

**June 25, 2020**

## **Release of the 2020 Trafficking in Persons Report**

### **Q&A for AF Region**

#### **Central African Republic (CAR)**

##### **Q: Why was CAR upgraded?**

- The government demonstrated overall increasing efforts compared to the previous reporting period; therefore CAR was upgraded to Tier 2.
- CAR's criminal court prosecuted and convicted 33 armed group leaders for crimes including recruiting child soldiers.
- Additionally, the government coordinated with partners to demobilize and provide reintegration services for more than 1,000 children recruited by armed groups. The government also adopted a 2020-2021 national action plan. The president signed the action plan into law in March 2020, and the government dedicated in-kind resources to implement aspects of the plan during the reporting period.

#### **The Democratic Republic of Congo (DRC)**

##### **Q: Why was the DRC upgraded to Tier 2 Watch List?**

- The government made key achievements during the reporting period; therefore the DRC was upgraded to Tier 2 Watch List. This upgrade reflects that while the government did not fully meet the minimum standards for the elimination of trafficking, it made significant efforts to do so.
- The government increased the number of investigations and prosecutions of trafficking cases, specifically on sex trafficking and forced labor – crimes that had previously been mostly unaddressed in the justice system – while still investigating and prosecuting child soldiering crimes.
- The government referred trafficking victims to NGO partners that provided shelter for an estimated 650 victims of forced labor and sex trafficking throughout the year.
- The government made efforts to combat some instances of official complicity, established a formal anti-trafficking inter-ministerial committee, launched its first national anti-trafficking

action plan, and continued to undertake measures to prevent and end the use of child soldiers, including separating child soldiers from non-state armed groups, conducting age verification screening of recruits, and alongside international partners, securing written pledges from 27 non-state armed group commanders to renounce child recruitment.

## **Kenya**

### **Q: Why was Kenya maintained on Tier 2?**

- Kenya demonstrated overall increasing efforts to combat human trafficking during the reporting period. Therefore Kenya remained on Tier 2.
- The government identified more victims, and it utilized and dispersed funds to victims through its national victim assistance fund.
- The government also increased regulation of recruitment agencies to protect migrant workers and enhanced law enforcement coordination with other countries on trafficking cases.

## **Lesotho**

### **Q: Why was Lesotho downgraded to Tier 3?**

- The Government of Lesotho did not fully meet the minimum standards for the elimination of trafficking and did not make significant efforts to do so; therefore Lesotho was downgraded to Tier 3. The government did not investigate or prosecute any potential trafficking cases for the second consecutive year and did not convict any traffickers for the fourth consecutive year.
- Despite serious concerns of official complicity in trafficking crimes, the government did not report any investigations, prosecutions, or convictions of government officials for such acts. The government identified fewer victims and did not provide protective services to victims nor substantial financial support to an NGO that did.
- It did not finalize standard operating procedures on victim identification or the national referral mechanism or adequately train front-line responders, which often resulted in law enforcement re-traumatizing potential victims.
- The government did not address issues in its legal framework for human trafficking, which did not criminalize all forms of sex trafficking, nor include sufficiently stringent penalties .

## **Malawi**

### **Q: Why was Malawi upgraded to Tier 2?**

- The Government of Malawi did not fully meet the minimum standards for the elimination of trafficking but made significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Malawi was upgraded to Tier 2.
- The government increased prosecutions and convictions of traffickers, identified more trafficking victims and referred them to protective services, launched standard operating procedures and a national referral mechanism for victim identification and assistance, and allocated money to its anti-trafficking fund.
- It coordinated with a foreign government and used the anti-trafficking fund to repatriate victims. The government also used the same fund to support training for frontline officials and awareness campaigns as well as to launch the second district-level anti-trafficking coordination structure in Phalombe, a district bordering Mozambique where trafficking risks are high.
- In coordination with an international organization, the government launched an awareness campaign at the national level, increased funding and hired more labor inspectors, and approved new labor recruitment regulations in alignment with the trafficking in persons act.

### **Q: What steps did the Government of Malawi take regarding the outstanding default judgment in the Lipenga v. Kambalame case?**

- We remain very concerned and disappointed the government did not report taking any further action to hold the diplomat accountable; we continue to engage the government to find a just resolution as soon as possible.
- In April 2019, the Department of State suspended the A-3 visa sponsorship privileges afforded to Malawi bilateral mission members as a result of the unpaid default judgment rendered against a former Malawian diplomat by a federal district court in 2016 finding her civilly liable for human trafficking.

## **Mali**

### **Q: Why was Mali downgraded to Tier 2 Watch List?**

- The government did not demonstrate overall increasing efforts compared to the previous reporting period. Law enforcement continued to lack resources and understanding of human trafficking, which impeded law enforcement efforts. Shelter and services for victims, especially male victims, remained insufficient with availability primarily restricted to Bamako.
- In addition, for the first time, observers verified a unit of the Malian armed forces (FAMa) recruited and used children in support roles. The government continued to provide support to, and collaborate with, the Imghad Tuareg (IM-GAHD TWAU-REG) and Allies Self-Defense Group (GATIA), a nongovernmental armed group headed by a Malian general that used and recruited child soldiers, although reportedly in smaller numbers than in the past.
- The government did not investigate any suspects, including government officials, for child soldiering offenses or make efforts to prevent armed groups from recruiting and using children.

## **Mauritania**

### **Q: Why was Mauritania upgraded to Tier 2 Watch List?**

- The Government of Mauritania made key achievements during the reporting period. Mauritanian courts convicted five hereditary slaveholders. The government solicited input from, and coordinated with, civil society to draft new anti-trafficking legislation and an anti-trafficking national action plan.
- To prevent child forced begging in Quranic schools, the government launched several initiatives, including raising awareness with imams and religious leaders on child trafficking, establishing an inter-ministerial committee on child forced begging, collaborating with an NGO on publication of a child protection guide, and operating a cash transfer program to help support families.
- Despite these achievements, the government has rarely imprisoned convicted slaveholders and the government did not proactively identify any trafficking or hereditary slavery victims even though the 2015 anti-slavery law criminalized hereditary slavery. Government agencies charged with combating trafficking and hereditary slavery continued to lack the resources, personnel, and political will to prosecute politically connected offenders, and reports persisted of officials refusing to investigate or prosecute perpetrators.

## **Namibia**

### **Q: Why was Namibia upgraded to Tier 1?**

- The Government of Namibia fully met the minimum standards for the elimination of trafficking. The government made key achievements to do so during the reporting period; therefore, Namibia was upgraded to Tier 1.
- The government finalized implementing regulations for the Trafficking in Persons Act of 2018, significantly increased the number of prosecutions and convictions, sentenced one trafficker, and trained frontline responders. It identified more victims, referred to care a higher percentage of identified victims, and partially funded two NGO shelters that provided protective services for victims.
- More victims voluntarily participated with law enforcement investigations, and the government provided victim witnesses with protective services. The national anti-trafficking coordination body met quarterly. The government launched a nationwide awareness campaign in collaboration with an international organization, increased training of frontline responders to prevent trafficking, and continued to utilize the Southern African Development Community regional data collection tool to gather and organize clear trafficking data.

**Q: What other countries have been ranked Tier 1 in Africa?**

- Since the first report in 2001, the Department has placed six African countries on Tier 1 for having met the minimum standards for the elimination of trafficking during one or more reporting periods over the last 20 years. Those countries are: Benin (2003), Ghana (2003, 2004), Madagascar (2008), Malawi (2006, 2007), Mauritius (2003, 2009, 2010, 2011, 2012), and Nigeria (2009, 2010, 2011).
- Mauritius was the country most recently ranked Tier 1 in 2012.

