by Murle tribesmen approximately one year earlier. Local, county, and state officials forged partnerships with UNMIS, UNICEF, and an international NGO to return the children to Bor County and reunite them with their families.

The Committee for the Eradication of Abduction of Women and Children (CEAWC), established in 1999 to facilitate the safe return of abducted and enslaved individuals to their families, was not operational for the majority of the reporting period, as was the case during the two preceding reporting periods. Its most recent retrieval and transport missions took place in March 2008 with Government of Southern Sudan funding; since that time, the GNU has not provided CEAWC with funding for the transport and reunification of previously identified abductees with their families, and made no efforts to assist victims of abduction and enslavement in the country. The Southern Sudan Human Rights Commission reportedly gave the organization \$39,546 in 2010 to identify enslaved people in Nyala; this amount was inadequate to fund returns to southern Sudan.

Prevention

The government made limited efforts during the reporting period aimed at the prevention of trafficking. Neither the GNU nor the Government of Southern Sudan conducted any anti-trafficking information or education campaigns, or has a plan of action to address trafficking or an anti-trafficking committee to coordinate national efforts. In June 2010, however, IOM, the UN High Commissioner for Refugees, the Ministry of Interior, and the Sudan Center for Migration, Development, and Population Studies organized an inter-governmental forum in Khartoum to discuss human trafficking in Sudan. Participants at this forum, which brought together senior government officials from both the GNU and the Government of Southern Sudan, agreed to establish an interagency task force to coordinate the government's efforts to combat trafficking; to date, this entity does not appear to have been formed. In November 2010, the South Sudan Human Rights Commission announced the start of a campaign against human trafficking and gender-

based violence that, in early 2011, included workshops, radio broadcasts, and posters to educate and discourage the public from engaging in gender-based violence.

The Secretariat of Sudanese Working Abroad, the national government agency responsible for collecting fees and taxes from migrant workers before their departure and protecting their rights and interests while abroad, reportedly established an anti-trafficking section to work on the repatriation of abused workers from the Middle East. Neither this section's existence nor any of its efforts could be verified. The Ministries of Labor and Foreign Affairs and the National Council for Child Welfare have responsibility for addressing specific aspects of Sudan's human trafficking problem; it is unknown what efforts, if any, these entities made during the reporting period to address the labor exploitation of Sudanese nationals working abroad, or foreign nationals within Sudan. The Ministry of Social Welfare for Women and Children is responsible for providing legal protection, housing, shelter, and medical and psychosocial support to women and children vulnerable to commercial sexual exploitation and other forms of human trafficking within Sudan; it is unknown whether this ministry did so in 2010.

It is unknown what efforts, if any, authorities in Southern Sudan – particularly the Ministries of Labor and Internal Affairs made during the reporting period to address the labor exploitation of Sudanese nationals working abroad or foreign nationals within Sudan.

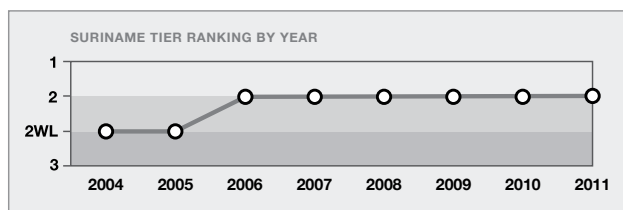
During the year, high-ranking SAF officials met several times with UN entities to discuss the preparation of, and commitment to, an action plan to end the use of child soldiers, including in proxy groups; an initial draft of the action plan was submitted to the Ministry of Defense for review, but was not finalized by the close of the reporting period. In June 2010, a technical working committee – comprised of the SPLA CPU, SSDDRC, UNICEF, and UNMIS – was established to oversee the implementation of the UN-SPLA action plan to end the use of child soldiers. The committee finalized a joint plan to verify the presence of child soldiers across the SPLA barracks in Southern Sudan, with separate plans later created for Blue Nile and Southern Kordofan States; joint SPLA-UNICEF teams began inspections in early 2011 to implement these plans. It also undertook awareness campaigns against child recruitment and use in five divisions of the SPLA, reaching more than 5,000 troops. Key messages, developed by SSDDRC and UNICEF, were aired by UNMIS radio. In June 2010, the government signed the N'Djamena Declaration, a binding document that outlines commitments to, and reinforces international standards on, recruitment and use of child soldiers. The government did not take any known measures during the reporting period to reduce the demand for forced labor or commercial sex acts. Sudan is not a party to the 2000 UN TIP Protocol.

SURINAME (Tier 2)

Suriname is a destination, source, and transit country for women, men, and children who are subjected to sex trafficking and forced labor. Women and girls from

Suriname, Guyana, Brazil, and the Dominican Republic are subjected to sex trafficking in the country, many of them lured with false promises of employment. Forced labor victims are often men and arrive from Vietnam, Indonesia, China, and Haiti in search of employment in Suriname; however, upon arrival, they are subjected to forced labor in factories, the fishing industry, and agriculture. NGOs and the government suggest that some Brazilian women could be subjected to prostitution in Suriname's interior around mining camps, although the remote and illegal nature of these camps makes the scope of the problem unknown. NGOs report that some prostitution of children occurs in the capital of Paramaribo. Children working in informal urban sectors and gold mines were also vulnerable to forced labor.

