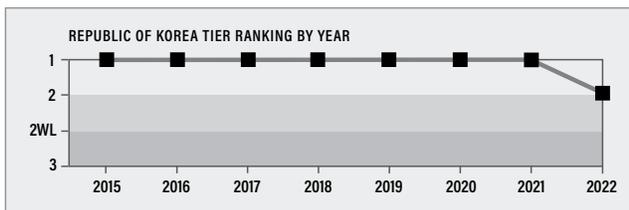


who lure, drug, detain, or kidnap some DPRK women upon their arrival. Traffickers also operate networks spanning from the PRC into the DPRK to recruit women and girls to smuggle into the PRC. For example, in border towns traffickers approach women with false promises of profitable employment that would enable them to pay broker fees associated with being smuggled to the PRC. These women are subjected to physical abuse and sexual exploitation by their traffickers, forced into commercial sex in brothels or through internet sex sites, or compelled to work as hostesses in nightclubs or karaoke bars. Traffickers also sell DPRK women to PRC national men for forced marriages, whereby they are subsequently forced into commercial sex, domestic service, agricultural, or other types of work. These victims often lack identification documents and bear children with PRC national men, which further hinders their ability to escape. As many as 30,000 children born in the PRC to DPRK women and PRC national men have not been registered upon birth, rendering them stateless and vulnerable to possible exploitation. If found by PRC authorities, trafficking victims are often forcibly returned to the DPRK, where they are subject to harsh punishment, including forced labor in labor camps, torture, forced abortions, or death.

KOREA, REPUBLIC OF: TIER 2

The Government of the Republic of Korea (ROK) does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included creating a new training course for prosecutors, training seafarers' labor inspectors on trafficking, and initiating the process to draft new victim identification guidelines and a national anti-trafficking action plan. However, these efforts were not serious and sustained compared with the efforts during the previous reporting period, even considering the impact of the COVID-19 pandemic, if any, on the government's anti-trafficking capacity. The government initiated fewer prosecutions than in 2020, did not take steps to address longstanding concerns that government officials penalized foreign sex trafficking victims for unlawful acts traffickers compelled them to commit, and sometimes deported victims without providing them adequate services or investigating traffickers. Despite reports of the prevalence of labor trafficking among migrant workers in Korea, especially in Korea's fishing fleet, the government did not report identifying any foreign forced labor victims. Officials did not consistently utilize victim identification guidelines, and courts sentenced the majority of criminals convicted for trafficking-related crimes to less than one year's imprisonment, fines, or suspended sentences. Therefore South Korea was downgraded to Tier 2.



PRIORITIZED RECOMMENDATIONS:

Ensure police, immigration, labor, and social welfare officials consistently use victim identification guidelines to increase identification of victims of labor and sex trafficking. • Proactively screen for victims among vulnerable populations, including individuals in commercial sex, fishermen, and migrant workers. • Ensure implementation of the 2021 anti-trafficking legislation continues to (effectively) criminalize all forms of trafficking in persons, in line with the definition of trafficking under the 2000 UN TIP Protocol, and prescribes penalties that are sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other grave crimes. • Increase efforts to investigate, prosecute, and convict traffickers, particularly for labor trafficking, including for those who use forced labor on South Korean-flagged fishing vessels. • Cease the penalization of victims for unlawful acts traffickers compelled them to commit, including by improving

coordination between police and immigration in cases involving foreign victims. • Sentence traffickers to adequate penalties, which should include significant imprisonment. • Provide trauma-informed training to law enforcement to ensure they use victim-centered approaches in investigations and victim protection. • Establish and implement formal procedures for police, immigration, labor, and social welfare officials to refer both sex and labor trafficking victims to support services. • Increase efforts to train law enforcement officers, prosecutors, judicial officials, and social service providers to better understand trafficking as defined by international law. • Take steps to increase and enforce protections for migrant fishermen, including by enforcing prohibitions against document confiscation, and develop a more consistent and effective system for inspecting the labor conditions of fishing vessels. • Improve the quality of specialized services provided to trafficking victims, especially male, child, foreign, and disabled victims. • Establish a system to collect trafficking law enforcement and victim protection data that distinguishes trafficking from other crimes such as commercial sex. • Increase interagency coordination on efforts to combat both sex and labor trafficking. • Take steps to eliminate recruitment and/or placement fees charged to workers by labor recruiters in the ROK and workers' home countries and ensure any recruitment fees are paid by employers.

