

RECOMMENDATIONS FOR TURKMENISTAN:

Take substantive action to end the use of forced adult labor during the annual cotton harvest, particularly by modifying the governmental policies that create pressure for mobilizations of labor; provide victim care services directly or by funding civil society; train police to recognize and investigate sex and labor trafficking crimes occurring within Turkmenistan; develop formal written procedures to identify and refer victims to protection services and train police, migration officers, and other relevant officials on such procedures; investigate and prosecute suspected trafficking offenses using article 129, respecting due process, and convict and punish trafficking offenders; continue to provide training for relevant government authorities on the proper application of article 129; and increase awareness of trafficking among the general public through government-run campaigns or financial support for NGO-run campaigns.

PROSECUTION

The government maintained anti-trafficking law enforcement efforts. The government prohibits all forms of trafficking in persons through article 129 of its criminal code. Prescribed penalties under this statute range from four to 25 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Article 129, however, provides that, unless certain aggravating circumstances are present, a convicted trafficking offender would not be sentenced if he or she voluntarily freed the victim. The government initiated prosecution of three cases under article 129 in 2015, compared with six cases in 2014. The government reported convictions of nine persons in 2015, compared with nine in 2014. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking. The government reported it independently trained officials on trafficking-related issues.

PROTECTION

The government made limited efforts to protect and assist victims. The government identified 12 victims in 2015; the government identified 19 victims in 2014 and 33 in 2013. An international organization reported assisting 40 victims. The government did not provide comprehensive services to all victims of trafficking, nor did it fund international organizations or NGOs to provide such services. An NGO operated one shelter for female trafficking victims in Turkmenistan with foreign donor funding. The shelter provided services to eight female victims in 2015. During the reporting period, the government did not have formal written procedures to identify victims or a formal process to refer victims to care providers, but the government agreed to create these procedures in March 2016. In the interim, migration officers would informally refer suspected trafficking victims to an international organization, which screened and later referred victims to the shelter. Government officials attended a workshop organized by an international organization in May 2015 on developing an identification and

referral mechanism, and the government agreed to establish a national referral mechanism. The prosecutor general's office reported victims could apply for physical protection and assistance in obtaining free medical care; however, officials did not provide details of specific cases where such assistance was provided during the year, and NGOs indicated some victims were required to pay for their own treatment. Prosecutors recognized the right of victims to come forth voluntarily and reported they would not pressure victims into giving information in support of prosecution efforts. There were no reports of victims seeking or obtaining restitution in civil suits. The government made no attempts to identify sex trafficking victims among women arrested for engaging in prostitution and, consequently, officials might have penalized sex trafficking victims for prostitution offenses. Government officials asserted trafficking has never occurred on Turkmen territory; rather, it occurred only to Turkmen who were abroad. After some Turkmen, including victims of trafficking, returned home following their deportation from other countries, the migration service reportedly blocked them from exiting Turkmenistan for a period of up to five years, but the government reported that it stopped fining persons deported from foreign countries, including potential victims.

PREVENTION

The government made increased efforts to prevent human trafficking, but it did not take steps to remove forced labor from the cotton harvest. The government approved its first-ever national action plan to combat trafficking in March 2016. The action plan was developed in conjunction with civil society experts, and its planned activities spanned from 2016 to 2018. The plan's objectives included, among other goals, developing guidelines for the identification of victims, increasing victims' access to rehabilitation services, and increasing the anti-trafficking capacity of law enforcement. The government's approved 2016 budget included funding for the plan's implementation. The government approved the requests of an international organization and NGOs to conduct public information events and campaigns, including through state-owned newspapers. The government reported an international organization provided anti-trafficking training for its diplomatic personnel. The stateless population in Turkmenistan, mostly consisting of former Soviet citizens, was vulnerable to trafficking, but in 2015 the migration service worked with UNHCR to grant Turkmen citizenship to 361 stateless persons. The government made efforts to reduce the demand for commercial sex acts.

