

**Recommendations for Sierra Leone:** Increase penalties prescribed under law for sex trafficking offenses; increase efforts to prosecute, convict, and punish trafficking offenders using the 2005 Anti-Trafficking in Persons Act; finalize the draft national action plan; 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, and enact such legislation; include funding for anti-trafficking activities in the national budget and begin allocating funds accordingly through the appropriate government structures, such as the national trafficking in persons task force; train law enforcement officers and social workers to identify trafficking victims proactively among vulnerable populations, such as women in prostitution, unaccompanied minors, or undocumented migrants, and provide them with protective services; increase partnership with NGOs and support their efforts either financially or through in-kind donations; improve efforts to collect data on anti-trafficking law enforcement efforts and victim assistance; in collaboration with civil society organizations, increase efforts to raise public awareness about the dangers of trafficking; and ratify the 2000 UN TIP Protocol.

### Prosecution

The Government of Sierra Leone's anti-trafficking law enforcement efforts decreased in 2011. The 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 the equivalent 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 reporting period, prosecutions were initiated against four alleged trafficking offenders and none were convicted, compared with 18 suspected trafficking offenders prosecuted and six convicted during the previous reporting period. The cases that were prosecuted involved: the attempted sale of a 65-year-old male; the attempted sale of a 16-year-old girl; the commercial sexual exploitation of a 10-year-old girl and a 13-year-old girl. In addition, in January 2012, the court remanded a suspected trafficker for attempting to traffic a young man. The draft anti-trafficking legislation submitted to the cabinet for review in November 2010 has not yet been passed by the legislature or enacted into law. Members of the task force reported the bill would establish a national anti-trafficking agency and guarantee government funding for its activities, increase prescribed penalties for trafficking offenses, and require the provision of protective services for victims. The government did not provide information about the status of 17 investigations pending at the close of the previous reporting period. The government did not provide specialized training to its officials on investigating or prosecuting human trafficking offenses; however, the Sierra Leone police continued

to use manuals produced by an NGO to train new recruits to identify trafficking victims. The government did not report any investigations or prosecutions of public officials complicit in human trafficking; however, the Sierra Leonean Ambassador to Belgium is currently under investigation by the Belgian police for allegedly trafficking three Sierra Leonean citizens to Belgium for domestic servitude.

### Protection

During the year, the Sierra Leonean government demonstrated limited efforts to protect child trafficking victims, the most significant population of trafficking victims in the country. In 2011, the government identified four foreign trafficking victims – from Nigeria, Liberia, Cote d'Ivoire, and The Gambia – but failed to identify any Sierra Leonean victims. Despite growing concern over the number of street children who remain vulnerable to trafficking, the Government of Sierra Leone did not undertake proactive measures to identify victims among this or other vulnerable populations. The government relied on NGOs and international organizations to identify and provide services for trafficking victims; NGOs identified 91 victims in 2011. Identified victims were referred to the national task force and local NGOs on the task force 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. 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. 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.

### Prevention

The government displayed limited progress in preventing 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, met bi-monthly during the year and completed drafting an updated national action plan for 2011-2013. 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 from China, India, the Philippines, Indonesia, Sri Lanka, Bangladesh, Thailand, Vietnam, and elsewhere in Southeast Asia, subjected to sex trafficking and forced labor. Some women are recruited through offers of legitimate employment and deceived about the nature or conditions of the prospective work. Others 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. Child sex trafficking occurred in Singapore. During the reporting period, one such case received substantial

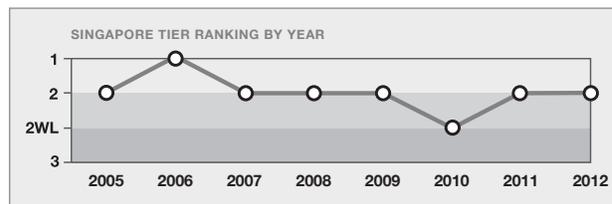
media attention; military officers and government officials allegedly were among the dozens of “clients” involved.

There are over 1.1 million foreign workers in Singapore, comprising more than one-third of Singapore’s total labor force. The majority of these are unskilled and semi-skilled workers employed in construction, domestic service, and the hospitality and service industries. Many foreign workers in Singapore assume debts to recruitment agencies in both Singapore and their home countries associated with their employment, making the workers vulnerable to forced labor. 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 indicators of potential trafficking. Men are subjected to forced labor 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.