**Nigeria**

**Q: Why was Nigeria downgraded to Tier 2 Watch List?**

- Although the Government of Nigeria made some efforts to combat trafficking – including continuing efforts to train government officials and raise public awareness, collaborating with international organizations and NGOs to establish anti-trafficking task forces in Borno and Ekiti states, and prosecuting three government officials allegedly complicit in human trafficking -- the government did not demonstrate overall increasing efforts compared to the previous reporting period.

- Nigerian security forces recruited and used at least two children younger than 15 years old in support roles during the reporting period. In addition, there continued to be reports that security officials sexually exploited, including through sex trafficking, IDPs in government-run camps in and around Maiduguri.
- The government did not hold criminally accountable any military officials for exploitation of IDPs in sex trafficking or recruitment and use of child soldiers. In addition, the government did not hold any Civilian Joint Task Force (CJTF) members criminally accountable for sex trafficking of IDPs or past recruitment and use of child soldiers. The Nigerian military did not regularly provide trafficking victim protections to female and child trafficking victims allegedly associated with insurgencies and the government convicted fewer traffickers.

## **Senegal**

### **Q: Why was Senegal downgraded to Tier 2 Watch List?**

- While the Government of Senegal made some efforts to combat trafficking -- including collaborating with an international organization to establish an anti-trafficking database and planning the third phase of its program to remove vulnerable children, including trafficking victims, from the streets of major cities -- the government did not demonstrate overall increasing efforts compared to the previous reporting period.
- The government did not investigate adult victim trafficking cases during the reporting period. The government only applied adequate prison terms in accordance with the 2005 anti-trafficking law to two of five convicted traffickers.

## **South Africa**

### **Q: Why was South Africa upgraded to Tier 2?**

- The Government of South Africa did not fully meet the minimum standards for the elimination of trafficking but made significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore, South Africa was upgraded to Tier 2.
- The government increased investigations, prosecutions, and convictions of traffickers, including within organized criminal syndicates that facilitated the crime, and increased training of national and provincial frontline responders.

- The government identified more trafficking victims and referred all to care, providing protective services in partnership with NGOs and international organizations, and increased protective services for victims who participated in ongoing law enforcement investigations.
- The government launched its national policy framework on trafficking, a strategic plan to improve capacity and coordination among government agencies, and it conducted increased awareness-raising activities throughout the country. It adopted the Southern African Development Community regional data collection tool and launched a national baseline study.

## **Sudan**

### **Q: Why was Sudan maintained on Tier 2 Watch List?**

- Sudan did not demonstrate overall increasing efforts to combat human trafficking during the reporting period. However, because the government devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards, Sudan was granted a waiver per the Trafficking Victims Protection Act from an otherwise required downgrade to Tier 3. Therefore, Sudan remained on Tier 2 Watch List for the third consecutive year.
- Authorities prosecuted more suspected traffickers and launched awareness raising programs for the first time in two years. The government also improved its ability to coordinate across ministries by focusing resources on its national anti-trafficking committee.

## **Uganda**

### **Q: Why was Uganda downgraded to Tier 2 Watch List?**

- Uganda did not meet the minimum standards for the elimination of trafficking but made significant efforts to do so. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period; therefore, Uganda was downgraded to Tier 2 Watch List.
- Uganda reported the lowest number of investigations in the past five years and significantly decreased prosecutions, and the government did not train law enforcement and immigration officials despite having done so during the previous four years.
- The government identified and referred significantly fewer victims for services compared to previous reporting periods and did not adequately fund the Coordination Office for Prevention of Trafficking in Persons, which inhibited efforts to combat trafficking nationally.

## **Zambia**

### **Q: Why was Zambia downgraded to Tier 2 Watch List?**

- The Government of Zambia does not fully meet the minimum standards but is making significant efforts to do so. However, the government did not make overall increasing efforts compared to the previous reporting period; therefore Zambia was downgraded to Tier 2 Watch List.
- The government's investigation of trafficking crimes and its funding to shelters and other victim assistance programs significantly decreased. The government did not proactively screen for trafficking indicators among vulnerable populations, including migrant workers, and individuals involved in commercial sex—a consistent concern over the past three years.
- The government made some efforts to address trafficking, including increasing law enforcement trainings, establishing two fast-track human trafficking courts, and conducting campaigns to raise awareness of human trafficking.

### **Q: The Zambia narrative references a case of a Zambian foreign mission member and his wife abusing a domestic worker in the United States. What is the status of this case?**

- The Department of State is committed to preventing abuses of domestic workers and addressing such crimes if they do occur.
- In February 2019, a federal court in Maryland entered a final judgment and ordered a Zambian foreign mission member and his wife to pay approximately \$114,000 in damages and attorney fees to the former domestic worker. The civil judgment appears to remain unpaid.
- Upon learning more details of the case associated with the final judgment, the Department initiated diplomatic engagement with the Government of Zambia on this issue to find a just resolution as soon as possible.

## **Q&A for EAP Region**

## **Burma**

### **Q: Why did Burma remain on Tier 3?**

- Burma remained on Tier 3 because there was a “government policy or pattern” of forced labor; the international monitor-verified use of children in labor and support roles by certain military battalions increased in conflict zones in Rakhine and Shan States.
- Although Burma’s demonstration of a “government policy or pattern” of forced labor resulted in a Tier 3 ranking, we were encouraged that the government created policies and practices to increase and streamline the demobilization of child soldiers from the military and, for the first time, allowed the UN to enter into child soldier demobilization agreements with all ethnic armed groups (EAGs).
- The military continued to rely on local communities to source labor and supplies, thereby perpetuating conditions enabling the forced labor of adults and children.
- Enduring military conflict with ethnic armed groups (EAGs) in several areas in the country dislocated hundreds of thousands of Rohingya (Row-HINJ-Yuh) and members of other ethnic minority groups, many of whom were at risk for human trafficking in Burma and elsewhere in the region as a result of their displacement.
- Under a recent amendment to the Trafficking Victims Protection Act (TVPA), a “government policy or pattern” of human trafficking is considered as proof of a government’s failure to make significant efforts to bring itself into compliance with the minimum standards, resulting in a Tier 3 ranking.

### **The People’s Republic of China (PRC)**

#### **Q: What factors contributed to China’s maintenance of Tier 3 in this year’s report?**

- The Government of the People’s Republic of China (PRC) did not fully meet the minimum standards for the elimination of trafficking and did not make significant efforts to do so; therefore the PRC remained on Tier 3.
- Among other longstanding concerns, there was a “government policy or pattern” of widespread forced labor, including through the continued mass arbitrary detention of more than one million Uyghurs and members of other Muslim minority groups in Xinjiang. The PRC also expanded the campaign into other provinces under the guise of “poverty alleviation” programs, began implementing it among other religious minorities, and sought the forced return and internment of members of religious and ethnic minorities living abroad.

### **Japan**

#### **Q: Why was Japan downgraded to Tier 2?**

- The Government of Japan did not fully meet the minimum standards for the elimination of trafficking but made significant efforts to do so. However, these efforts were not as serious or sustained as efforts during the previous reporting period; therefore Japan was downgraded to Tier 2.
- Officials investigated, prosecuted, convicted, and imprisoned fewer traffickers than in previous years. Authorities continued to prosecute and convict traffickers under laws carrying lesser sentences, which courts in most cases suspended in lieu of incarceration. Additionally, some traffickers received only fines.
- Authorities again failed to identify a single trafficking case in the Technical Intern Training Program (TITP) despite persistent reports of forced labor among labor migrants working in Japan under the Program’s auspices. The government did not fully implement legally mandated screening procedures aimed at blocking foreign-based labor recruitment agencies from charging excessive fees—a key driver of debt-based coercion among TITP participants.
- Interagency stakeholders relied on disparate, ineffective identification and referral procedures, leading to issues with proper screening and protection of victims. Law enforcement bodies continued to identify children exploited in commercial sex without formally designating them as trafficking victims, in some cases hindering their access to protection services and judicial recourse.