PROSECUTION

The government maintained its anti-trafficking law enforcement efforts; however, it did not increase prosecutions nor adequately penalize most traffickers. Various articles under Chapter 31 of the Criminal Act, when read together, criminalized sex trafficking and labor trafficking and prescribed penalties of up to 15 years' imprisonment for trafficking crimes, which were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. Inconsistent with the definition of trafficking under international law, Article 289 ("trafficking in persons") limited the definition of trafficking to require the buying or selling of another for exploitation and did not include a demonstration of force, fraud, or coercion as an essential element of the crime. However, Articles 288 ("kidnapping, abduction, etc. for the purpose of indecent acts, etc.") and 292 ("receiving, harboring, etc. of person kidnapped, abducted, trafficked or transported") could apply to trafficking offenses not covered under Article 289. Similarly, Article 12 of the Act on the Protection of Children and Juveniles Against Sexual Abuse incorrectly defined child sex trafficking to require transnational movement of the victim. However, various other articles under the law could be applied to child sex trafficking offenses that did not involve such movement. The absence of a criminal offense that defined trafficking consistent with international law resulted in varying understanding of the crime among law enforcement and prosecutors and may have led officials to conflate trafficking with related crimes such as commercial sex, kidnapping, domestic violence, and other forms of sexual abuse. The Prevention of Trafficking in Persons, Etc. and Victim Protection Act, promulgated in April 2021 and which will come into effect in January 2023, included a definition of "trafficking in persons, etc..." that aligned more closely with the international definition of trafficking, but it did not include penalty provisions. The government stated penalty provisions were unnecessary because officials could prosecute traffickers under various statutes in the existing legal framework and a new criminal statute could harm existing efforts to prosecute traffickers. Numerous NGOs and anti-trafficking experts said the government had not effectively used the existing legal framework in recent years to prosecute traffickers and many traffickers often go unpunished and were skeptical this new law will result in increased trafficking prosecutions and convictions.

While the government maintained general statistics on victims and offenders across all subsections of the criminal code, it did not adequately distinguish trafficking cases from related crimes, such as commercial sex. This made it difficult to determine which law enforcement actions reported by the government involved human trafficking as defined by international law. The government reported investigating at least 64 potential cases of trafficking in 2021; it did not report the number of cases investigated in 2020. The government initiated prosecutions of 297 suspects (332 in 2020) and convicted 226 offenders (229 in 2020) for crimes related to trafficking, including 258 prosecutions and 212 convictions of traffickers who purchased commercial sex acts

from children. The government reported sentencing 28 traffickers to at least one year's imprisonment (28 in 2020). Courts sentenced the vast majority of those convicted for trafficking-related crimes to less than one year's imprisonment, suspended terms of imprisonment, or fines. This weakened deterrence, undercut the government's overall anti-trafficking efforts, and likely created security and safety concerns, particularly for victims who cooperated with investigations and prosecutions. Observers reported the government's failure to sentence the majority of traffickers to significant terms of imprisonment resulted in impunity for traffickers and some instances of previously convicted offenders resuming trafficking activities.

The Ministry of Employment and Labor (MOEL) and provincial police investigated allegations of exploitation of individuals with intellectual disabilities working on salt farms, which included indicators of trafficking such as nonpayment of wages and excessive working hours; however, NGOs reported officials did not employ trauma-informed procedures during the investigation of these allegations, and the government reported it did not identify evidence of trafficking crimes. NGOs reported the government did not implement adequate or frequent inspections of fishing vessels, which reportedly resulted in minimal regulation and impunity for boat captains and others who exploited migrant workers, including in forced labor. The government did not report prosecuting any cases involving the exploitation of migrant workers in forced labor, despite reports from NGOs that this continued to occur. NGOs working with labor trafficking victims reported that immigration officials and labor inspectors treated some potential labor trafficking cases as administrative labor violations.