The Government of Suriname does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, authorities maintained law enforcement efforts by convicting two trafficking offenders, assisted three sex trafficking victims, and launched a new trafficking hotline. However, victim identification and assistance mechanisms remained weak, the government conducted few awareness-raising efforts, and the government did not offer foreign victims legal alternatives to their deportation, resulting in the deportation of two suspected forced labor victims.



Recommendations for Suriname: Vigorously investigate and prosecute trafficking cases and convict trafficking offenders; establish provisions for legal alternatives to victims' removal to countries where they would face retribution or hardship; provide training to law enforcement, immigration, and judicial officials regarding the identification of trafficking cases and the treatment of trafficking victims using a victim-centered approach; ensure that victims receive specialized services through partnering with and funding NGOs that provide these services; implement a national anti-trafficking plan; and continue to raise awareness about trafficking, targeting the general public, victims, potential clients of the sex trade, and consumers of products made and services provided through forced labor.

Prosecution

The Government of Suriname maintained modest law enforcement efforts against trafficking offenders over the last year. Suriname prohibits all forms of human trafficking through a 2006 amendment to its criminal code, which prescribes sufficiently stringent penalties of five to 20 years' imprisonment – penalties that are commensurate with those prescribed for other serious crimes, such as rape. Authorities reported investigating three cases of sex trafficking and one case of labor trafficking in 2010. Two

sex trafficking offenders were prosecuted and convicted under the anti-trafficking statute; sentences ranged from two to two and half years and were not suspended. These sentences are less than the statutory minimum of five years' imprisonment prescribed for this offense. In comparison, authorities convicted three sex trafficking and three labor trafficking offenders during the previous year, with sentences averaging 19 months' imprisonment. The police continued to operate a four-person specialized anti-trafficking unit that investigated cases nationwide. However, authorities did not have the resources to conduct investigations into trafficking allegations linked to illegal gold mining sites in the country's interior. Government training for officials on how to identify and assist trafficking victims remained limited. The government reported no data on government officials investigated, prosecuted, convicted, or sentenced for trafficking-related complicity.

Protection

The Government of Suriname provided limited protections to trafficking victims, relying on NGOs to provide most victim care. Authorities did not employ a formal system to proactively identify trafficking victims among vulnerable populations, such as women in prostitution. The government was not able to provide support for a shelter for trafficking victims. Three NGOs provided basic shelter services, and the government ran a shelter for victims of domestic violence that also offered services to trafficking victims, though the government did not report any victims receiving care at this shelter during the reporting period. Government funds for victim assistance were limited to reimbursing NGOs for the basic shelter, clothing, food, and medical care for the two Guyanese and one Surinamese sex trafficking victims identified during the year. The government identified two Chinese men as labor trafficking victims, but they were deported as undocumented migrants after they refused to assist law enforcement authorities in prosecuting their trafficking offenders. Although the government did not have a formalized referral process of identified trafficking victims to NGOs that provide services, authorities reported doing so on an *ad hoc* basis. To date, there have been no formal mechanisms established to provide foreign victims with legal alternatives to remain permanently in Suriname. The government claimed that it encouraged victims to assist with the prosecution of trafficking offenders; however, the legal system conditions immigration relief on victims' assistance to the government's prosecution. Throughout the year, victims were not given temporary legal status.

Prevention

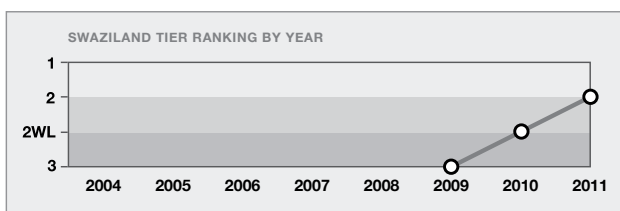
The Government of Suriname increased trafficking prevention efforts during the reporting period. The government's inter-agency anti-trafficking working group, which met on a monthly basis, continued to coordinate the government's anti-trafficking efforts. The working group drafted an anti-trafficking plan of action for 2011 that was not yet approved during the reporting period. In 2010, authorities launched a trafficking hotline, with funding from a foreign government, but the hotline received few calls due to limited public awareness of its existence. However, in March 2011 the government launched a

television publicity campaign with the support of an international organization in order to raise awareness of the hotline in three major languages. There were no reported measures against child sex tourism during the year, but authorities investigated a French diplomat for sexually exploiting a trafficking victim in Suriname: he was not prosecuted due to his diplomatic immunity. The government made no discernible efforts to reduce the demand for forced labor.

SWAZILAND (Tier 2)

Swaziland is a source, destination, and transit country for women and children subjected to sex trafficking, domestic servitude, and forced labor in agriculture. Swazi girls, particularly orphans, are subjected to sex trafficking and domestic servitude in the cities of Mbabane and Manzini, as well as in South Africa and Mozambique. Swazi boys are exploited within the country through forced labor in commercial agriculture and market vending. Some Swazi women are forced into prostitution in South Africa and Mozambique after voluntarily migrating to these countries in search of work. Traffickers reportedly force Mozambican women into prostitution in Swaziland, or transit Swaziland with their victims *en route* to South Africa. Mozambican boys migrate to Swaziland for work washing cars, herding livestock, and portering; some of these boys subsequently become victims of forced labor.