## **Hong Kong**

### **Q: Why was Hong Kong downgraded to Tier 2 Watch List?**

- The government of Hong Kong did not demonstrate overall increasing efforts compared to the previous reporting period. Despite continued concerns that traffickers exploit victims in forced labor and sex trafficking in Hong Kong, authorities did not investigate, prosecute, or convict any cases of labor trafficking; investigated significantly fewer cases related to sex trafficking; and identified only three victims of trafficking.
- As in previous years, the government continued to penalize victims for unlawful acts their traffickers forced them to commit.
- Hong Kong law did not criminalize all forms of human trafficking, which continued to undermine authorities’ ability to prosecute traffickers and protect victims.

## **Malaysia**

### **Q: What factors contributed to Malaysia’s maintenance of Tier 2 Watch List?**

- The Government of Malaysia does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. It identified more victims, increased the number of trafficking-specialist prosecutors, drafted standard operating procedures for victim identification, and co-hosted the first national conference on human trafficking.
- Despite these efforts, the government prosecuted and convicted fewer traffickers, and the number of labor trafficking investigations was low compared to the scale of the problem. Concerns that corruption facilitated human trafficking persisted, yet the government did not make sufficient efforts to prosecute official complicity in trafficking-related crimes or make public the results of investigations of such crimes.
- Because the government has devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards, Malaysia was granted a waiver per the Trafficking Victims Protection Act from an otherwise required downgrade to Tier 3. Therefore Malaysia remained on Tier 2 Watch List for the third consecutive year.

## **Singapore**

### **Q: Why was Singapore upgraded to Tier 1?**

- The government fully meets the minimum standards for the elimination of trafficking. The government made key achievements to do so during the reporting period; therefore Singapore was upgraded to Tier 1.
- These achievements included identifying more trafficking victims and increasing investigations and convictions of both sex and labor trafficking crimes since the previous reporting period. The government obtained a conviction in its first labor trafficking case under its trafficking law in 2019 and continued prosecution of additional labor trafficking cases.
- The government also increased dialogue and cooperation with NGOs and prosecuted more unlicensed recruitment agencies than in the previous reporting period.
- We encourage Singapore to continue strengthening efforts to proactively identify trafficking victims and strengthening protections for migrant workers. Under the Employment Agencies Act, unlicensed agencies are liable for a fine of up to \$57,400 (80,000 Singapore dollars) and/or up to two years' imprisonment.

## **Vanuatu**

### **Q: Why was Vanuatu included in the report?**

- The government identified 101 Bangladeshi adult male victims of forced labor in the construction industry and in domestic service. This requires the Department to include Vanuatu in the TIP Report.
- This was the country's first human trafficking prosecution; the case was ongoing at the end of the reporting period.

## **Q&A for EUR Region**

### **Armenia**

#### **Q: Why was Armenia downgraded to Tier 2 Watch List?**

- The Government of Armenia did not fully meet the minimum standards for the elimination of trafficking but made significant efforts to do so. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. Therefore Armenia was downgraded to Tier 2 Watch List.
- Courts did not issue any convictions for sex trafficking in 2019 or 2018 and have not issued a forced labor conviction since 2014.
- Authorities identified only eight victims (nine in 2018), which is the fewest number of identified victims since 2012. The government did not issue standard indicators of human trafficking to first responders or other authorities, thus first responders did not screen vulnerable populations for trafficking indicators.
- The Anti-Trafficking Ministerial Council and the Inter-Agency Working Group did not meet, coordinate, or carry out anti-trafficking efforts during the reporting period. There was no mechanism for oversight or regulation of labor recruitment agencies.

### **Belarus**

#### **Q: Why did Belarus remain on Tier 3?**

- Belarus remained on Tier 3 because of a “government policy or pattern” of forced labor in public works projects and the agricultural sector.
- The government continued to require the participation of factory workers, civil servants, and students in harvesting on state-owned farms and in street cleaning. University students were reportedly threatened with the loss of subsidized housing for non-participation.
- The Department urges the Government of Belarus to reform government policies to end all forms of state-sponsored forced labor that result in civil servants, students, and citizens being forced to work.
- Under a recent amendment to the Trafficking Victims Protection Act (TVPA), a “government policy or pattern” of human trafficking is considered as proof of a government’s failure to make significant efforts to bring itself into compliance with the minimum standards, resulting in a Tier 3 ranking.

## **Hungary**

### **Q: Why was Hungary upgraded to Tier 2?**

- The Government of Hungary demonstrated overall increasing efforts compared to the previous reporting period; therefore Hungary was upgraded to Tier 2. These efforts included investigating more trafficking cases, prosecuting considerably more traffickers, and sentencing all convicted traffickers to significant prison terms.
- The government adopted amendments to the criminal code that changed the penalty provisions for some trafficking crimes and included a non-punishment provision and a general protection measure for child trafficking victims. The government also adopted a national anti-trafficking strategy for 2020-2023 and allocated dedicated financial resources to its related action plan.
- However, gaps in victim protection remained. Government officials did not adequately screen for trafficking indicators or identify victims among third-country nationals, such as asylum-seekers in the transit zones, or among other vulnerable populations, such as domestic workers or children in state-run institutions. The government lacked a framework for identifying, referring, or assisting child victims. Overall services for victims remained scarce, uncoordinated, and inadequate, especially for children and foreign nationals.

## **Ireland**

### **Q: Why was Ireland downgraded to Tier 2 Watch List?**

- The Government of Ireland did not fully meet the minimum standards for the elimination of trafficking but made significant efforts to do so. The government did not demonstrate overall increasing efforts compared to the previous reporting period; therefore Ireland was downgraded to Tier 2 Watch List.
- The government has not obtained a trafficking conviction since its law was amended in 2013, which weakened deterrence, contributed to impunity for traffickers, and undermined efforts to support victim witnesses.
- The government continued to have systematic deficiencies in victim identification, referral, and assistance. The government continued to lack specialized accommodation and adequate services for victims, and its amended working scheme for sea fishers increased their vulnerability to trafficking.

## **Russia**

### **Q: Why was Russia ranked Tier 3 again this year?**

- The Government of Russia did not fully meet the minimum standards for the elimination of trafficking and did not make significant efforts to do so; therefore Russia remained on Tier 3.
- There was a “government policy or pattern” of forced labor. The total number of trafficking victims identified by the government remained negligible compared to the estimated scope of the crime. Authorities routinely penalized potential victims—including by deporting potential forced labor victims and prosecuting sex trafficking victims for commercial sex-related offenses—without screening for signs of human trafficking.
- The government did not provide funding or programs for protective services for trafficking victims, and several privately run shelters remained closed due to lack of funding and the government’s crackdown on civil society.

- Although estimates vary, the Russian government reported the number of North Korean workers in Russia declined from 11,500 to approximately 1,000 by the end of 2019, yet North Korean citizens continued to arrive throughout the year, many of whom likely worked in informal labor sectors. It was not clear that the government screened laborers for trafficking indicators, despite credible reports that the DPRK operated work camps in Russia and forced thousands of North Koreans to work.
- Under a recent amendment to the Trafficking Victims Protection Act (TVPA), a “government policy or pattern” of human trafficking is considered as proof of a government’s failure to make significant efforts to bring itself into compliance with the minimum standards, resulting in a Tier 3 ranking.