The Ministry of Justice (MOJ) collaborated with the Korea Institute of Criminology and Justice to research the status of recent trafficking prosecutions and utilized findings to inform trainings for investigators. The government reported the study determined the Criminal Act and Prevention of Trafficking in Persons, Etc. and Victim Protection Act will provide an adequate legal framework to prosecute and punish traffickers. The Korean National Police Agency (KNPA) trained 180 officers on sex trafficking during a 12-session course and developed a guide for identifying victims of sex trafficking, which it distributed to police stations in October 2021. The government did not report providing official anti-trafficking trainings that included components on trauma-informed procedures and care. MOJ reported it created a course for new prosecutors on trafficking and provided anti-trafficking training for veteran prosecutors; the Ministry of Oceans and Fisheries (MOF) reported providing training to seafarers' labor inspectors on identifying trafficking. In the past, victim-support NGOs reported instances of police, prosecutors, and government-provided interpreters not using trauma-informed practices when interviewing victims, which inhibited their ability to effectively collect evidence and testimony from victims to pursue charges against their traffickers. Previous reports also indicated law enforcement did not proactively investigate trafficking cases and declined to pursue charges in some suspected trafficking cases for unclear reasons, sometimes due to a lack of understanding of tactics used by traffickers. Officials often did not prosecute cases involving debt-based coercion due to a perceived lack of jurisdiction over recruitment that generally originated in a victim's home country. The lack of an option to provide foreign trafficking victims with long-term or permanent residency discouraged victims from participating as witnesses in investigations of traffickers. The government investigated one working-level court official allegedly complicit in sex trafficking; the government did not report prosecuting any officials allegedly complicit in trafficking crimes.

PROTECTION

The government maintained efforts to identify and protect trafficking victims. Officials continued to be unable to track or provide the total number of trafficking victims identified or referred to services, thereby making some aspects of their overall protection efforts unclear. Law enforcement referred individuals in commercial sex to support facilities operated or funded by the Ministry of Gender, Equality, and Family (MOGEF), but the government did not identify how many were victims of sex trafficking; MOGEF provided services to 6,311 individuals in its support facilities in 2021, compared to 6,743 in 2020. MOGEF established 17 support centers for child sex trafficking victims, which provided

assistance to 3,964 victims in 2021. MOEL reported identifying 10 labor trafficking victims (including one female and nine male victims, and nine adults and one child), compared to 11 labor trafficking victims identified in 2020. Despite ongoing concerns that traffickers exploited migrant workers in forced labor in various industries, the government did not identify any migrant workers exploited in labor trafficking (six in the previous reporting period) and it did not report identifying any migrant fishermen exploited in labor trafficking.

The government continued to distribute victim identification guidelines created by the National Human Rights Commission of Korea (NHRCK) to police, prosecutors, and coast guard officials; however, the government lacked formal procedures to refer victims to care. The Ministry of Gender, Equality, and Family (MOGEF) provided training to its staff on the NHRCK guidelines and procedures for supporting victims and convened advisory meetings to develop new victim identification guidelines in preparation for implementation of the March 2021 anti-trafficking law; these guidelines had not yet been finalized by the end of the reporting period. Law enforcement often did not take steps to proactively identify victims, failed to identify many victims, and many officials did not adequately implement identification procedures. Despite the existence of the NHRCK guidelines, labor, immigration, and law enforcement officials reportedly did not use them in practice. MOJ officials interviewed entertainment visa holders to screen for sex trafficking indicators and referred identified victims to services; however, the government did not report how many victims were identified through these interviews, and NGOs reported the government did not establish adequate guidelines for immigration officials on what steps they should take if a visa holder reported any indicators of trafficking. The national police agency operated teams responsible for guiding all crime victims, which could include trafficking victims, from the initial point of contact with law enforcement to protection and support systems. However, the government did not have a formal referral process to guide officials in referring trafficking victims to services, some authorities reportedly only referred victims to services in extreme cases, and some victims did not receive timely support.