UGANDA: Tier 2

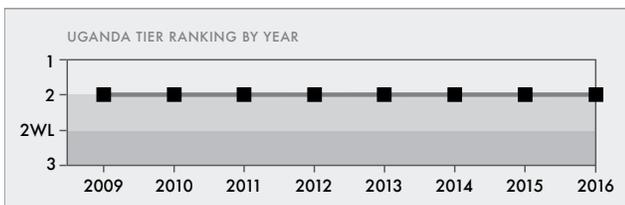
Uganda is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Ugandan children as young as 7 years old are exploited in forced labor in the country in agriculture, fishing, forestry, cattle herding, mining, stone quarrying, brick making, car washing, scrap metal collection, street vending, bars, restaurants, and domestic service. Prisoners in pre-trial detention engage in forced labor alongside convicts. Girls and boys are exploited in prostitution. Women and children from Uganda's remote and underdeveloped Karamoja region are particularly vulnerable to domestic servitude, commercial sexual exploitation, and forced begging. Children from the Democratic Republic of the Congo (DRC), Rwanda, Burundi, Kenya, Tanzania, and South Sudan are subjected to forced agricultural labor and prostitution in Uganda. Ugandan children

are taken to other East African countries for similar purposes and forced to engage in criminal activities. Additionally, many Karamojong children in Eastern Uganda endure forced labor in grazing and domestic servitude or are taken to Kampala where they are exploited. South Sudanese children in refugee settlements in northern Uganda are vulnerable to trafficking, and UNHCR suspects instances of trafficking involving this population. Until August 2006, the Lord's Resistance Army (LRA) abducted children and adults in northern Uganda to serve as soldiers, sex slaves, and porters; Ugandan children and adults previously abducted remain unaccounted for, and some remain captive with LRA elements in the DRC, Central African Republic, and the disputed area of Kafia Kingi, which is claimed by both Sudan and South Sudan.

Licensed and unlicensed Kampala-based security companies and employment agencies continued to recruit Ugandans to work as security guards, laborers, and drivers in the Middle East. Some Ugandan migrant workers endured forced labor in South Sudan, United Arab Emirates (UAE), Saudi Arabia, Qatar, and Kuwait, even when recruited by licensed agencies. Official complicity hindered government oversight of labor recruitment agencies. Despite a ban on recruiting Ugandans for domestic work overseas, licensed and unlicensed agencies circumvented this ban, recruiting for "cleaners" or other trades with the intent of employing women in domestic work. Some Ugandan women fraudulently recruited for employment in the Middle East were exploited in forced prostitution in UAE, Oman, Saudi Arabia, and Qatar. Illegal Kampala-based labor recruiters and brokers also operated in Rwanda, and illegal Nairobi-based recruiters were active in Uganda, recruiting Ugandans and resident Rwandans and Kenyans through fraudulent offers of employment in the Middle East and Asia.

A network of Ugandans reportedly coordinated sending Ugandan women to Kuwait and UAE where they were subjected to forced labor and forced prostitution. During the reporting period, the government reported the top destination countries for Ugandan trafficking were UAE, South Sudan, and Saudi Arabia, with the largest number of Ugandan victims identified in UAE.

The Government of Uganda does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government investigated 108 trafficking cases in 2015, involving 347 victims. It reported 15 prosecutions and three convictions in 2015, in comparison with 23 prosecutions and four convictions the previous reporting period. It maintained strong efforts to identify trafficking victims and in 2015 began implementing standard procedures to identify child victims. The government did not provide victims with adequate services and relied on international organizations and NGOs to provide necessary care. The Coordination Office to Combat Trafficking in Persons (COCTIP) made efforts to raise public awareness. The government allocated funding to COCTIP for the first time. Limited funding for the Ministry of Gender, Labor, and Social Development (MGLSD), and its External Employment Unit (EEU), resulted in restricted services for victims.