### **Q&A for NEA Region**

#### **Algeria**

##### **Q: Why was Algeria downgraded to Tier 3?**

- The Government of Algeria did not fully meet the minimum standards for the elimination of trafficking and did not make significant efforts to do so; therefore Algeria was downgraded to Tier 3.
- The government prosecuted and convicted fewer traffickers and identified fewer victims. The government did not have procedures and mechanisms to proactively screen for, identify, or refer potential victims to protection services. It did not provide protection services appropriate for the needs of trafficking victims. Authorities continued to punish some victims for unlawful acts traffickers compelled them to commit.
- Despite the lack of significant efforts, the government took some steps to address trafficking, including prosecuting some traffickers, identifying some victims, implementing its national anti-trafficking action plan, and cooperating with an international organization to develop a draft anti-trafficking law and a national victim referral mechanism.

#### **Iraq**

##### **Q: Why was Iraq upgraded to Tier 2?**

- The Government of Iraq did not fully meet the minimum standards for the elimination of trafficking but made significant efforts to do so. The government demonstrated overall

increasing efforts compared to the previous reporting period; therefore Iraq was upgraded to Tier 2.

- The government investigated, prosecuted, and convicted more traffickers; identified more than 60 victims; and continued to provide shelter and some protection services to a limited number of victims. The Kurdistan Regional Government (KRG) gave official permission to an NGO to operate the first trafficking shelter in the Iraqi Kurdistan Region (IKR), and it continued to facilitate the release of several hundred Yezidis from ISIS.
- However, the government did not meet the minimum standards in several key areas. The government identified significantly fewer victims, continued to punish victims for unlawful acts traffickers compelled them to commit, and did not provide access to adequate protection services for victims. The government also did not investigate or hold criminally accountable officials allegedly complicit in sex trafficking crimes or non-compliant militia units affiliated with the Popular Mobilization Forces (PMF). The KRG did not prosecute or convict any traffickers.

## **Jordan**

### **Q: Why was Jordan downgraded to Tier 2 Watch List?**

- The Government of Jordan did not fully meet the minimum standards for the elimination of trafficking but made significant efforts to do so. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period; therefore Jordan was downgraded to Tier 2 Watch List.
- The government investigated, prosecuted, and convicted fewer traffickers, and it identified and assisted fewer victims. Authorities continued to punish some victims for unlawful acts traffickers compelled them to commit, such as immigration violations and fleeing abusive employers. Under Jordan's anti-trafficking law, penalties for sex trafficking offenses were not commensurate with penalties prescribed for other serious crimes.
- However, the government devoted resources to and increased training of law enforcement personnel and victim advocates. The government also maintained a trafficking shelter that offered comprehensive services, continued to partner with civil society to identify and protect victims, and conducted anti-trafficking awareness campaigns.
- We look forward to continuing to work with the Jordanian government to make progress on this issue.

## **Saudi Arabia**

## **Q: Why was Saudi Arabia upgraded to Tier 2 Watch List?**

- The Department remains deeply concerned about human trafficking in Saudi Arabia. The government continued to fine, jail, and/or deport migrant workers for engaging in commercial sex or immigration violations, many of whom may have been unidentified trafficking victims. Despite modest initial reforms, Saudi Arabia’s sponsorship-based employment system continued to exacerbate trafficking vulnerabilities in the large migrant worker communities. The Department encourages the Government of Saudi Arabia to address these areas and will continue to urge Saudi government officials to take bold steps to combat trafficking.
- While the Department has continuing concerns, the Government of Saudi Arabia made significant efforts to meet the minimum standards for the elimination of trafficking during the reporting period; therefore Saudi Arabia was upgraded to Tier 2 Watch List.
- These achievements included enactment of the country’s first-ever national referral mechanism, developed in close partnership with international organizations. Authorities also criminally convicted and sentenced to stringent imprisonment terms two Saudi officials complicit in trafficking crimes during the year.
- Saudi Arabia’s Tier 2 Watch List ranking clearly indicates there is much room for improvement in the government’s anti-trafficking efforts. We will continue to urge the government to make tangible progress in line with recommendations outlined in the 2020 TIP Report.

## **Q&A for SCA Region**

### **Afghanistan**

#### **Q: Why was Afghanistan downgraded to Tier 3?**

- The Government of Afghanistan had a “government policy or pattern” of recruiting and using child soldiers and of sexual slavery of boys , a practice known in Afghanistan as *bacha bazi*, in some government compounds, and was therefore downgraded to Tier 3.
- The Afghan National Defense and Security Forces continued to recruit and use child soldiers, and the government did not hold perpetrators accountable. The government has never prosecuted a government official for the recruitment and use of child soldiers.

- Elements of the Afghan National Defense and Security Forces, particularly the Afghan National Army, Afghan National Police, and Afghan Local Police, continued to exploit boys in sex trafficking through *bacha bazi*. Local officials exploited many boys in sex trafficking in *bacha bazi* during the reporting period, particularly at outposts and checkpoints. The government did not prosecute any officials of these agencies for these offenses.
- Under a recent amendment to the Trafficking Victims Protection Act (TVPA), a “government policy or pattern” of human trafficking is considered as proof of a government’s failure to make significant efforts to bring itself into compliance with the minimum standards, resulting in a Tier 3 ranking.
- Activists found evidence that at least 165 high school boys in Logar province had been sexually assaulted, and evidence that government teachers, principals, and others were among the perpetrators, some of whom recorded the acts for blackmail. An investigation by the Attorney General’s Office found evidence of child sexual abuse in Logar but said there was no nexus between this abuse and the Logar public school system, or Logar educators; however, the quality and thoroughness of the investigations varied, and the results were inconsistent with victim reports. .
- In addition, the government continued to routinely penalize sex trafficking victims for “moral crimes” such as sex outside of marriage.
- The government made some efforts to address trafficking, including setting up seven new Child Protection Units (CPUs) at Afghan National Police recruitment centers; with these new centers, CPUs were present in all 34 provinces. CPUs prevented the recruitment of hundreds of child soldiers. The government also took several broad child protection efforts, including authorizing formation of a National Child Protection Committee to address *bacha bazi*. The government also hired additional social workers, including those specifically trained to assist child victims of crime, bringing its total number of social workers to 250.
- In addition, the government arrested, investigated, and began to prosecute some civilian perpetrators of *bacha bazi*, including in response to the Logar scandal. However, the government did not investigate any of the allegedly complicit officials in the case.
- Under a recent amendment to the Trafficking Victims Protection Act (TVPA), a “government policy or pattern” of human trafficking is considered as proof of a government’s failure to make significant efforts to bring itself into compliance with the minimum standards, resulting in a Tier 3 ranking.

**Q: What are the United States and the Afghan government doing about sexual abuse of boys, including sex trafficking (*bacha bazi*) by members of the Afghanistan security forces?**

- The United States engages frequently with various organs of the Afghan government and with Afghan civil society to promote the well-being and protection of children. The United States also cooperates closely with Afghan authorities to promote the development of effective and responsive justice-sector institutions that promote respect for rule of law and hold accountable those who commit crimes, including sex crimes against minors.
- The United States assists the Afghan government to strengthen provisions against trafficking in persons, including the sexual exploitation of boys in the practice of *bacha bazi*, through training and other support programs. U.S. programs train law enforcement officials on human rights reporting and accountability, both relevant to Afghan security forces and more generally in Afghanistan. The Department works with Afghan civil society organizations and Afghanistan's Independent Human Rights Commission to promote protection and community support for victims of *bacha bazi*. USAID has strengthened the government's technical capacity to identify and support victims; assisted the government to develop and manage a database of victims; facilitated cross-border counter trafficking partnerships with neighboring governments; and aided civil society to provide psycho-social support and job training to victims, to help them restart their lives.
- The United States remains concerned that while the government has committed to taking a number of actions to combat sexual abuse, it has not taken adequate steps to hold government perpetrators accountable.
- The U.S. government regularly stresses to the Afghan government that the unlawful recruitment or use of children by security forces, including for sexual exploitation, cannot be tolerated. The Report provides recommendations that the government cease the unlawful recruitment and use of children by Afghan security forces and address the needs of demobilized children.