Through its cooperation with the Korean Crime Victims Support Association, MOJ reported assisting 380 trafficking victims in 2021, including through financial assistance, medical and psychological support, and legal assistance. In addition, MOJ-funded Smile Centers also included highly trained social workers, psychiatrists, and clinical psychiatrists who could provide post-trauma support for victims of crime; the government did not report whether it trained these workers on trauma-informed care specific to trafficking victims. MOGEF supported more than 100 facilities that provided services to victims of crime and were available to assist trafficking victims through counseling services, psycho-social support, shelter, education, and rehabilitation support; however, the government did not report providing any services designed specifically for trafficking victims. While these facilities primarily served female victims of crime, the government made some services, such as counseling, medical, and legal assistance, available to male victims. Nonetheless, NGOs continued to report the quality of victim care was insufficient, particularly for male, disabled, foreign, and child victims, and that authorities did not provide consistent or accessible service for foreign victims. The government only permitted foreign victims to stay in shelters for three months; however, authorities could extend this period of stay if victims were participating as witnesses in prosecutions against traffickers. The government did not provide undocumented foreign victims some services unless they cooperated with law enforcement in the investigation of traffickers. Victims could file civil suits to receive compensation; the government did not report whether any victims received such compensation. The government issued G-1 visas to foreign victims of crimes, which allowed victims to stay and work in South Korea for up to one year while cooperating in investigations and prosecutions; because the government did not track identified victims, it was unable to provide the number, if any, of trafficking victims issued G-1 visas. MOJ previously reported foreign victims of sexual violence and trafficking were exempt from immigration penalties for remaining in the country beyond the permitted period of stay; however, it did not report how many victims, if any, benefited from this provision during the reporting period. Despite these benefits, the government did not provide legal alternatives to foreign victims' removal to countries where

they face retribution or hardship. Some NGOs alleged that authorities sometimes detained or deported foreign victims but did not report any specific cases during the reporting period.

Although the law prohibits punishment for illegal acts that individuals were coerced to commit, the government did not take steps to address longstanding concerns that government officials often arrested, detained, and deported victims for unlawful acts traffickers compelled them to commit. Authorities did not conduct screenings for indicators of trafficking when arresting individuals for commercial sex acts, and NGOs reported some instances in which authorities deported potential foreign trafficking victims without screening them for trafficking or providing services. In addition, NGOs reported authorities deported some foreign sex trafficking victim-witnesses who participated in prosecutions against traffickers.

KNPA reportedly had a policy to not inform immigration officials of the illegal status of victims who self-reported their exploitation to authorities; however, KNPA did not extend this policy to victims who did not self-identify or were not accompanied by legal counsel or other service providers.

PREVENTION

The government maintained efforts to prevent trafficking. MOGEF assumed the role as the government's central coordination body for anti-trafficking and held interagency meetings during the reporting period. As mandated by the 2021 anti-trafficking legislation, MOGEF began drafting the first national action plan but had not completed it by the end of the reporting period. The government continued efforts to raise awareness of sex trafficking through public broadcasting programs and ad campaigns on social media and reported it mandated one hour of education per year on sex trafficking prevention for all public sector workers. However, the government did not make sufficient efforts to raise awareness of labor trafficking. Anti-trafficking NGOs reported there were low levels of public awareness of human trafficking. To reduce the demand for commercial sex acts, officials provided schools, government agencies, and other public organizations with anti-commercial sex and trafficking education programs, and it publicized the illegality of child sex tourism in airports. The government did not operate a hotline specifically for reporting potential trafficking crimes, but MOGEF continued to operate hotlines in 13 languages that were accessible to trafficking victims. The government did not report the number of calls related to trafficking but reported receiving 3,048 calls involving individuals in commercial sex exploitation in 2021. MOF operated two call centers to provide counseling for migrant seafarers, with interpreting services in Indonesian, Vietnamese, Chinese, and Burmese languages. Out of thousands of calls received in 2021, MOF reported 32 cases that were flagged for further investigation by labor inspectors for potential violations of the Seafarers Act.