Some employers in Singapore rely on repatriation companies to seize, confine, and escort – including through the use of assaults, threats, and coercion – foreign workers to the airport to prevent them from complaining of abuses to authorities. 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. The government amended the Employment Agencies Act to limit agency fees in Singapore to one month of wages per year of contract. Exorbitant fees are sometimes the result of multiple layers of sub-contracting to smaller agencies and individual recruiters in source countries, commissions paid to Singaporean agencies, and sometimes, kickbacks to Singaporean employers. To hide illegal fees, some agencies and employers mask them as payments from the worker for personal loans or as other payments, making it difficult for workers to understand how their wages were calculated and leaving them vulnerable to debt bondage. 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, on transferring employers and Singaporean employers can submit complaints about worker behavior to have future employment bans placed on them.

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. In February 2012, the Singapore Interagency Task Force released for public comment its National Plan of Action, which was crafted after an extensive consultative process with local NGOs involved in anti-trafficking issues and the protection of migrant workers and an open comment period seeking broader input from foreign governments and other international stakeholders. The government strengthened its anti-trafficking prevention and public awareness efforts among foreign workers and fishermen. During the year, the government continued to prosecute and convict sex trafficking offenders, but it failed to impose adequate penalties; convicted offenders received punishments of fines or up to nine months’ imprisonment. The government developed and implemented guidelines for identifying labor trafficking cases, and identified 124 alleged victims of forced

labor during the year, although the government did not report providing all these victims with services. These investigative efforts did not result in any prosecutions or convictions of labor trafficking offenders during the reporting period. Singaporean men reportedly have been a source of demand for child sex tourism in Southeast Asia.



**Recommendations for Singapore:** Make effective use of the new national plan of action, particularly by strengthening investigations, prosecutions, and sentencing of both sex and labor trafficking offenders, identifying possible trafficking victims among migrant laborers and persons in prostitution, and dedicating exclusive resources to addressing the country’s human trafficking problem through greater assistance to trafficking victims; draft and enact legislative revisions to bring Singapore’s legal code into tighter conformity with international anti-trafficking standards; 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; increase efforts to investigate and prosecute repatriation companies that forcefully and illegally restrain and repatriate migrant workers who would otherwise complain about forced labor conditions; make greater efforts to support victims assisting in the investigation process in obtaining employment; extend the government’s legal aid scheme to cover foreign trafficking victims to ensure that all employees have equal access to judicial redress; continue public awareness campaigns to inform citizens and residents of the penalties for involvement in trafficking for sexual exploitation or forced labor; and consider acceding to 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 reported convicting four sex trafficking offenders, compared with six such convictions during the previous year, but it did not prosecute or convict any labor trafficking offenders. The government did not demonstrate increased efforts to apply stringent penalties to convicted offenders; traffickers were given low penalties ranging from fines to nine months’ imprisonment. An additional three cases confirmed to constitute sex trafficking were identified but not prosecuted, and 18 cases remained

pending at the close of the year. Singaporean authorities exhibited greater efforts to proactively identify sex trafficking cases during the year; the government reported identifying 54 percent of suspected sex trafficking and related cases during vice operations during the year.

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. In August 2011, the Attorney-General's Chambers (AGC) developed a special unit with 15 prosecutors to coordinate the investigation and prosecution of vice-related cases, including trafficking. A foreign embassy, concerned about the treatment of its nationals on fishing vessels that dock in Singapore, continued its engagement on behalf of the fisherman with the government of Singapore. In its National Self-assessment Report on Trafficking in Persons 2011, the Singapore Inter-Agency Taskforce stated its position on jurisdiction issues as follows: Singapore does not have jurisdiction over foreign fishermen working in off-shore waters on non-Singapore flags. The government did not report any prosecutions or convictions of suspected human trafficking on fishing vessels during the year.

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 MOM conducted proactive operations to inspect repatriation companies and employment agencies—and identified passport withholding, an indicator of human trafficking in at least 20 of these cases – it did not refer any leads to the police for investigation or prosecution of possible trafficking.