The Government of Swaziland does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Over the last year, the government displayed steady progress in its investigation and prosecution of suspected trafficking offenses, formation and training of trafficking-specific emergency response teams, and effective utilization of the Anti-Human Trafficking Task Force to coordinate interagency efforts. Despite these recent improvements, anti-trafficking training is needed to ensure the proper interpretation and effective implementation of the 2009 anti-trafficking law and sustain continued progress.



Recommendations for Swaziland: Complete and disseminate regulations to fully implement the 2010 anti-trafficking legislation; complete and begin implementing the draft national anti-trafficking action plan; investigate and prosecute trafficking offenses, and convict and punish trafficking offenders; proactively identify trafficking victims among vulnerable groups; institute a formal system to refer victims for assistance; institute a unified system for documenting and collecting data on human trafficking cases for use by law enforcement, immigration, labor, and social welfare officials; and continue to conduct visible

campaigns to educate the public about the dangers and risks of trafficking in Swaziland and neighboring countries.

Prosecution

The Government of Swaziland increased its law enforcement efforts to combat trafficking during the reporting period. Although no trafficking offenders were convicted, authorities prosecuted three suspected trafficking offenders. In December 2009, the king signed "The People Trafficking and People Smuggling (Prohibition) Act, 2009;" this comprehensive anti-trafficking legislation became effective in March 2010, after its publication in the government's official gazette. The act prescribes penalties of up to 20 years' imprisonment, plus a fine to compensate the victim for losses, under Section 12 for the trafficking of adults and up to 25 years' imprisonment under Section 13 for the trafficking of children; these penalties are sufficiently stringent and commensurate with other serious crimes. The government has not yet started drafting implementing regulations for the law. As a result of the government's establishment of a trafficking-specific hotline in June 2010, law enforcement authorities investigated seven suspected child trafficking cases based on tips received. Five of these cases involved Swazi victims subjected to sex trafficking in South Africa who ultimately filed charges in South African courts. Upon learning of the five cases, the Royal Swazi Police collaborated with NGOs and law enforcement counterparts in South Africa to effect the safe return of the victims. In the sixth case, the police arrested a suspected trafficking offender on kidnapping charges for the trafficking of a foreign boy for the purposes of cattle herding; the offender was released on bail and the case remains pending before the Swazi courts. In 2010, a Swazi prosecutor withdrew the case of two Swazi women who allegedly trafficked a teenage girl to South Africa due to insufficient evidence.

Protection

The Government of Swaziland demonstrated increased capacity in protecting trafficking victims and identified seven victims during the reporting period. The government assisted multi-purpose shelters run by NGOs by providing professional services, including health care and counseling at the government's expense. During the reporting period, the government's interagency Task Force established and trained emergency response teams in Swaziland's four regions, intending to coordinate the government and NGO response to trafficking cases at the local level. Between March and September 2010, the Task Force organized three workshops for members of emergency response teams; the workshops – one funded by a foreign donor and two jointly funded and organized by IOM and the Swaziland government – focused on identifying and working with victims, cooperating with NGOs, investigating and prosecuting trafficking cases, and trial preparation. The government continued to draft a formal referral process to guide officials in transferring trafficking victims from detention to shelters. Some cases of trafficking were not adequately investigated, leading to victims being charged with immigration violations and placed in detention facilities. The teams also trained staff of the 55 *tinkhundla* centers throughout the country to proactively identify

instances of trafficking within their routine case work. The government did not offer foreign victims alternatives to their removal to countries where they may face retribution or hardship.

Prevention

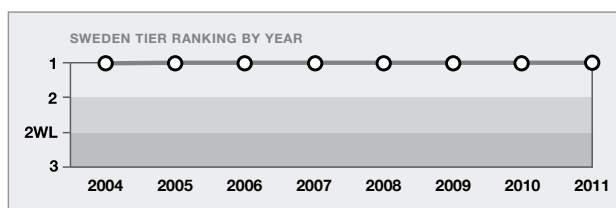
The government increased its efforts to prevent trafficking during the reporting period. In March 2010, the prime minister officially launched the Task Force for the Prevention of People Trafficking and People Smuggling that had been created in July 2009. In October 2010, he announced the formation of a Secretariat to coordinate the work of the task force and serve as the lead for the government's anti-trafficking efforts. The task force met monthly to share information and served as a forum for the collection of law enforcement and victim assistance data. It continued to draft a National Plan of Action and led several events to raise public awareness. The task force conducted public awareness activities at the Swaziland International Trade Fair in Manzini in August and September 2010 and the Day of the African Child in June 2010, targeting traditional leaders, students, young women, and parents with messaging on preventing child trafficking and how and where to report suspected cases. The anti-trafficking hotline — funded and managed by the government — officially launched in June 2010, and received more than 5,000 calls between June 2010 and January 2011, including from seven trafficking victims. In November 2010, the government passed a law to allow domestic workers to unionize. Some domestic workers brought civil suits against their employers, often regarding underpayment of wages or dismissal issues. The government did not undertake efforts to reduce demand for commercial sex acts during the reporting period. Swaziland is not a party to the 2000 UN TIP Protocol.