**Bangladesh**

**Q: Why was Bangladesh upgraded to Tier 2?**

- The Government of Bangladesh did not fully meet the minimum standards for the elimination of trafficking but made significant efforts to do so. Bangladesh made overall increasing efforts during the reporting period and was therefore upgraded to Tier 2.

- During the reporting period, the Government of Bangladesh identified an increased number of trafficking victims, referred an increased number of victims to services, and convicted an increased number of traffickers.
- In September 2019, Bangladesh became the 175th party to accede to the 2000 UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.
- In addition, Bangladesh took significant steps to establish the trafficking-specific tribunals stipulated in its 2012 anti-trafficking law, including appointing seven judges and committing to pay the anti-trafficking prosecutors a competitive salary.
- However, concerns remain about the government's anti-trafficking efforts. Law enforcement efforts against traffickers remained inadequate compared to the scale of the problem. The government decreased its number of anti-trafficking investigations, and its conviction rate remained low.
- Official complicity in trafficking crimes remained a serious problem and a long-standing Department recommendation, yet the government did not make sufficient efforts to investigate allegedly complicit law enforcement, border, or manpower officials.
- The government had not created a formal mechanism to refer trafficking victims to services, and the majority of identified trafficking victims did not receive services.
- The government's efforts to address transnational labor trafficking remained inadequate. For example, although many workers returned from overseas during the reporting period with numerous indicators of forced labor, the government did not report assisting them with repatriation or opening criminal investigations into their alleged traffickers.

**Q: The Bangladesh narrative references one case of a diplomat abusing his domestic worker in the United States. What is the status and what is the U.S. government doing to prevent these abuses?**

- The Department of State is committed to preventing abuses of domestic workers and addressing such crimes if they do occur, as well as to implementing all applicable provisions of the Trafficking Victims Protection Act and related laws.
- In one case from September 2016 involving a former Bangladeshi consular officer in New York and his wife, the parties reached a settlement in May 2019 and voluntarily dismissed the case in June 2019.

- Domestic workers holding A-3 and G-5 visas employed by accredited foreign mission members are required to appear at least annually for an appointment, without their employers present, for the purpose of registration and review of their employment contract, rights and responsibilities, and to provide information on where to seek assistance if needed.

## **Bhutan**

### **Q: Why was Bhutan upgraded to Tier 2 Watch List?**

- The Government of Bhutan did not fully meet the minimum standards but made significant efforts to do so. The government made key achievements during the reporting period; therefore Bhutan was upgraded to Tier 2 Watch List.
- After five years of collaboration with an international organization, the Government of Bhutan finalized, adopted, and disseminated standard operating procedures for victim identification and referral to care. In addition, it convicted its first human trafficker since its inclusion in the TIP Report in 2013.
- In response to August 2018 complaints of several hundred Bhutanese participants in a government-approved work study program in Japan, in September 2019 the government charged the recruitment agency with 2,887 counts of forgery and 730 counts of larceny by deception and, notably, also charged an allegedly complicit official, the Director-General of Ministry of Labor and Human Resources, with four criminal offenses.
- We commend the Bhutanese government for its actions to protect potential Bhutanese trafficking victims abroad and urge the government to continue these efforts.
- Bhutan's Department of Labor documented 147 complaints of non-payment of wages but did not refer them to police for criminal investigation of potential forced labor offenses.

## **India**

### **Q: Why did India remain on Tier 2 this year?**

- The Government of India did not fully meet the minimum standards for the elimination of trafficking, but it made overall increasing efforts to do so. Therefore India remained on Tier 2.
- The government published its annual report on crime in India for both 2017 and 2018, which included statistics on trafficking investigations, prosecutions, convictions, and victims identified. For the first time, the Madras High Court reversed an acquittal in a bonded labor case.

- The central government added investigation of inter-state and transnational trafficking cases to the mandate of the National Investigation Agency (NIA), the country's premier investigative body, which subsequently began investigating inter-state trafficking and making arrests.
- Notably, during the reporting period the government responded to a 2018 study of shelters in Bihar State that reported physical and sexual abuse of residents and convicted 19 officials in the most egregious case of sex trafficking more than 40 girls. The 19 convicted included three government officials, and 12 of those convicted received life imprisonment. However, throughout the investigation, some activists and media asserted that the government shielded higher level government officials from investigation.
- Outside of Bihar State, many state governments reported little action to investigate their shelters, despite similar cases of abuse and trafficking documented in shelters across the country although several states did conduct shelter audits during the reporting period.
- Overall victim identification and protection remained inadequate and inconsistent, and the government sometimes penalized victims through arrests for unlawful acts traffickers compelled them to commit. In addition, some states continued to forcibly detain adult trafficking victims in shelters.
- Law enforcement efforts were low relative to the scale of human trafficking in India, particularly with respect to bonded and forced labor.
- NGOs across the country reported state governments did not provide legally mandated release certificates or interim compensation to most bonded labor victims whom NGOs identified, which prevented them from accessing government services.

## **Pakistan**

### **Q: Why was Pakistan downgraded to Tier 2 Watch List?**

- The Government of Pakistan did not fully meet the minimum standards for the elimination of trafficking; however, it made significant efforts to do so. Because the government did not make overall increasing efforts, Pakistan was downgraded to Tier 2 Watch List.
- Pakistan reported overall increases in investigations (from 23 to 77) and convictions (from three to 16) for bonded labor from 2019. However, Punjab, one of four provinces, remained the only province to criminally prosecute traffickers for bonded labor. This is despite other provinces having significant bonded labor problems, including Sindh, where authorities

identified nearly 700 bonded labor victims during the reporting period but did not initiate any investigations.

- Notably, the government achieved its first convictions under the 2018 Prevention of Trafficking in Persons Act. However, law enforcement efforts dropped significantly. The government only investigated 916 sex trafficking cases, compared to 2,367 the previous reporting period.
- Official complicity in human trafficking remained a significant concern, but the government did not report any action against allegedly complicit officials.
- Officials and media reported that a Pakistani-Chinese organized crime ring sent more than 620 Pakistani women and girls to China from 2018-2019 for ostensibly legitimate marriages, but the “husbands” physically and sexually abused many of the women, including forcing some into commercial sex. NGOs and media reported government officials pushed for the acquittals of all 31 suspects.
- The government did not report any efforts to address local government officials’ reportedly endemic perpetuation of bonded labor at brick kilns and on farms, especially in Sindh.
- While the government modestly increased the number of victims identified, authorities only referred to care four percent of the more than 19,000 identified, including only one male.

## **Turkmenistan**

### **Q: Why was Turkmenistan ranked Tier 3?**

- Turkmenistan did not fully meet the minimum standards for the elimination of trafficking and did not make significant efforts to do so; thus it remained on Tier 3.
- The Government of Turkmenistan had a “government policy or pattern” of forced labor. The government continued to direct policies that perpetuated the continued mobilization of adult citizens for forced labor in the annual cotton harvest and in public works projects. No officials were held accountable for their role or direct complicity in trafficking crimes and state surveillance practices continued to dissuade any monitoring of the harvest during the reporting period.
- Additionally, the government did not report any information on prosecutions or convictions, identify any victims, implement any legal provisions on victim protection, or fund any victim assistance programs.

