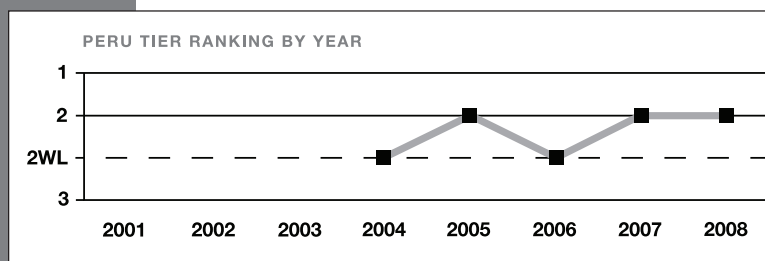


ual police officers tolerate the presence of children in prostitution and the operation of unregistered and unlicensed brothels. However, there were no reported investigations or prosecutions of incidents of officials' complicity in trafficking. Although some employment agencies, tourist agencies, and other apparently legitimate businesses are reported to be involved in trafficking, none were investigated or prosecuted during the reporting period. Over the past year, Peru requested the extradition of individuals in Uruguay, Spain, and Venezuela for trafficking crimes.

Protection

The government provided limited protection for and assistance to victims of trafficking. The government does not have formal procedures for the identification of victims among vulnerable populations and for their referral to organizations that provide protection services. When detained by police, victims are rarely informed of their rights, and are not provided legal assistance or medical treatment. The police attempt to verify the identity of the victim and her age, and to contact parents if the victim is a minor. Victims usually lack personal identification documents and the police often release them without classifying them as trafficking victims or referring them to shelters.



Many minors involved in prostitution return to the brothels in search of shelter and food. During the reporting period, the government showed modest efforts in identifying victims and referring them to government-funded domestic violence shelters, although these facilities continue to lack specialized services for trafficking victims. Fourteen new assistance centers were created across the country, some outside of Lima where trafficking is a significant problem. The Government of Peru did not encourage victim participation in the investigation or prosecution of traffickers, nor did it provide protection to victims or witnesses in any trials. The government did not penalize victims for unlawful acts committed as a direct result of their being trafficked.

Prevention

The government sustained anti-trafficking training and prevention efforts during the reporting period. The Ministry of Tourism ran a campaign against child sex tourism directed at the tourist industry and gave anti-trafficking awareness training to 100

drivers of motorcycle taxis in Iquitos who pledged to report suspected cases of trafficking to police, particularly child trafficking. As of August 2007, the Ministry of Interior assumed responsibility for paying the salaries of those who staff a toll-free IOM-assisted hotline for the reporting of trafficking crimes. The Ministry of Foreign Affairs continues to provide a training session for consular officials on trafficking issues and illegal migration. The government did not take steps to reduce the demand for commercial sex acts or *child sex tourism* during the reporting period.

PHILIPPINES (Tier 2)

The Philippines is primarily a country of origin for men, women, and children trafficked for the purposes of commercial sexual exploitation and forced labor. A significant number of Filipino men and women who migrate abroad for work are subjected to conditions of involuntary servitude in Bahrain, Canada, Cyprus, Hong Kong, Cote d'Ivoire, Japan, Kuwait, Malaysia, Palau, Qatar, Saudi Arabia, Singapore, South Africa, Turkey, and the United Arab Emirates. Women and children are also trafficked from poor communities in the Visayas and Mindanao to urban areas such as Manila and Cebu City for commercial sexual exploitation, or are subjected to forced labor as domestic servants or factory workers. Filipinas are also trafficked abroad for commercial sexual exploitation, primarily to Japan, Malaysia, Singapore, Hong Kong, South Korea, and countries in the Middle East and Western Europe. Traffickers used land and sea transportation to transfer victims from island provinces to major cities. A growing trend is the use of budget airline carriers to transport victims out of the country. Traffickers used fake travel documents, falsified permits, and altered birth certificates. A smaller number of women are occasionally trafficked from the People's Republic of China, South Korea, and Russia to the Philippines for commercial sexual exploitation. Child sex tourism continues to be a serious problem for the Philippines. Sex tourists reportedly came from Northeast Asia, Europe, and North America to engage in sexual activity with minors.

The Government of the Philippines does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government continued to demonstrate exemplary efforts to prevent trafficking of migrant workers and to protect those who were exploited abroad. However, the government demonstrated weak efforts to prosecute trafficking cases and convict trafficking offenders. There were only three convictions under the 2003 anti-trafficking law during the reporting period, a minimal increase from one conviction obtained last

year. Given the scope and magnitude of the internal trafficking problem, this number of convictions is troubling. Achieving tangible results in prosecuting trafficking cases and convicting trafficking offenders is essential for the Government of the Philippines to continue progress towards compliance with the minimum standards for the elimination of trafficking.