SWEDEN (Tier 1)

Sweden is a destination, source, and, to a lesser extent, a transit country for women and children subjected to sex trafficking. Women, men, and children are also subjected to forced labor and forced criminal behavior, including begging and stealing. Swedish police have estimated that 400 to 600 persons are subjected to human trafficking, primarily in sex trafficking, in Sweden annually. Foreign victims of sex trafficking originate from Romania, Russia, Bulgaria, Hungary, the Czech Republic, Albania, Estonia, Nigeria, Tanzania, Kenya, Thailand, China, Uzbekistan, and Mongolia; in 2010, one third of identified victims were children. Among Swedish nationals, some mentally or physically handicapped individuals reportedly were exploited in sexual servitude. According to a government report, 12 percent of Swedish girls and four percent of Swedish boys placed in state-run youth care homes sold sex for drugs or money. Although sex trafficking has been the dominant type of human trafficking in Sweden, forced labor and forced criminal behavior also increased this year. Victims of forced labor originated from Romania, Thailand, Bangladesh, Vietnam, Latvia, and Estonia. Government officials and NGOs report that forced labor occurs in domestic service, the hospitality industry, and in the gardening, construction, and seasonal agriculture

sectors. Some foreign migrants recruited for berry-picking reportedly experience conditions indicative of forced labor, including substandard working and living conditions, low or withheld pay, confiscation of passports, and imposition of large debts by labor intermediaries. Eastern Europeans, many of Roma origin, have been subjected to forced begging and stealing in Sweden. The approximately 2,400 unaccompanied foreign children who arrived in Sweden in 2010, primarily from Afghanistan and Somalia, were vulnerable to human trafficking; some have gone missing since their arrival in Sweden. Child sex tourism offenses committed by Swedish nationals traveling abroad remain a problem; Swedish citizens traveling abroad commit an estimated 4,000-5,000 acts of child sexual exploitation annually.

The Government of Sweden fully complies with the minimum standards for the elimination of trafficking. It produced new guidelines for combating trafficking, produced awareness raising campaigns, made new efforts to stem labor trafficking, and developed specialized trainings responsive to trafficking trends in the country. The government proactively identified more trafficking victims. It also funded studies of its own anti-trafficking policies and activities and produced reports on labor trafficking. Nevertheless, the judiciary continued to award light sentences for trafficking in persons offenses, including in cases involving very aggravated circumstances. Furthermore, the government's anti-trafficking program remains overwhelmingly oriented toward the combating of sex trafficking to the exclusion of the growing trend of individuals exploited for labor in the country.



Recommendations for Sweden: Vigorously prosecute, convict, and punish labor and sex trafficking offenders using Sweden's anti-trafficking statute; ensure that trafficking offenders receive sentences commensurate with the gravity of this serious crime; continue training judges, particularly appellate judges, on the application of the anti-trafficking law; continue efforts to identify and provide trafficking-specific assistance to child trafficking victims in Sweden, including Swedish victims of trafficking; implement measures to improve the protections for children in state-run youth homes who are vulnerable to trafficking in persons; consider proactive measures to prevent unaccompanied foreign minors from being subjected to sex trafficking and forced labor; formalize victim identification mechanisms; ensure that labor trafficking is explicitly included in the mandate of the National Coordinator and any national action plan; ensure that victims of labor trafficking are provided with full information about their rights and that they are empowered to testify against their exploiters; provide longer term residency options for victims who may face retribution or hardship in their country of origin; consider

a national anti-trafficking awareness campaign to address forced labor in addition to forced prostitution; continue to provide human trafficking awareness training to all Swedish peacekeepers; continue regular, self-critical assessments of Sweden's anti-trafficking efforts.

Prosecution

Sweden demonstrated mixed anti-trafficking law enforcement efforts during the reporting period, increasing its investigations, but reversing convictions upon appeal. Sweden's 2002 anti-trafficking law prohibits trafficking for both sexual exploitation and forced labor and prescribes penalties of two to 10 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In 2010, the government revised its anti-trafficking law to clarify that evidence of a victim's initial consent does not override evidence of subsequent coercion in the context of trafficking prosecutions.