- Despite the lack of significant efforts, we recognize the government took some steps to address trafficking, including approving the 2020 to 2022 national action plan, continuing to participate in anti-trafficking awareness campaigns, working with international organizations on combating trafficking in persons, providing training to its diplomatic corps on human trafficking, and identifying potential trafficking victims at the international airport.
- Under a recent amendment to the Trafficking Victims Protection Act (TVPA), a “government policy or pattern” of human trafficking is considered as proof of a government’s failure to make significant efforts to bring itself into compliance with the minimum standards, resulting in a Tier 3 ranking.

## **Uzbekistan**

### **Q: Why was Uzbekistan ranked Tier 2 Watch List and not assessed as having a government policy or pattern of forced labor and ranked Tier 3?**

- The Government of Uzbekistan was ranked Tier 2 Watch List for the third consecutive year and was granted a waiver of the required downgrade to Tier 3, because the government has devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards.
- During the reporting period, the government made efforts to address government-compelled adult forced labor during the annual cotton harvest by: ceasing the systemic mobilization of students, teachers, and health care workers during the 2019 harvest; continuing to allow unimpeded access to international third-party monitors who assessed a continued overall decrease in the number of Uzbekistani citizens forced to pick cotton; increasing remuneration to those picking cotton; improving working conditions to attract voluntary workers; and incorporating independent human rights activists into monitoring plans. The government also committed to eliminate cotton picking quotas — a factor contributing to forced labor — beginning in the fall 2020 harvest.
- However, serious concerns remain given continued reports of corrupt officials requiring public sector employees to pick cotton or pay for a replacement worker, amounting to a penalty for not participating in the cotton harvest and a lucrative means of extortion for these officials. The government has not reported criminal proceedings against officials for compelling people to participate in cotton cultivation and harvesting.
- Additionally, the government investigated and prosecuted fewer suspected traffickers for the sixth consecutive year and identified fewer victims of trafficking and did not identify any foreign victims.

## **Aruba**

### **Q: Why was Aruba downgraded to Tier 2 Watch List?**

- The Government of Aruba did not demonstrate overall increasing efforts compared to the previous reporting period; therefore Aruba was downgraded to Tier 2 Watch List.
- Officials investigated fewer trafficking cases, did not report identifying any victims, and did not report prosecuting or convicting any trafficking cases in 2019.

## **Bolivia**

### **Q: Why was Bolivia upgraded to Tier 2?**

- The Government of Bolivia demonstrated overall increasing efforts compared to the previous reporting period; therefore Bolivia was upgraded to Tier 2.
- These efforts included investigating and convicting more traffickers, identifying and referring more victims, increasing capacity building opportunities for law enforcement officials, increasing cooperation with civil society organizations, and conducting labor inspections in areas at high risk for forced labor.
- The Department urges the government to prosecute traffickers, to improve victim protection services, to identify victims of forced labor exploited within the country, and to bring complicit officials to justice.

## **Colombia**

### **Q: Why did Colombia maintain a Tier 1?**

- The Government of Colombia met the minimum standards for the elimination of trafficking, and it continued to make serious and sustained efforts during the reporting period.
- The government increased the number of victims identified, hosted two civil society round tables, initiated 37 new investigations of ex-combatants for the forced recruitment of children, and approved a decree to mitigate and combat the forced recruitment of children by illegal armed groups. In addition, Colombia has maintained a robust response to the Venezuelan migration crisis, which likely reduced vulnerability to trafficking.

- The Department urges the government to increase efforts to combat forced labor, prosecute and convict traffickers guilty of forced child recruitment, and to improve victim protection services, especially for adult victims of trafficking.

## **Cuba**

### **Q: Why was Cuba maintained as Tier 3?**

- The Government of Cuba did not fully meet the minimum standards for the elimination of trafficking and did not make significant efforts to do so; therefore Cuba remained on Tier 3.
- During the reporting period there was a “government policy or pattern” of forced labor, particularly in its foreign medical missions program.
  - The government failed to inform participants of the terms of their contracts, confiscated their documents and salaries, and threatened participants and their family members if participants left the program.
  - The government refused to improve the transparency of the program or address forced labor and or other labor concerns despite persistent allegations from observers, former participants, and foreign governments of Cuban officials’ involvement in abuses.
- Within Cuba, the government lacked procedures to proactively identify forced labor victims, lacked a comprehensive package of housing and services for victims, and did not protect potential trafficking victims from being detained or charged for unlawful acts their traffickers coerced them to commit.
- The government did not criminalize all forms of forced labor or sex trafficking.
- The Department urges the government to implement the recommendations outlined in the TIP Report including:
  - Ensure state-run labor export programs such as foreign medical missions comply with international labor standards or end them.
  - Draft a comprehensive anti-trafficking law that criminalizes all forms of trafficking, including explicit prohibition of labor trafficking.
- The Department will continue to encourage the Government of Cuba to make efforts to address forced labor, improve victim identification and protection, and enact a comprehensive anti-trafficking law prohibiting all forms of human trafficking.
- Under a recent amendment to the Trafficking Victims Protection Act (TVPA), a “government policy or pattern” of human trafficking is considered as proof of a

government's failure to make significant efforts to bring itself into compliance with the minimum standards, resulting in a Tier 3 ranking.

## **Dominican Republic**

### **Q: Why was the Dominican Republic downgraded to Tier 2 Watch List?**

- The Government of the Dominican Republic did not demonstrate overall increasing efforts compared to the previous reporting period; therefore the Dominican Republic was downgraded to Tier 2 Watch List.
- The government drafted a revised trafficking law to remove the requirement for force, fraud, or coercion and increased prosecutions of suspected traffickers. However, the government did not report on the outcome of investigations into cases of official complicity in human trafficking and there is concern about the validity of reported numbers of identified victims. The government also convicted fewer traffickers than previous years and issued inadequate sentences to some convicted traffickers.
- In addition, the government did not have a dedicated victim assistance budget or a full-time victim shelter.
- The government continued to work with an international organization to revise standard operating procedures for victim identification and assistance referrals; however, it did not effectively screen or refer all vulnerable individuals, including migrants and migrant children, for trafficking indicators.
- Despite reports from Dominican officials and NGO-documented cases of children forced into domestic service, begging, street vending, agricultural work, construction, and moving illicit narcotics, the government did not report screening these workers for trafficking or refer any of the violations to law enforcement for criminal investigation.

## **El Salvador**

### **Q: Why did El Salvador remain on Tier 2?**

- The Government of El Salvador did not fully meet the minimum standards for the elimination of trafficking but made significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore El Salvador remained on Tier 2.
- The Government increased investigations, prosecutions, and convictions.

- The government identified more victims and passed a new law for migrants and foreign nationals that granted trafficking victims two years' residency with multiple entry and exit permissions.

## **Guatemala**

### **Q: Why did the Government of Guatemala remain on Tier 2?**

- While the Government of Guatemala did not fully meet the minimum standards for the elimination of trafficking, it made significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Guatemala remained on Tier 2.
- The Government increased its numbers of investigations, prosecutions, and convictions of traffickers, and it dedicated additional resources to increase judicial and prosecutorial capacity outside the capital.
- The Government identified and provided services to more victims.

## **Honduras**

### **Q: Why did the Government of Honduras remain on Tier 2?**

- The Government of Honduras did not fully meet the minimum standards for the elimination of trafficking but made significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Honduras remained on Tier 2.
- The Government increased prosecutions, convictions, and sentencing of traffickers.
- The Government coordinated with several foreign governments to secure the conviction of a Honduran trafficker who operated an international network of Belizean traffickers.
- The government improved screening of children migrating out of, and returning to, Honduras.