NGOs continued to report traffickers exploited migrant workers through the government's Employment Permit System (EPS). MOEL provided interpretation, medical treatment, and counseling services to migrant workers through 44 support centers that were partially funded by the government. MOEL inspected workplaces that employed groups at risk of trafficking, including migrants and individuals with disabilities. While the government recognized the practices of unscrupulous recruitment agencies by stipulating in its bilateral Memoranda of Understanding (MOUs) that only public sector entities can be involved, the government did not report investigating unscrupulous recruitment agencies. MOEL also stated it required dispatch agencies to publicly list the costs they charged to foreign workers on their webpages, and it facilitated foreign worker labor management education for Korean employers. Media reports alleged that in one case, local MOEL labor inspectors reportedly ignored violations of EPS, including indicators that employers forced some migrant workers to engage in work in violation of the law. Following these reports and a National Assembly inquiry, MOEL re-investigated six workplaces and conducted 143 unannounced inspections in the agricultural sector in the first three months of 2022 and issued corrective orders and employment restrictions to offending employers. The government's restrictions on the ability of migrant workers employed under EPS to change employers increased their vulnerability to exploitation. The government asserted it permitted

workers who reported exploitation or labor violations to MOEL to change their employers while MOEL investigated their claims. According to NGOs, however, MOEL reportedly did not adequately investigate workers' claims and instead workers spent months attempting to prove their exploitation to MOEL before receiving permission to change their place of employment. In addition, employers who exploited their workers often only received small fines or suspended sentences. Addressing concerns of inadequate housing of migrant workers, beginning in July 2021, MOEL ceased the issuance of employment permits to employers in the agriculture and fisheries industries who housed migrant workers in makeshift structures, although NGOs said the government granted some employers a grace period until September.

Traffickers capitalized on gaps in Korean labor laws to exploit foreign fishermen in forced labor. The Seafarers Act exempted migrant workers from the legal working and rest hours, overtime pay, and paid holidays prescribed for Korean fishermen. While MOF issued rules in January 2021 to better regulate the recruitment system, prevent excessive working hours, set a minimum salary, and ensure the provision of clean drinking water for migrant seafarers, NGOs continued to raise concerns these rules were not adequately implemented and called for stricter punishment of violators. NGOs reported some migrant fishermen continued to work long hours, sometimes more than 18 hours per day. The minimum wage for migrant fishermen was reportedly one-fifth less than the minimum wage of Korean fishermen, and migrant workers often did not receive holiday or overtime pay. The government amended the Seafarers Act in July 2021 to prohibit the confiscation of migrant seafarers' passports; however, observers noted only ship owners were subject to the prohibition, and therefore skippers or manning agencies, who frequently withhold workers' identity documents, could continue this practice with impunity. In addition, surveys conducted in September 2021 revealed the majority of migrant fishermen still did not maintain control of their identity documents. The government did not adequately regulate the recruitment process for migrant fishermen and instead a cooperative of private agencies regulated this process and charged standard recruitment fees of approximately \$5,000 to workers, and many paid more than that. While the government reported conducting inspections of 177 fishing vessels in 2021, it did not mandate fishing vessels return to ports for routine labor inspections; NGOs reported that unless they required maintenance, vessels could avoid returning to port and many vessels remained at sea for more than a year at a time, increasing risks for forced labor. MOF reported conducting a survey of migrant seafarers working on longline fishing vessels to ask if the workers wished to disembark; however, NGOs observed fears of losing employment in the future deterred workers from agreeing to disembark, and the ministry did not report screening for indicators of trafficking during these surveys. The law also did not prohibit exploitative wage deductions or prohibit worker-charged recruitment fees, which enabled traffickers to use debt-based coercion to exploit migrant fishermen, as well as workers in other industries; MOEL reported it required recruiting agencies to publicly list the costs they charged to foreign workers on their webpages. To address the issue of recruitment agencies in source countries charging workers recruitment fees that contribute to debt-based coercion, the government signed an MOU with the government of Indonesia in May 2021. Local governments encouraged and provided financial assistance to South Korean farmers to pursue marriages to foreign women through brokers; some of these women were exploited in sex trafficking and domestic servitude.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in South Korea, and traffickers exploit victims from South Korea abroad. Traffickers exploit South Korean women and children, including children who run away from home and victims of domestic violence, in commercial sex, including in bars, night clubs, and other entertainment establishments, or through internet-advertised escort services. Traffickers increasingly utilized online platforms to recruit and coerce victims to engage in commercial sex acts and to facilitate trafficking by communicating with purchasers of commercial sex. Chat room operators recruit Korean women and children, including child sex trafficking victims, and threaten them with the release of compromising photographs to coerce them to participate in the