In 2010, the government investigated 32 sex trafficking cases, one more than in 2009, and nearly doubled its investigations of labor trafficking cases from 28 in 2009 to 52 in 2010. Twenty-nine of all trafficking cases investigated involved the exploitation of children. Authorities prosecuted 37 suspected trafficking offenders under Sweden's trafficking statute and related statutes, an increase from 2009, in which approximately 24 offenders were prosecuted. The courts dismissed 10 of those cases, and convicted 27 offenders, including three for sex trafficking, five for trafficking for other purposes, one for assisting trafficking, four for aggravated procurement, and 14 for procurement. This compared with at least four sex trafficking offenders convicted under the trafficking statute and 20 sex trafficking offenders convicted under the procurement law in 2009. The sentences for sex trafficking ranged from three to six years' imprisonment, averaging four years. The sentences for trafficking for other purposes ranged from three months' to one year's imprisonment. Nevertheless, these convictions were often reversed or the sentences were reduced by the appellate courts. In one high-profile case, involving the drugging and aggravated sex trafficking of a 14-year-old mentally handicapped girl residing in a state-run youth home in Malmo, the appellate court reversed the sentences of several offenders and reduced the sentence of the ringleader to only three months in prison, ruling that the exploitation was not a sufficient invasion of the victim's integrity to warrant damages. The Swedish government funded training for police officers, border officials, judges, and prosecutors on trafficking in persons, including offering advanced training courses for police officers. For example, selected police officers received special training on interacting with victims under the psychological coercion of voodoo. The government also facilitated the extradition of a trafficking offender from Bulgaria to Sweden. The government did not report the investigation, prosecution, or conviction of any government officials complicit in trafficking.

Protection

The government demonstrated strong victim protection efforts during the reporting period, identifying a greater

number of victims during the reporting period. The government identified 84 victims of trafficking in 2010, an increase from 59 victims identified in 2009. Thirty-two victims were sex trafficking victims; 52 were victims of labor trafficking. In progress from prior years, the government identified a Swedish citizen who was a victim of trafficking. The government funded victim care through NGOs both in Sweden and abroad to provide female and male victims with rehabilitation, health care, vocational training, and legal assistance. In 2010, the National Support Operations team published a handbook on human trafficking in Sweden and developed national guidelines for combating prostitution and human trafficking. The government provided temporary residence permits to trafficking victims who cooperate in the criminal investigation of trafficking offenders. The prosecutor also had the discretion to file for permanent residency after the conclusion of the criminal case. A provision of the Swedish Alien's Act allowed trafficking victims to apply for permanent residency as a person in need of protection in their home country, which could offer a legal alternative to removal of victims facing retribution or hardship at home. The Swedish government issued 40 temporary residence permits this year, an increase from 19 permits issued in 2009; in at least one of these cases, the prosecutor succeeded in obtaining a permanent residency permit for a victim in a case in which there was no conviction. The government offered incentives to trafficking victims to participate in prosecutions by appointing legal counsel to victims of trafficking during the course of criminal proceedings. The government inconsistently provided counsel in human trafficking offenses that were charged as pimping, rather than under the trafficking statute. Although there is no formal victim restitution program, the Crime Victim Compensation and Support Authority sometimes awarded compensation to trafficking victims. There were no reports of the government punishing identified victims for unlawful acts committed as a direct result of being trafficked.

Prevention

The Swedish government improved its prevention efforts during the reporting period. It began to incorporate labor trafficking into anti-trafficking programs, while still continuing work on sex trafficking. In an extension of the 2008-2010 National Action Plan, the Government of Sweden designated the Stockholm County Administration as the coordinating body of the government's anti-trafficking activities. Under the official mandate of the Action Plan, the Stockholm County Administration only addressed sex trafficking, not labor trafficking, although the coordinator has voluntarily chosen to incorporate labor trafficking into its activities. In 2010, Sweden launched an awareness raising campaign, "Safe Trip," to distribute information on human trafficking for sexual exploitation through posters and brochures in transfer places. It also continued other information campaigns on sex trafficking such as television ads, and targeted campaigns to hotels and taxi drivers. There was no equivalent awareness raising program for forced labor, and an expert report concluded that there was a general lack of awareness on labor trafficking in Sweden. However, the government funded a study on labor trafficking and labor exploitation in

Sweden, which illuminated several systemic problems: the under-reporting of forced labor as human trafficking, poor controls over the registration of abusive labor recruiting companies, and a lack of a clear mandate to investigate labor trafficking cases. The National Police published an annual report on trafficking in persons, analyzing trafficking statistics, trafficking legislation, and trends in the crime. The Government of Sweden made efforts to improve data collection on trafficking by developing a standard data collection form for authorities to use when they come into contact with potential victims of trafficking. The Swedish government gave significant funds in foreign aid to support anti-trafficking activities throughout the world. For example, it allocated approximately \$143,000 to start a transnational project to counter labor trafficking in the Baltic Sea Region. The Government of Sweden also funded regional study visits on anti-trafficking activities to representatives of 11 countries in North Africa and the Middle East. The government continued to conduct robust activities to reduce the demand for commercial sex, including by establishing a social services group that addresses individuals arrested for purchasing commercial sex under the 1998 Act Prohibiting the Purchase of Sexual Services. The appellate court in the Malmo case, however, overturned the sentences for at least two men who had been convicted of purchasing sexual services or the aggravated pimping of a child. A former senior police officer and principal of Sweden's police training college, who was regarded as an expert on gender equity and the 1998 Act Prohibiting the Purchase of Sexual Services, was investigated and charged with multiple sex offenses, including rape of a minor and pimping. Swedish authorities convicted him on several charges and sentenced him to six years in prison. Sweden also has strong policies against child sex tourism, including facilitating anonymous reporting of sexual abuse of children abroad, designating a special police unit to investigate charges of child sex tourism, and collaborating in the prosecutions of three Swedish citizens engaged in child sex tourism in Cambodia and Thailand. The government provided anti-trafficking training to Swedish troops prior to their deployment abroad on international peacekeeping missions.