RECOMMENDATIONS FOR UGANDA:

Significantly increase the availability of victim services by allocating resources for direct care provision or to NGOs that assist victims; designate an official entity to coordinate and oversee services for trafficking victims to ensure appropriate services are rendered; increase resources dedicated to anti-trafficking efforts within EEU and the Ministry of Internal Affairs (MIA); increase funding to Ugandan embassies to better assist trafficking victims abroad; establish policies and procedures for all front-line officials to identify adult trafficking victims and refer them to entities providing formal victim assistance; finalize regulations to fully implement the protection and prevention provisions of the 2009 Prevention of Trafficking in Persons (PTIP) Act; increase efforts to prosecute, convict, and punish traffickers; complete amendments to labor export regulations and use existing laws to proactively investigate and punish labor recruiters contributing to the sending of Ugandans into forced labor or prostitution abroad; institutionalize anti-trafficking training, including victim identification techniques, for all front-line officials, including diplomatic personnel; establish a unified system of documenting and collecting data on human trafficking cases for use by law enforcement, labor, and social welfare officials; expand the anti-trafficking public awareness campaign, with a particular focus on forced labor; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government maintained strong anti-trafficking law enforcement efforts. The 2009 PTIP Act prohibits all forms of trafficking, prescribing punishments of 15 years' to life imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Amendments were proposed by EEU seeking to increase oversight of employment contracts and extend criminal liability for trafficking offenses to labor recruiters. These amendments remained pending for the fourth consecutive year.

The government reported 108 trafficking investigations, 15 prosecutions, and three convictions in 2015. One trafficker was sentenced to one year's imprisonment for labor and sexual exploitation; another was sentenced to a fine of 800,000 Ugandan shillings (\$235) for labor exploitation; and the third trafficker was fined 200,000 Ugandan shillings (\$58) for labor exploitation. As the anti-trafficking act prohibits illegal adoption and child selling, government-reported statistics may include such cases, which are not considered trafficking in persons under the 2000 UN TIP Protocol definition unless the adoption and child selling is for the purpose of forced labor or sex trafficking. In one case, the government prosecuted an Indian national for the labor exploitation of 43 Indians. Following a November 2015 request from the Department of State, the Ugandan government declined to waive immunity to allow the prosecution of a Ugandan diplomat and his spouse for labor trafficking and related offenses; the couple subsequently left the United States. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking. Some civil servants and members of Parliament who own labor recruitment firms interfere in the certification of some firms, and, at times, use promises of good jobs abroad as a means to seek votes. Some judicial officers were not aware of the PTIP Act. NGOs reported trafficking victims are often paid monetary settlements by suspects to withdraw their requests and support for trafficking prosecutions. The government maintained its cooperative efforts with Rwanda, Kenya, and South Sudan.

However, its ability to cooperate internationally on trafficking investigations was hampered by a lack of funding.

The national taskforce, with support from international donors, provided training and logistical assistance for more than 224 law enforcement officials, social workers, and civil aviation officers on identification procedures, case management, investigation and prosecution techniques, and on guidance for assisting child trafficking victims during the year. In March and April 2015, Makerere University's Department of Social Work and Administration trained five police officers from the Child and Family Protection Unit on the protection of child victims. In collaboration with an international organization, MIA created a training curriculum on trafficking issues for immigration officers.

PROTECTION

The government made modest protection efforts. The government reported identifying at least 347 victims (an increase from 293 the previous reporting period), including 205 victims of forced labor and at least 21 of sex trafficking; the form of trafficking experienced by the remaining potential victims was unclear. Of the 347 victims, COCTIP registered 48 foreign trafficking victims, of whom 45 were Indian, two Tanzanian, and one Burundian. COCTIP also identified and referred to care 26 potential victims, including 22 Bangladeshis and four Ethiopians being transported through Uganda. In 2015, in partnership with NGOs, the national taskforce developed victim identification and assistance guidelines for child trafficking victims; the immigration department distributed these guidelines to immigration officers and provided training on their implementation. Nonetheless, the government remained without procedures to identify adult trafficking victims or a formal process to refer victims to protective services; however, the national taskforce and MGLSD consulted with an international organization to begin development of formal guidelines for victim referral. It did not complete implementing regulations for the 2009 PTIP Act or allocate funding for the implementation of its victim protection provisions. The government reported providing medical treatment, counseling assistance, and transportation through police clinics to victims; however, it continued to rely on NGOs and international organizations to provide most victim services. Victim care remained inadequate and services available were primarily for women.