While the Employment Agencies Act prohibited Singaporean employment agencies from charging job seekers more than one month's salary per year, for a maximum of two years, many agencies continued to charge migrant workers thousands of dollars in recruitment fees, making them vulnerable to forced labor. The government continued to facilitate anti-trafficking training opportunities for its police force, prosecutors, and other government officials. Although officials continued to face challenges in identifying labor trafficking cases and did not identify any confirmed labor trafficking cases in 2011, the MOM and the government's anti-trafficking task force developed and institutionalized a set of labor trafficking indicators based on international standards. During the year, the government began implementing a series of new standard operating procedures (SOPs) for the identification and prosecution of trafficking cases; officials from the MOM, AGC, and the police were trained to identify labor trafficking cases using a newly developed indicator card and discussion of labor trafficking scenarios.

### Protection

The government demonstrated progress in identifying and protecting trafficking victims during the year. The government reported that it provided funding to 24 "children's homes" and dormitories that could be used to house child trafficking victims and four shelters serving adults; however, it did not operate any trafficking-specific shelters. The government reported allocating the equivalent of \$1.6 million to shelter and social services for crime victims during the year but did not dedicate exclusive resources to protecting trafficking victims. The government reported 182 victims – 58 for sex

trafficking and 124 for forced labor – identified during trafficking-related law enforcement actions. The government reported providing assistance to 29 sex trafficking victims and 68 labor trafficking victims; those whose cases did not result in a prosecution were repatriated within two to four weeks. One NGO reported identifying approximately 25 sex trafficking victims and 21 victims of forced labor, and one foreign embassy reported assisting 27 women forced into prostitution and 16 men exploited in the fishing industry. The government reported identifying six Singaporean victims during the year. Authorities introduced new tools for identifying victims of forced labor including an indicator card and a document outlining labor trafficking scenarios. The resulting unprecedented identification of 124 suspected labor trafficking victims was notable. Authorities continued to utilize sex trafficking indicator cards to identify victims during vice operations. According to NGOs and foreign embassies, inadequate victim identification resulted in the possibility that trafficking victims were among the approximately 5,200 individuals arrested for prostitution violations during the year. Such individuals may have been subjected to penalties for immigration violations and/or for soliciting.

Domestic workers in Singapore, the vast majority of whom are foreigners, are excluded from the Employment Act, including protections such as mandatory rest days, limits on hours of work, and other rights. The lack of a mandatory day off provided under Singaporean law to domestic workers continued to restrict their opportunities to seek help when faced with abuses, including forced labor conditions. In February 2012, the government took steps to address this when it announced plans to require employers to grant domestic workers a weekly rest day; this policy is slated to come into effect in January 2013. The government did not provide incentives such as legal aid for the pursuit of civil suits, for foreign victims to participate voluntarily in investigations, and prosecutions of trafficking offenses. Victims were not permitted to leave Singapore before the start of court proceedings, and lengthy investigations and prosecutions – often six to 12 months – posed a disincentive to victims to participate. The government reported that some victims received Special Passes, which allowed them to stay legally in Singapore for a temporary period. The MOM reported that 34 suspected labor trafficking victims who assisted the government as prosecution witnesses received authorization to work temporarily in Singapore. There are reports that victims of trafficking often do not wish to file official complaints to Singaporean authorities. When cases were being investigated or prosecuted, the government generally held the victims' passports and declined their requests for repatriation because they were considered material witnesses. Foreign workers, including fishermen, 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 some foreign workers who encounter problems in these areas.

### Prevention

The government increased its efforts to prevent trafficking in persons during the year. In March 2012, the Inter-Agency Task Force on Human Trafficking launched the country's first National Plan of Action to coordinate the government's anti-trafficking activities. The plan, which sets forth goals in the areas of prosecution, protection, prevention and partnership, was the result of consultations with civil society organizations,