## **Mexico**

### **Q: Why did the Government of Mexico remain on Tier 2?**

- While the Government of Mexico did not fully meet the minimum standards for the elimination of trafficking, it made significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Mexico remained on Tier 2.
- Federal and state governments investigated and prosecuted more traffickers compared to the previous year, including the successful prosecution of a transnational sex trafficking ring under their new accusatory system.
- The government identified more victims in Mexico and abroad compared to the previous year.
- The Department remains concerned the government did not meet the minimum standards in several key areas. The Department urges the government to:
  - Increase efforts to investigate and prosecute trafficking offenses, including forced labor, at both the federal and state levels, and sentence convicted traffickers to significant prison terms.
  - Increase victim identification and referral, especially among vulnerable populations, such as migrant workers, indigenous populations, and individuals in commercial sex.
  - Increase efforts to protect victims and witnesses testifying against traffickers, while ensuring they are not coerced into testifying or inappropriately misidentified as traffickers and unlawfully detained.
  - Increase efforts to hold corrupt or complicit public officials accountable through effective prosecutions and sentence convicted officials to significant prison terms.
  - Develop and implement a national strategic plan on victim services in consultation with international organizations and NGOs to include specialized trafficking victim services and shelters for all victims.
  - Increase federal funding for law enforcement efforts and victim services.
  - Strengthen the labor inspection system and enforce laws to hold fraudulent foreign labor recruiters accountable.
  - Finalize, implement, and allocate sufficient resources to a national anti-trafficking action plan that is coordinated across federal, state, and local authorities.

## **Nicaragua**

**Q: Why was Nicaragua downgraded to Tier 3?**

- The Government of Nicaragua did not fully meet the minimum standards for the elimination of trafficking and did not make significant efforts to do so; therefore it was downgraded to Tier 3.
- The government did not convict any traffickers, and victim identification efforts remained inadequate. The government did not act to prevent or punish official complicity in trafficking offenses despite endemic official corruption. The government did not cooperate with NGOs to protect victims.
- The Department urges the government to increase its efforts to identify trafficking victims, especially foreign nationals; investigate official complicity; and partner with NGOs to improve care available to victims.

**Q: How will the downgrade to Tier 3 affect USG aid to Nicaragua?**

- As a Tier 3 country, Nicaragua may be subject to restrictions under the Trafficking Victims Protection Act (TVPA). The restrictions apply to nonhumanitarian and nontrade-related foreign assistance and to votes on funds provided through international financial institutions to Tier 3 governments as listed in the TIP Report.
- Waivers of these restrictions on foreign assistance are granted only when the President determines that it would promote the purposes of the TVPA or is otherwise in the U.S. national interest.

**Venezuela Migration Crisis**

**Q: Has the situation in Venezuela affected governments' efforts to address trafficking?**

- The Department continues to be very concerned about the increased number of Venezuelan victims identified, and the absence of adequate protection mechanisms, in most of the countries in the region. The Department urges all governments in the region to increase efforts to identify Venezuelan victims of trafficking and to provide those identified with comprehensive services.
- The Maduro-made Venezuelan migration crisis has created a regional humanitarian challenge for the Western Hemisphere. Political instability, violence, scarcity of food, absence of medical care, and other push factors have created an unprecedented wave of migrants and asylum-seekers in the region; many of whom are vulnerable to forced labor, including domestic servitude, sex trafficking, and forced recruitment by illegal armed groups.

- Treatment of Venezuelan victims varies greatly across the region, as does the technical capacity and political will of governments to increase victim identification and protection. Many governments improperly detained and deported identified Venezuelan trafficking victims, raising concerns about tremendous gaps in protection services, which in most countries were already deemed insufficient.
- To aid this growing vulnerable population, the Department encourages all countries affected to increase capacity building for first-responders, enhance cross-border coordination, improve data collection, and increase collaboration with international organizations and local civil society actors to provide services needed for victims of human trafficking.

## General Q&A

### Quick Overview

**Q: What is the theme or focus of this year's TIP Report?**

**BLUF: The theme of this year's TIP Report introduction is "Looking Back on Twenty Years of the Trafficking in Persons Report." It is a celebration of 20 years of documenting progress in the fight to eradicate human trafficking and, as always, a candid reminder of the work yet to be done.**

- The introduction looks back at the history of the TIP Report, the changes it has undergone in the last twenty years, and the ways the Report is used to engage governments, anti-trafficking advocates, and individuals around the world.
- It highlights the role of the TIP Report as a critical tool in bringing governments to the table and encouraging them to prioritize human trafficking, and the importance of those behind the scenes in applying pressure on governments to ensure they maintain focus and hear the voices of those directly affected.
- Since Congress passed the Trafficking Victims Protection Act of 2000 (TVPA), mandating the submission of the TIP Report, it has grown in both its breadth and depth of analysis.

Over the years, it has consistently documented the efforts of an increasing number of governments to prosecute traffickers, protect victims, and prevent human trafficking crimes.

- The report has gone through a number of changes stylistically and substantively due to Congressional amendments and efforts to provide clarification and justification for the tier rankings and country narratives. Yet the message and the policy priorities at the heart of the TIP Report have been steadfast: there is no excuse for human trafficking, and governments must address it in all its forms with bold action.
- The impact of the TIP Report is achieved through diplomatic engagement, assistance restrictions, increased public understanding, and the empowerment of anti-trafficking stakeholders. The TIP Report has also tracked data and trends to help governments and others address the challenge.

**Q: When it comes to the TIP Report rankings, are there any political considerations?**

**BLUF: A country's tier ranking reflects the State Department's assessment of that government's efforts during the reporting period to meet the minimum standards for the elimination of trafficking in persons established under the TVPA. The Department strives to make the Report as accurate and objective as possible, documenting the successes and shortcomings of government anti-trafficking efforts.**

- Final tier ranking decisions are based on the anti-trafficking criteria spelled out as "minimum standards" in the TVPA.
- Our goal is to ensure that the annual TIP Report is a thorough and fact-based assessment, and officials across the Department work year-round to this end.

### **TIP Report Process**

**Q: Walk us through how the rankings are decided?**

**BLUF: The annual TIP Report reflects the State Department's assessment of government efforts to meet the minimum standards for the elimination of trafficking in persons established under the Trafficking Victims Protection Act (TVPA). The Department applies these minimum standards to each country and compares the facts gathered over the reporting period against the government's efforts the previous year.**

- The State Department has dedicated staff working on human trafficking issues in Washington and at U.S. embassies around the world. Staff work year-round to gather and evaluate information from foreign government officials, nongovernmental and international organizations, a full array of open sources, and information submitted to [tipreport@state.gov](mailto:tipreport@state.gov).
- The TIP Office works with colleagues throughout the Department to draft and edit narratives for 188 countries and territories around the world, including the United States.
- The Secretary of State approves the Report and makes all final tier ranking decisions, as specified in the TVPA. The Department publishes the Report and uses it to engage foreign governments and other partners on human trafficking issues in the ensuing year and as the basis of its anti-trafficking programming.