The government provided repatriation assistance to seven Ugandan female trafficking victims from Saudi Arabia in January 2016. The government did not provide adequate shelter for many transnational victims identified outside of Uganda; it lacked funding and safe housing to temporarily house victims. In January 2016, the government banned the recruitment of domestic workers to Saudi Arabia due to reports of poor working conditions. While the PTIP Act prohibits the punishment of trafficking victims, due to lack of police awareness, the government detained trafficking victims, including children. Street children, including potential trafficking victims, were often held for up to three months at an under-resourced MGLSD juvenile rehabilitation center that provided food, medical treatment, counseling, basic education, and family-tracing services. Reports indicated police and communities treat street children as criminals, arbitrarily arresting, detaining, and beating them, and forcing them to clean detention facilities. Ugandan law permits foreign trafficking victims to remain in Uganda during the investigation of their cases and to apply for residence and work permits. However, victims cited a lack of faith in the judicial process and long court procedures as reasons for not

remaining in the country to see their case through.

PREVENTION

The government maintained its prevention efforts. The government launched and began to implement a national action plan to combat trafficking, but did not allocate sufficient resources for its full implementation. The MIA continued to oversee the government's COCTIP office, led by the national coordinator, a police commissioner. Staffing of the COCTIP office remained low. The national taskforce, with funding from MIA, coordinated with NGOs to conduct awareness campaigns through broadcast media and billboards, purposefully targeted at potential victims, including community outreach to schools during the year.

In 2015, the government continued its national awareness campaigns—composed of talks, media outreach, and distribution of written materials. The national taskforce placed banners at MIA's Office of Police Special Investigation Division and INTERPOL with information on identifying traffickers and getting help. INTERPOL continued additional screening for trafficking indicators for those attempting to emigrate for work. Immigration officials scrutinized travel documents, passports, and reasons for travel before clearing travelers to depart Uganda for work in foreign countries; however, there were reports of passport confiscation and restrictions to Ugandan citizens' freedom of movement, which reportedly led migrants to take more precarious routes through neighboring countries, such as Kenya.

The government's oversight of labor recruitment agencies remained inadequate. For the second consecutive year, the MGLSD continued its review of the regulations on the export of labor for the purpose of addressing trafficking loopholes used by recruitment agencies. The existing Employment (Recruitment of Ugandan Migrant Workers Abroad) Regulations, 2005, and Guidelines on the Recruitment and Placement of Ugandan Migrant Workers Abroad, 2015, remained in effect during this review process. Beyond corruption interfering in the oversight of labor recruitment firms, EEU remained understaffed, hindering implementation of its mandate; it did not conduct monitoring visits of employment agencies, as it had in the previous reporting period. The government did not report making efforts to close unlicensed recruitment agencies or suspend the licenses of those suspected of facilitating human trafficking; it merely recommended recruitment agencies bear the responsibility for repatriation of victims or face deregistration. The government did not pursue criminal prosecutions—under the 2009 PTIP Act—of these or other agencies for their role in fraudulent recruitment of Ugandans for overseas employment. MGLSD led the national taskforce's efforts in concluding a bilateral agreement with Saudi Arabia and continued negotiations with Kuwait and Qatar, although such agreements were not finalized at the end of the reporting period. The government continued to hold orientation sessions for Ugandans departing for work abroad, including on how to seek assistance if experiencing abuse. Labor officers and community development officers directed employers to stop using child labor and sometimes referred child labor cases to the police. The Industrial Court was previously established to hear child labor cases; however, no child labor cases were brought to the court during the reporting period. The government did not provide formal anti-trafficking training for its diplomatic personnel. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. Uganda is not a party to the 2000 UN TIP Protocol.