SWITZERLAND (Tier 2)

Switzerland is primarily a destination and, to a lesser extent, a transit country for women and children subjected to sex trafficking and children forced into begging and theft. The majority of identified trafficking victims were forced into nude dancing and prostitution and originated from Eastern Europe, including Hungary, Romania, and Bulgaria. Victims from Latin America, Asia, and Africa are also exploited in Switzerland. In 2010, officials and NGOs reported an increase in the number of women in prostitution and children forced into begging from other parts of Europe, especially Hungary, Romania, and Bulgaria, many of whom were ethnic Roma. During the reporting period, officials took steps to address concerns that Swiss law does not prohibit prostitution by children aged 16 and 17 under all circumstances. While the majority of trafficking victims are found in Swiss urban areas, police and NGOs have encountered small numbers of victims in

bars in rural areas in recent years. There reportedly is forced labor in the domestic service sector, particularly in foreign diplomatic households. Swiss federal police assessed the total number of potential trafficking victims residing in Switzerland as between 1,500 and 3,000.

The Government of Switzerland does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The Swiss government took important steps this year to prohibit the prostitution of children aged 16 and 17, including a formal commitment at the federal level to pass a law against the practice. Although the process of enacting this legislation is underway, it remains legal in several cantons to benefit financially from the prostitution of children between 16 and 18 years of age. During the reporting period, Swiss authorities nearly doubled the number of convicted trafficking offenders. However, the percent of convicted trafficking offenders who were sentenced to prison terms was low; 83 percent of convicted offenders were not sentenced to time in prison.



Recommendations for Switzerland: Ensure the prohibition of the prostitution of all persons under 18 years old nationwide; explore ways to increase the number of convicted traffickers who receive sentences commensurate with the gravity of this serious crime; increase the number of convicted traffickers serving time in prison; provide adequate funding for trafficking victim service providers and ensure there are trafficking-specific services for children and male victims; conduct a nationwide awareness campaign that addresses labor and sex trafficking and targets potential victims, the general public, as well as potential clients of the sex trade and consumers of products made and services provided through forced labor.

Prosecution

The Government of Switzerland improved its law enforcement efforts this reporting period, taking significant steps to correct a critical gap in its legal prohibition of trafficking in persons. Switzerland prohibits trafficking for most forms of sexual and labor exploitation under Article 182 and Article 195 of the Swiss penal code. Prescribed penalties – up to 20 years' imprisonment – are commensurate with penalties prescribed for other serious crimes. However, Swiss law does not expressly prohibit prostitution by children aged 16 and 17 under all circumstances throughout the country, leaving these children vulnerable to sex trafficking, such as cases in which a third party profits from a child in prostitution. The Swiss federal government and several cantons took significant steps to outlaw the practice this year. After signing the Council of Europe Convention on the Protection of Children against Sexual Exploitation

and Sexual Abuse in June 2010, the Swiss government committed to amending its criminal code in order to prohibit child prostitution. The law is currently under review by cantonal authorities. During the reporting period, the Canton of Geneva implemented a law criminalizing child prostitution; the Canton of St. Gallen passed a similar law prohibiting the practice. While Swiss civil law and social services guidelines provide opportunities for dissuasion and redress with regard to the problem of sexual exploitation of children, existing arrangements do not appear to address fully this systemic vulnerability.

The Federal Office of Statistics reported that police forces conducted 159 investigations into human trafficking and forced prostitution in 2010, up from 154 investigations in 2009. According to the Federal Office of Statistics, during 2010, 56 offenders were prosecuted for sex and labor trafficking and 103 for forced prostitution, compared to 53 prosecutions for sex and labor trafficking and 90 for forced prostitution in 2009. Swiss authorities confirmed that there were at least two prosecutions for labor trafficking in 2010. Swiss authorities convicted 31 sex trafficking offenders in 2009, the last year for which comprehensive conviction statistics were available, an increase from the 16 offenders convicted in 2008. The majority of convicted offenders, however, were not sentenced to time in prison: of the 31 convicted trafficking offenders, 26 offenders received suspended sentences, while nine were sentenced to time in prison. The maximum prison sentence awarded in 2010 was 10 years.

In May and June 2010, the Swiss Police Institute conducted a five-day training on identifying trafficking victims for members of the cantonal and municipal police forces, the Federal Criminal Police, border guards, and migration officers. The government incorporated anti-trafficking training into the basic course for border guards. During the reporting period, Swiss authorities cooperated with several countries, including Romania, Germany, Hungary, and Austria, in 645 investigative inquiries, up from 425 instances during 2009. The government did not report the investigation, prosecution, conviction, or sentencing of any public officials for human trafficking complicity.