Recommendations for the Philippines:

Significantly improve the record of prosecutions, convictions, and punishments for traffickers; disseminate information on the 2003 law throughout the country; train law enforcement officers and prosecutors on the use of the 2003 law; and vigorously investigate and prosecute public officials complicit in trafficking.

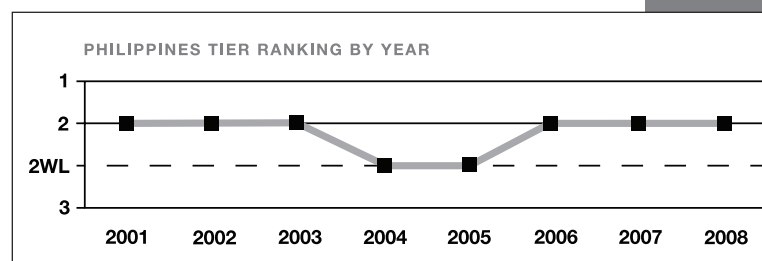
Prosecution

The Philippine government showed some improvement in prosecuting cases against traffickers. The Philippines criminally prohibits trafficking for both sexual and labor exploitation through its 2003 Anti-Trafficking in Persons Act, which prescribes penalties that are sufficiently stringent and commensurate with those for rape. In 2007, the government secured convictions under the 2003 law against three sex traffickers: two in Cebu City; and one in Davao. Each convicted trafficker was found guilty, sentenced to life imprisonment and ordered to pay fines ranging from \$50,000 to \$70,000. There were no criminal convictions for forced labor during the reporting period. Philippine law enforcement agencies reported 155 alleged trafficking cases to the Department of Justice (DOJ) in 2007, of which prosecutors initiated prosecutions in 56 of the cases. The remaining cases remain under preliminary investigation or were dismissed for lack of evidence. The government's ability to effectively prosecute trafficking crimes remained handicapped by a lack of resources, endemic corruption, and general ineffectiveness of the judicial system. However, the DOJ's Anti-Trafficking Task Force is composed of 17 prosecutors who focus specifically on trafficking, and an additional 72 prosecutors in regional DOJ offices handle trafficking cases. A high vacancy rate among judges significantly slowed trial times. In 2007, the Philippine Overseas Employment Agency (POEA) filed 469 administrative cases against licensed labor recruiters who used fraudulent deceptive offers to entice jobseekers abroad or imposed inappropriately high or illegal fees on prospective employees.

Under certain circumstances and with the approval of the court, the Philippines allows private attorneys to prosecute cases under the direction and control of a public prosecutor. The private prosecutors serve on behalf of the victims. In addition to the DOJ's ongoing cases, one NGO initiated 32

criminal cases and achieved one conviction in 2007; 14 cases remained on trial; eight were in preliminary hearings; eight were under investigation; and one was archived. The government cooperated with other countries in the investigation and prosecution of trafficking cases, particularly in Malaysia, Hong Kong, New Zealand, and Australia.

Widespread corruption at all levels of the government permitted many organized crime groups, including traffickers, to conduct their illegal activities. Corruption among law enforcement agents remained a particular obstacle to better anti-trafficking performance. It is widely believed that some government officials are involved in, or at least permit, trafficking operations within the country. During the year, a trial concluded against police officer Dennis Reci, charged in 2005 for allegedly trafficking minors for commercial sexual exploitation at his night club in Manila. Reci remained in detention while the case was pending the court's decision. In 2007, the Office of the Ombudsman created the Ombudsman Against Government



Employees Involved in Trafficking (TARGET), composed of special investigators and prosecutors tasked to investigate cases against government officials engaged in trafficking or trafficking-related corruption. In February 2007, the Task Force Against Trafficking at Ninoy Aquino International Airport was formed to combat trafficking at the airport by intercepting undocumented passengers, assisting victims, and monitoring involvement of airport personnel. The Task Force filed one case of trafficking involving an immigration employee at the airport and referred two other cases of trafficking-related corruption involving four immigration personnel to the Office of the Ombudsman.

Protection

The Philippine government sustained its strong efforts to protect victims of trafficking in 2007, including through partnerships with NGOs and international organizations that provide services to victims. The law recognizes trafficked persons as victims and does not penalize them for crimes related to acts of trafficking; nonetheless, police sometimes brought charges of vagrancy against victims. The government actively encourages victims to assist in the investigation and prosecution of trafficking and related crimes. Victims can file civil suits or seek legal action against traffickers.