production of pornographic materials. Traffickers exploit South Korean women overseas, including in the United States, in sex trafficking in massage parlors, salons, bars, and restaurants, or through internet-advertised escort services, often through debt-based coercion. Traffickers subject men and women, primarily from the People's Republic of China (PRC), Thailand, Russia, the Philippines, Vietnam, Indonesia, Morocco, and other countries in Asia, the Middle East, and South America, to forced labor and sex trafficking in South Korea. Traffickers force victims who owe debts to entertainment establishment owners or loan sharks into commercial sex. Sex traffickers exploit some foreign women on E6-2 entertainment visas—many from the Philippines and Thailand—in bars and clubs, including “foreigners only” bars near ports and U.S. military bases. However, many of the clubs that catered to U.S. military personnel remained closed since early 2020 due to the pandemic. Job brokers, unscrupulous recruitment agencies, and managers or owners of bars and clubs recruit foreign women under false promises of jobs as singers or performers but instead coerce victims to work excessive hours selling juice and alcohol and to engage in commercial sex acts in clubs. Recruiters and owners of massage parlors fraudulently recruit women for work as professional masseuses in Korea but force them to engage in commercial sex acts, sometimes through passport confiscation, physical violence, and threats of deportation or violence. Some victims are not provided an adequate number of days off, face harassment, verbal and physical abuse, and are paid below the minimum wage or have their wages withheld to discourage them from leaving Korea or seeking new employment. Some bar managers reportedly confiscate victims' passports or alien registration cards and restrict their ability to go outside their workplace. Women from the Philippines and other countries in Asia enter Korea on tourist visas after receiving false promises of short-term work in factories or other industries but then have their passports confiscated by traffickers who force them to work in clubs and engage in commercial sex acts. Some women from the PRC, Vietnam, Thailand, the Philippines, and Cambodia, who are recruited for marriages to South Korean men through international marriage brokers, are vulnerable to sex trafficking and forced labor after their arrival. Some South Korean men reportedly engage in child sex tourism in other Asian countries; however, this likely occurred less frequently during the reporting period due to the pandemic. Travel restrictions and quarantine requirements related to the pandemic prevented traffickers from recruiting some foreign trafficking victims during the reporting period, leaving women in Korea more at risk to exploitation. As the entertainment industry experienced a loss of business, some traffickers also used increased various forms of exploitation to force victims into commercial sex. Some brokers also force Korean women who worked in clubs prior to the pandemic into commercial sex. North Korean defectors living in South Korea often faced economic hardship that increased their risks to trafficking, and traffickers subjected North Korean women to sex trafficking. KNPA, MOJ, and MOF previously acknowledged instances of deportation of foreign trafficking victims, including some who self-reported, and attributed it to a breakdown in communication between investigators and immigration authorities.