Protection

The Government of Switzerland improved its victim protection efforts during the reporting period. Several of Switzerland's cantons have formal procedures for the identification of victims and their referral to protective services. During 2010, Swiss government authorities referred approximately 53 percent of the trafficking victims identified by NGOs to assistance centers. Cantonal assistance centers identified at least 90 victims in 2010, compared with 93 victims in 2009. The country's lead anti-trafficking NGO, which received some government funding, reported assisting 179 sex trafficking victims, 69 of whom were newly identified victims, and seven labor trafficking victims, compared with 172 sex trafficking victims and 12 labor trafficking victims in 2009. The NGO provided assistance for at least one victim under 18. Victims identified during the reporting period were offered shelter, a living allowance, medical assistance, psychotherapy,

protection, translation, and legal assistance in coordination with cantonal government and NGO victim assistance centers, per the provisions of Switzerland's Victim Assistance Law. Several cantons enhanced their victim assistance programs this year. During the reporting period, the government designated an NGO to provide specialized counseling to trafficking victims in French-speaking areas of Switzerland.

The government encouraged victims of trafficking to participate in prosecutions; at least 20 victims of trafficking cooperated in the prosecution of traffickers in 2010. During the reporting period, the government adopted new measures to protect victims' identities during trial, including allowing closed procedures and obscuring victims' identities in cases of threats to safety. The Swiss government facilitated the voluntary return of nine trafficking victims to their countries of origin under a victim assistance and repatriation project that was formalized this year. Cantonal immigration offices granted 30-day stays of deportation to 34 trafficking victims in 2010 and issued 51 short-term residency permits to victims for the duration of legal proceedings against their traffickers. The government also provided long-term legal alternatives to removal to victims of trafficking facing hardship or retribution in their countries of origin. In 2010, Swiss authorities granted four trafficking victims long-term residency permits on personal hardship grounds, up from three victims in 2009. In September and October 2010, the trafficking specialist unit of the Federal Criminal Police organized a pilot training course for operators of victim assistance centers. Although there were no reports of victims being penalized for unlawful acts committed as a direct result of being trafficked, some victims not identified may have been treated as immigration violators.

Prevention

The government made limited progress in the prevention of trafficking during the reporting period. It did not carry out any nationwide anti-trafficking public awareness campaigns, though Swiss authorities funded an anti-trafficking NGO to participate in discussions of anti-trafficking best practices during the year. Swiss authorities developed an online teaching model translated in Switzerland's official languages for all teachers at the secondary and vocational level to educate students on the problem of human trafficking. In an effort to prevent sex trafficking, four cantons stopped issuing artistic visas to cabaret dancers. The government continued to operate an interdepartmental body to coordinate and monitor anti-trafficking efforts chaired by the federal police at the directorate level, and sustained significant financial support of anti-trafficking programs in countries such as Georgia, Armenia, Russia, Moldova, and Lebanon. In November, the government launched a public awareness campaign to protect children from sexual exploitation in tourism, including video clips, an Internet campaign, and flyers. The government continued to host an Internet forum to facilitate reporting of suspected incidents of child sex tourism. The government cooperated with the prosecutions of four Swiss child sex tourists in Thailand, Cambodia, and Italy. The government did not otherwise make any discernible efforts to reduce the demand for

commercial sex. The government provided specific anti-trafficking training for all Swiss military personnel prior to their deployment abroad on international peacekeeping missions.

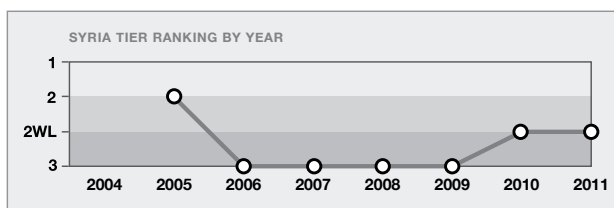
SYRIA (Tier 2 Watch List)

Syria is principally a destination country for women and children subjected to forced labor or sex trafficking. Thousands of women – the majority from Indonesia, the Philippines, Somalia, and Ethiopia – are recruited by employment agencies to work in Syria as domestic servants, but are subsequently subjected to conditions of forced labor by their employers. Some of these women are confined to the private residences in which they work, and most have their passports confiscated, contrary to Syrian law, by their employer or the labor recruitment agency. Contracts signed in the employee's country of origin are often changed upon arrival in Syria, contributing to the employee's vulnerability to forced labor. The Government of Ethiopia's ban on its citizens accepting employment in Syria has not stopped the flow of workers into the country. Some Iraqi refugees reportedly contract their daughters to work as maids in Syrian households, where they may be subsequently expected to perform sexual acts and are vulnerable to forced labor.