Foreign trafficking victims or victims who transit the Philippines are entitled to the same assistance as citizens. The government provides temporary residency status, relief from deportation, shelter, and access to legal, medical, and psychological services. The Department of Social Welfare and Development operated 42 temporary shelters for victims throughout the country. Thirteen of these shelters were supported by a non-profit charity organization. The Philippine Ports Authority provided the building and amenities at halfway houses for trafficking victims at ports in Batangas, Davao, Manila, Sorsogon, and Zamboanga, which were managed by an NGO; the Ports Authority, police, and the Coast Guard referred victims and potential victims to the halfway houses.

The Department of Foreign Affairs (DFA) extended assistance to Philippine citizens trafficked abroad and managed repatriations. In coordination with the Department of Labor and Employment (DOLE), the DFA took the lead through its embassies in protecting the rights of migrant workers abroad. DOLE also deployed 41 labor attachés who served in 35 cities around the world to help protect migrant workers; in addition, DOLE's Overseas Workers Welfare Administration (OWWA) sent 40 welfare officers abroad to support the work of labor attachés. Due to budget constraints, the Department of Social Welfare and Development (DSWD) reduced the number of social workers in the Philippines' diplomatic missions in 2007, but maintained one social welfare attaché in Malaysia to provide psycho-social counseling to overseas Filipino workers.

Prevention

The Philippine government demonstrated continued efforts to raise awareness and prevent trafficking in persons, mainly for migrant workers. In 2007, POEA conducted nearly 1,000 pre-employment orientation seminars for more than 50,000 departing overseas Filipino workers in 2007. POEA also trained diplomatic staff and overseas labor and social welfare officers in methods for assisting trafficking victims abroad. To protect overseas Filipino domestic workers from fraudulent or otherwise illegal recruitment offers, foreign employers are required to undergo pre-qualification screening by the Philippine Overseas Labor Office and submit a written statement committing themselves to the fair and humane treatment of their domestic workers. The government, through the Inter Agency Council Against Trafficking (IACAT), broadcast anti-trafficking infomercials that aired on local television networks in three provinces. The infomercials provided basic information about trafficking as well as how to report incidents of trafficking. In November and December 2007, the government

held three sub-national conferences on trafficking in Davao, Cebu, and Manila that brought together government officials, law enforcement, NGOs, and international organizations.

The government continued efforts to reduce demand for *child sex tourism* by cooperating with the prosecution of American nationals under terms of the U.S. PROTECT Act of 2003. At the end of the reporting period, Immigration and Customs Enforcement of the U.S. Department of Homeland Security had nine ongoing PROTECT ACT investigations in collaboration with Philippine law enforcement. The Philippines deployed a total of 725 military and police personnel in nine UN peacekeeping missions. There were no reports of Philippine peacekeepers engaging in or facilitating trafficking in persons. Prior to deployment of troops for peacekeeping operations, the Department of National Defense and the Philippine National Police (PNP) conduct seminars and training for peacekeepers, including a training module on trafficking. The Department of Foreign Affairs also provides pre-departure orientation seminars to foreign service officers and other government personnel before being assigned abroad.

POLAND (Tier 1)

Poland is a source, transit, and destination country for women trafficked from Ukraine, Moldova, Romania, Belarus, Lithuania, Russia, Bulgaria, Cameroon, Somalia, Uganda, Kenya, Nigeria, and Vietnam to and through Poland to Austria, Belgium, Denmark, Germany, Greece, Italy, the Netherlands, Spain, Sweden, and Japan for the purpose of commercial sexual exploitation. Polish men and women are trafficked to Italy, Austria, Germany, Belgium, France, Spain, Sweden, the Netherlands, and Israel for purposes of forced labor and sexual exploitation. In 2007, there were 880 identified Polish victims of forced agricultural labor in Italy.

The Government of Poland fully complies with the minimum standards for the elimination of trafficking. Poland continued to show progress in its law enforcement efforts, notably ensuring that a majority of convicted traffickers served some time in prison. The government also continued to improve its trafficking prevention efforts; however, there was an inadequate number of shelters available to victims during the reporting period.

Recommendations for Poland: Continue training for prosecutors and judges to ensure trafficking offenders are convicted and serve time in prison; increase the number of victims receiving assistance; increase the number of trafficking shelters; and vigorously investigate, prosecute, convict, and sentence government officials for trafficking complicity.