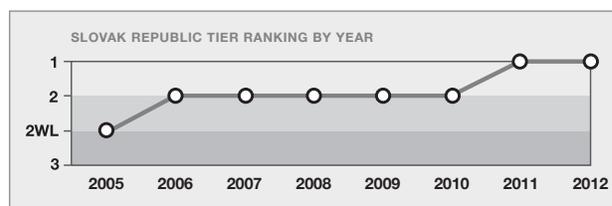
foreign governments, and the public. Also in March 2012, the government published its first annual self-assessment, documenting its efforts to combat trafficking during the year, and including recommendations for future actions. The government increased efforts to educate the public through television and print media campaigns about the dangers of trafficking. The government installed posters in a fishing port providing information for exploited workers to contact the government for assistance. During the year, the task force produced a newsletter and brochure for work permit holders, which provides a checklist for workers about situations in which they should approach the MOM for assistance. During the year, the MOM conducted inspections of four repatriation companies and responded to 36 complaints of foreign workers who allegedly had their passports confiscated by employers or labor brokers; 20 employment agencies confirmed to be withholding passports – an indicator of human trafficking – were issued warnings and received demerit points, but the cases were not referred to police for criminal investigation. Police and MOM inspectors reported receiving 446 cases of labor violations that could have contributed to labor trafficking, although the government could not substantiate any labor trafficking cases in 2011. Authorities continued compulsory courses on employment rights and responsibilities for all incoming foreign domestic workers and their employers, and during the year the government instituted pre-departure briefings for 829 workers in three labor-source countries. 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 2011, the MOM conducted 3,015 labor inspections to observe working conditions in commercial worksites, but it is not known whether such inspections led to the identification of any suspected trafficking victims. The government identified 1,355 employment agencies assessed to be “dubious,” and prevented 1,180 workers from entering the country to work under potentially false pretenses, but it is not known what, if any, actions the government took to sanction these operations. The government reported issuing educational posters to repatriation companies to educate foreign workers on their rights. The government reported investigating 67 trafficking-related labor cases and 13 prostitution cases, classified as “substantiated cases with some trafficking in persons elements;” the majority of the labor cases were dismissed with a stern warning, a compounded fine, or no action. Two individuals in these cases were convicted of trafficking-related labor violations and were sentenced to probation or received warnings, and 12 cases remain under investigation. The government did not make efforts to reduce the demand for commercial sex acts in Singapore’s commercial sex industry. 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 2011. 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. Slovak men and women are subjected to forced labor in the agriculture and construction in Western Europe, primarily the United Kingdom. Slovak children are subjected to forced criminal behavior in the United Kingdom. Slovak women are subjected to sex trafficking in the Netherlands, Slovenia, Denmark, Germany, and other areas of Europe. Ukrainian and Romanian men and women are 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 from socially segregated rural settlements were disproportionately vulnerable to human trafficking, as they were underemployed, undereducated and lack of access to quality education due in part from segregation specialized schools, and subjected to discrimination by law enforcement personnel. Traffickers, particularly prominent individuals in Roma communities, found victims through family and village networks, preying on individuals with large debts owed to usurers or individuals with disabilities.

The Government of the Slovak Republic fully complies with the minimum standards for the elimination of trafficking. Improvements, however, are needed. The government collaborated closely with NGOs to offer comprehensive care to trafficking victims through the National Program to Combat Trafficking in Persons. The government successfully convicted a former mayor who had been complicit in the sex trafficking of Slovak women, sentencing the mayor to four-and-a-half years’ imprisonment. The government also launched a successful campaign to raise awareness of labor trafficking. Nevertheless, government efforts to make victim identification by police more proactive remained weak. Despite indications of labor trafficking in Slovakia, police again failed to identify any foreign victims in the country. Sentencing for trafficking offenders decreased; of nine convicted offenders, only three received non-suspended prison sentences. Finally, the government does not have any legal provisions that would allow authorities not to prosecute trafficking victims for crimes they committed as a result of their trafficking. NGOs did not report any cases of trafficking victims having been prosecuted for such crimes.



**Recommendations for the Slovak Republic:** Greatly increase efforts to identify trafficking victims proactively; increase efforts to identify trafficking victims in Roma communities, including through greater outreach by law enforcement personnel; identify children under age 18 who are engaged in prostitution as trafficking victims; increase proactive victim identification at labor sites, including agriculture and construction; improve the functioning of the Expert Group by ensuring that government agencies are accountable for their roles in fulfilling the government’s anti-trafficking plan; strengthen procedures for identification, referral, and care of child trafficking victims; adopt legal provisions that would permit authorities not to prosecute