Women from Eastern Europe – particularly Ukraine – Somalia, and Morocco are recruited legally as cabaret dancers in Syria; some "entertainers" are subsequently forced into prostitution after their employers confiscate their passports and confine them to their hotels. Due to the economic desperation of Syria's large Iraqi refugee population, some women and girls suffer trafficking at the hands of their families or by criminal gangs; victims are placed to work in nightclubs, for temporary "marriages" to men for the sole purpose of prostitution, or to be sold to pimps who rent them out for longer periods of time. Some Iraqi parents have reportedly abandoned their daughters at the Iraqi side of the border with Syria with the expectation that traffickers will arrange for them forged documents to enter Syria and employment in a nightclub. In other instances, refugees' children remain in Syria while their parents leave the country in search of improved economic circumstances, leaving the children vulnerable to trafficking. Iraqi women deported from Syria on prostitution charges are vulnerable to re-trafficking by criminal gangs operating along the border. Syria is a transit country for Iraqi women and girls, as well as Southeast Asians and East Africans, subjected to conditions of forced prostitution in Europe, Saudi Arabia, Kuwait, United Arab Emirates, and Lebanon.

Anecdotal evidence suggests that some economically desperate Syrian children are subjected to conditions of forced labor within the country, particularly by organized street begging rings. Some Syrian women in Lebanon may be forced to engage in street prostitution and small numbers of Syrian girls are reportedly brought to Lebanon for the purpose of prostitution, including through the guise of early marriage. Small numbers of Syrian adults are reportedly subjected to forced labor as low-skilled workers in Qatar and Kuwait.

The Government of Syria does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the year, the government made modest anti-trafficking efforts, with the Ministry of Interior launching a 200-person anti-trafficking directorate and the government hosting an international conference on human trafficking. Despite these efforts, the government did not demonstrate evidence of increasing efforts to investigate and punish trafficking offenses, inform the public about the practice of human trafficking, or provide much needed anti-trafficking training to law enforcement and social welfare officials over the past year. Therefore, Syria is placed on Tier 2 Watch List. The government did not respond to requests to provide information on its victim protection efforts for inclusion in this report.



Recommendations for Syria: Enforce the comprehensive anti-trafficking law through increased investigations and prosecutions of trafficking offenders; finalize the Executive Order required to implement Legislative Decree No. 3 of 2010, which specifically criminalizes trafficking in persons; provide training on human trafficking to police, immigration officials, labor, and social welfare officials, including those assigned to the anti-trafficking directorate; consider assigning a significant number of female police officers to the anti-trafficking directorate and provide specific training on the sensitive receiving of cases and interviewing of potential trafficking victims; launch a nationwide anti-trafficking public awareness campaign, particularly highlighting the appropriate treatment of domestic workers under Syrian law; establish policies and procedures for government officials to proactively identify and interview potential trafficking victims and transfer them to the care, when appropriate, of relevant organizations; and designate an official coordinating body or mechanism to facilitate anti-trafficking communication and coordination among the relevant ministries, law enforcement entities, international organizations, and NGOs.

Prosecution

The government made limited progress in implementing its anti-trafficking statute during the reporting period. Inadequate law enforcement training remained a significant impediment to identifying and prosecuting trafficking crimes in Syria. Syria's comprehensive anti-trafficking law, Legislative Decree No. 3, which was published in January 2010 and took effect in April of the same year, provides a legal foundation for prosecuting trafficking offenses and protecting victims, but does not lay out a clear definition of human trafficking. This law prescribes a minimum punishment of seven years' imprisonment, a penalty that is sufficiently stringent though not commensurate with those prescribed for other serious crimes, such as

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

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

Protection

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

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

Prevention

During the past year, the government made modest efforts to prevent trafficking. It conducted few campaigns to educate government officials and the general public about trafficking; most of the population has little or no awareness of human trafficking and the issue remains taboo to discuss. In June 2010, the government hosted an Interpol Global Trafficking in Human Beings Conference in Damascus, under the patronage of the prime minister. The status of the government's national plan of action against trafficking, which was drafted in early 2010, is unknown. The government monitored public- and private-sector industries through surprise inspections to ensure no children under the age of 15 were employed, but did not release statistics on the results of these inspections. In August 2010, the Ministry of Social Affairs and Labor reportedly instituted a new provision to address child begging that requires beggars to be fined between \$500 and \$1,000; it remains unclear if the child beggar is responsible for paying the fine or if an investigation is undertaken to determine and punish the party responsible for encouraging or forcing the child to work. While the work of domestic servants is not covered under Syria's labor law, Decree 27 of March 2009 and Decree 108 of December 2009 provide regulations concerning domestic worker recruitment agencies and guidelines for employment contracts; their enforcement could prevent forced labor. However, there were no signs that these laws were enforced. Syria is not a party to the 2000 UN TIP Protocol.

TAIWAN (Tier 1)

Taiwan is a destination, and to a much lesser extent, source and transit territory for men, women, and children subjected to sex trafficking and forced labor. Most trafficking victims in Taiwan are migrant workers from Vietnam, Thailand, Indonesia, mainland China, Cambodia, the Philippines, Bangladesh, and India employed through recruitment agencies and brokers to perform low-skilled work in Taiwan's manufacturing and fishing industries and as home caregivers and domestic workers. Many of these workers fall victim to labor trafficking by unscrupulous brokers and employers, who force workers to perform work outside the scope of their contract and often under exploitative conditions. Some employers of domestic workers and home caregivers forbid their employees from leaving their residences, except on days off, making them extremely vulnerable to labor trafficking and other abuses and unable to seek help. Some women and girls from China and Southeast Asian countries are lured to Taiwan through fraudulent