### **Tier 3 Restrictions**

**Q: Given restrictions that may apply to countries ranked Tier 3 this year, will the Department work to preserve certain life-saving or similar assistance, such as those related to supporting the global response to the COVID-19 pandemic?**

**BLUF: President Trump’s past determinations on restrictions and waivers of restrictions for the governments ranked Tier 3 have reflected his Administration’s firm commitment to combat human trafficking and served as a strong and additional diplomatic tool to urge action. The United States will not shy away from holding accountable those governments that fail to make significant efforts to meet the minimum standards.**

- The restrictions under the Trafficking Victims Protection Act (TVPA) apply to nonhumanitarian and nontrade-related foreign assistance and to votes on funds provided through international financial institutions to Tier 3 governments listed in the TIP Report. In certain circumstances, restrictions also apply to educational and cultural exchange programs for Tier 3 government officials. However, U.S. assistance that benefits the people of these countries, including through NGOs and other civil society organizations, is not restricted under the TVPA.
- The President waives restrictions on foreign assistance when he determines that this would promote the purposes of the TVPA or is otherwise in the U.S. national interest. For

example, the President has done this in the past to facilitate continuing critical, life-saving U.S. health engagement under PEPFAR, to strengthen treatment for multidrug resistant tuberculosis, and to respond to the threat posed by the Ebola virus disease.

### **TVPA Provision - Government Policy or Pattern of Trafficking**

**Q: The TVPA, as recently amended, requires the Secretary to make a determination of a “government policy or pattern” of certain types of human trafficking during the reporting period, and a positive determination results in a Tier 3 ranking for such countries. Which countries were ranked Tier 3 for this reason?**

**BLUF: The Secretary found there was a “government policy or pattern” of trafficking during the reporting period in ten countries. Under a 2019 amendment to the Trafficking Victims Protection Act (TVPA), a “government policy or pattern” of human trafficking is considered as proof of a government’s failure to make significant efforts to bring itself into compliance with the minimum standards, resulting in a Tier 3 ranking.**

- The Secretary found that, during the reporting period, there was a “government policy or pattern” of trafficking, forced labor, sexual slavery, or recruitment or use of child soldiers in ten countries – Afghanistan, Belarus, Burma, China, Cuba, Eritrea, North Korea, Russia, South Sudan, and Turkmenistan.
- All ten countries were ranked Tier 3. In each case, the country narrative describes the government policy or pattern from the reporting period.
- We must speak out and step up our pressure on those governments that are intentionally engaged in human trafficking. The TIP Report documents that, rather than fulfilling their commitments to protect victims, some in these governments are themselves traffickers.

### **COVID-19 and Human Trafficking**

**Q: How has the COVID-19 pandemic and the global reaction, which included a variety of stay-at-home orders, forced business closures, and quarantines, affected work to combat trafficking in persons?**

**BLUF: Despite the COVID-19 pandemic, traffickers have not shut down. They continue to ensure victims are not free to choose where they live, how they work, or who has access**

**their bodies. Traffickers are capitalizing on the chaos of the pandemic, finding ways to increase their exploitation. But the U.S. Department of State has not backed down from our work to stop their schemes. We call on governments and civil society to increase support and funding for local, national, and international responders to this crime.**

- Victims of human trafficking faced the trauma of exploitation, and now the compounding trauma of the pandemic, as traffickers prevent victims from being able to protect themselves from the spread of the virus.
- Many trafficking victims are being forced to live in quarantine with their traffickers. A large number of traffickers are actually parents or family members of victims.
- Many individuals who have survived trafficking have suffered unexpected unemployment as a result of forced business closures and other government responses to COVID-19, leaving them more vulnerable to traffickers.
- There is emerging evidence of a surge in traffickers using the internet to livestream abuse of their victims. Many countries are seeing massive spikes in the number of videos and images being posted of trafficked children as well as adults.
- Now, more than ever, we must secure access to services for victims and survivors and full support for responders.

**Q: How is the United States responding to human trafficking globally during this crisis? Amid the pandemic, is human trafficking still an Administration priority?**

**BLUF: Human trafficking is a top priority of the Administration. For example, the President signed an Executive Order on January 31, 2020 to combat human trafficking and online child exploitation in the United States. The urgency to effectively address human trafficking has only grown as a result of the COVID-19 pandemic.**

- The Department of State's TIP Office is actively adapting its current foreign assistance funding strategy in light of COVID-19 to ensure grantees receive full support, and carrying out the Executive Order's mandate to innovate and advance human trafficking prevalence

measurements. On May 20, 2020, in partnership with the University of Georgia, we launched the Prevalence Reduction Innovation Forum, dedicating \$5 million toward studies that are geographically-restricted and industry-specific.

**Q: How did the COVID-19 pandemic and governments' decisions to issue stay-at-home orders, business closures, and quarantines impact the production of this year's Trafficking in Persons Report?**

**BLUF: The TIP Office continued full operations even as all staff transitioned to telework under stay-at-home orders. The pandemic and governments' responses occurred just as the Department was entering the final months of the Report production process, but despite the challenges the Department was able to deliver and produce an accurate, comprehensive TIP Report with integrity.**

- The team at embassies around the world and in Washington worked year-round to gather and analyze data on governments' anti-trafficking efforts to prepare the TIP Report.
- This year's Report covers government efforts to combat human trafficking from April 1, 2019 through March 31, 2020.
- Under the constraints of telework, the highly collaborative process of finalizing all country narratives and rankings and publishing the report required herculean efforts to complete.
- We are grateful for survivors who have contributed their expertise to this report and inspire us to press on, TIP Report Heroes who have modeled courage, the U.S. Government's unending commitment to this cause, and all at the State Department who have worked to deliver this report under such extraordinary circumstances.

## **United States**

**Q: Why did the United States maintain a Tier 1 ranking?**

**BLUF: The tier ranking for the United States was determined in the same manner as for all other countries – through an assessment of the government's efforts to meet the minimum standards during the reporting period as compared to efforts during the previous reporting period.**

- The U.S. government continued to demonstrate serious and sustained efforts during the reporting period; therefore the United States remained on Tier 1. These efforts included increasing the number of investigations, increasing the amount of funding for victim services by more than 30 percent, and increasing enforcement of the prohibition of imports made wholly or in part by forced labor.
- The U.S. government also increased the number of forensic interview specialists and victim witness specialists who focus on human trafficking cases. There was a 48 percent increase in “eligibility letters” for foreign national children that allow access to some victim services.
- It is important to remember what a Tier 1 ranking signifies. Tier 1 countries still have much room for improvement. All governments should strive to continually improve their efforts to fight this heinous crime and protect fully the victims.
- Although the government meets the minimum standards, challenges remain. The U.S. government prosecuted fewer cases and secured convictions against fewer traffickers, issued fewer victims trafficking-specific immigration benefits, and did not adequately screen vulnerable people for human trafficking indicators.

### **Human Trafficking Expert Consultant Network**

**Q: The Introduction mentions the Human Trafficking Expert Consultant Network. What is the Human Trafficking Expert Consultant Network and what was its role in this year’s report introduction?**

**BLUF: The Human Trafficking Expert Consultant Network (the Network) allows the Department to engage experts, particularly survivors of human trafficking, to provide expertise and input on Department of State anti-trafficking policies, strategies, and products, both in the United States and abroad. Three Network consultants drafted two Topics of Special Interest in this year’s report introduction, titled “The Intersection of Human Trafficking and Addiction” and “Trauma Bonding in Human Trafficking.” These consultants have a range of expertise related to human trafficking, marginalized communities, substance use disorder, and trauma.**

- Survivor engagement is a central tenet of the Federal Government’s and the Department’s approach to combating human trafficking.

- The Network strives to meaningfully incorporate survivor input into the Department's anti-trafficking work while also compensating them for their expertise.
- Following a review of prior TIP Report introductions, Network consultants identified themes and topics of special interest that should be covered in future Reports. Consultants then recommended and drafted these two Topics of Special Interest.
- In addition to contributing to this year's TIP Report, Network consultants have also given the Department critical insights from a survivor perspective by evaluating the quality of grantee proposals and informing up to \$19.5 million in new global investments.