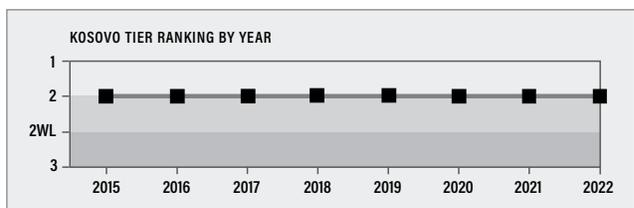
Traffickers have forced some physically or intellectually disabled South Korean men to work on fishing vessels and fish, salt, and cattle farms. Unscrupulous labor recruiters contribute to the forced labor of migrant workers, especially those from Vietnam, the Philippines, Thailand, Cambodia, Indonesia, and Mongolia, through debt-based coercion by charging workers excessive fees, sometimes leading to thousands of dollars of debt. Approximately 200,000 migrant workers employed under the government's EPS work in fishing, agriculture, livestock, restaurants, and manufacturing. Undocumented workers are also employed in these sectors, though there are no official statistics on their numbers. NGOs reported that there were fewer migrant workers in the country due to pandemic-related travel restrictions. Some workers, both documented and undocumented, face conditions indicative of forced labor. Migrant workers in the agriculture sector are sometimes forced to live in inadequate housing, sometimes in greenhouses, shipping containers, or dormitories. South Korea is a transit point for Southeast Asian fishermen subjected to forced labor on fishing ships bound for Fiji and other ports in the Pacific. There are ongoing reports of abuse, including forced labor, of migrant workers in the Korean fishing fleet, one of the world's largest distant-water fishing fleets. Recruiters, boat

owners, captains, and job brokers often use debt-based coercion to exploit migrant fisherman in forced labor on Korean-flagged or -owned vessels. Reports estimate that nearly 4,000 migrant workers, mainly from Indonesia, are employed on these vessels. Korean distant-water fishing vessels frequently use at-sea trans-shipment of catches and can often stay at sea for a year or longer without visiting a port, limiting the ability of workers to report exploitation to authorities or to safely leave their exploitation. According to one study, Korean longline fishing vessels spend the longest amount of time at sea, travel the furthest distances, and have the longest daily fishing hours compared with the world's 25 largest longline fishing fleets. Recruitment agencies and job brokers often charge fishermen excessive recruitment fees, sometimes as much as \$13,000 for Indonesian and Vietnamese fisherman working on vessels in coastal waters, increasing their vulnerability to debt-based coercion. Migrant fishermen on distant-water vessels often have the first three months of their wages withheld to serve as a “deposit” they are unable to receive back until the completion of their contract. Although the government has undertaken some efforts to address problems in this sector, trafficking vulnerabilities remain. Such workers can be forced to work excessive hours, up to 20 hours per day with limited rest hours or days off, abused physically and verbally by boat captains, subjected to salary deductions, provided inadequate food and water, or forced to live and work in unsanitary conditions. It is common for recruitment agencies, captains, and skippers to retain coastal and distant-water fishermen's passports to prevent them from leaving their employment.

Traffickers reportedly utilized partnerships with some law enforcement authorities to threaten victims with penalization and deportation. In previous reporting periods, NGOs reported some government employees, including police, sexually exploited children and solicited individuals in commercial sex, some of whom may have been sex trafficking victims.

KOSOVO: TIER 2

The Government of Kosovo does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared with the previous reporting period, considering the impact of the COVID-19 pandemic, if any, on its anti-trafficking capacity; therefore Kosovo remained on Tier 2. These efforts included prosecuting and convicting more traffickers and identifying more victims. The Chief State Prosecutor's Office (CSPO) established local multi-disciplinary teams to improve coordination on trafficking cases in three regions, and the government increased funds to NGO-run shelters. The government organized a robust awareness campaign, and coordinating bodies met and produced quarterly reports. However, the government did not meet the minimum standards in several key areas. Judges continued to impose lenient sentences on convicted traffickers, and the government did not adopt the 2020-2024 Anti-trafficking National Strategy and Action Plan. Law enforcement continued to classify forced begging of children by their parents as parental neglect or abuse rather than trafficking and, because of inadequate identification procedures for forced begging, authorities likely deported some unidentified trafficking victims.



PRIORITIZED RECOMMENDATIONS:

Vigorously investigate, prosecute, and convict traffickers, including complicit officials. • Sentence convicted traffickers to prison terms consistent with prescribed penalties. • Develop written guidance and enhance efforts to identify and assist children exploited in forced begging.